

**MINUTES
CITY COUNCIL REGULAR MEETING
SEPTEMBER 13, 2022**

CALL TO ORDER

The regular meeting of the City Council of the City of Highland was called to order at 6:00 p.m. by Mayor McCallon at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Pastor Jeff Harper, Arden Hills Seventh Day Adventist Church, and the Pledge of Allegiance was led by Council Member Timmer.

ROLL CALL

Present: Chavez, Lilburn, McCallon, Solano, Timmer
Absent: None

REPORT FROM CLOSED SESSION

None

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

None

CITY COUNCIL CONSENT CALENDAR

A MOTION was made by Council Member Timmer, seconded by Council Member Solano, to approve the consent calendar as submitted with Mayor Pro Tem Lilburn abstaining from Item #10. Motion carried on a roll call vote, 5-0.

1. Waive the Reading of All Ordinances
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – August 9, 2022 City Council Regular Meeting
Approved the Minutes as submitted.
3. Minutes – August 25, 2022 City Council Special Meeting
Approved the Minutes as submitted.
4. Warrant Register
Approved Warrant Register No. 745 for September 13, 2022, in the amount of \$2,988,001.50 and Payroll of \$222,438.98.

5. Treasurer's Report for July 2022
Received and filed Treasurer's Report for July 2022.
6. Year-end Budget Adjustments for Fiscal Year 2021-2022
Approved the year-end budget adjustments for fiscal year 2021-2022.
7. Contract Award – Pavement Repair Work
Awarded a contract to Mike Roquet Construction, Inc., in the amount of \$25,627.00 for asphalt repair work on San Francisco and Fleming Streets to resolve excessive standing water issues at the two locations.
8. Extend a Professional Services Contract to Dudek to Amend the City's Recently Adopted 6th Cycle General Plan Housing Element
 1. Amended the Scope of Work and Budget of a Professional Services Contract with Dudek to address Housing and Community Development (HCD) comments on the City's 6th Cycle Housing Element in an amount not-to-exceed \$21,820.00; and
 2. Approved the following budget adjustment for Fiscal Year 2022-2023. Transfer \$21,820.00 from 001-2100 (General Fund-Fund Balance) to be expended from 001-4100-4662 (Contract Services-Housing Element).
9. Amendment to the Agreement for Specified Payments In-Lieu of Transient Occupancy Taxes (TOT) between San Manuel Band of Mission Indians and the City of Highland
Authorized the City Manager to execute the Amendment to Agreement for Specific Payments in-lieu of Transient Occupancy Taxes (TOT) between San Manuel Band of Mission Indians and the City of Highland.
10. Community Development Block Grant (CDBG) Subrecipient Contract between the City of Highland and Highland District Council on Aging, Inc., to Provide for Senior Programs, Activities and Services to Improve Quality of Life, Physical Fitness, Social Programs, Daily Interaction and Nutrition to Low- and Moderate-Income Services
Approved the contract and authorized execution by the Community Development Director.
11. Declare Two (2) Seats Vacant on the Historic and Cultural Preservation Board
 - 1) Declared two (2) seats vacant on the Historic and Cultural Preservation Board; and
 - 2) Directed the City Clerk to advertise the vacancies on the Historic and Cultural Preservation Board.
12. Declare Three (3) Seats Vacant on the Community Trails Committee
 - 1) Declared three (3) seats vacant on the Community Trails Committee; and
 - 2) Directed the City Clerk to advertise the vacancies on the Community Trails Committee.

- 13. Conflict of Interest Code Update
Received and filed the 2022 Local Agency Biennial Notice and adopted Resolution No. 2022-046 amending the City's Conflict of Interest Code and rescinding Resolution No. 2020-048.

RESOLUTION NO. 2022-046
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ADOPTING THE CITY'S CONFLICT OF INTEREST CODE AND
RESCINDING RESOLUTION NO. 2020-048

- 14. Resolution No. 2022-047 Summary Vacation of the Westerly Portion of Atlantic Avenue Right-of-Way (Johnny Ghazal/SUM 021-001), and Grant Deed from City of Highland to Johnny Ghazel to Relinquish the Northwest Corner-Cut-Off Portion of the Right-of-Way at Atlantic Avenue and Boulder Avenue, Owned in Fee by the City, Formerly Owned by Caltrans

- 1) Adopted Resolution No. 2022-047 ordering the summary vacation of a portion of street right-of-way located on Atlantic Avenue west of Boulder Avenue;
- 2) Approved grant deed to transfer the northeast corner-cut-off portion of right-of-way at Atlantic Avenue and Boulder Avenue to Johnny and Richelle Ghazal Living Trust; and
- 3) Directed the City Clerk to record the Summary Vacation resolution and Grant Deed.

RESOLUTION NO. 2022-047
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ORDERING THE SUMMARY VACATION OF THE NORTHERLY
PORTION OF ATLANTIC AVENUE RIGHT-OF-WAY, WEST OF BOULDER
AVENUE, PURSUANT TO THE AUTHORITY PROVIDED BY CHAPTER 4,
PART 3, DIVISION 9, OF THE STREETS AND HIGHWAYS CODE

- 15. Selection of an Event Date and Budget for the 25th Annual Citrus Harvest Festival
 - 1) Selected March 25, 2023, as the Event Date for the Citrus Harvest Festival with a rain date of April 1, 2023; and
 - 2) Adopted the budget.

- 16. Second Reading of Specific Plan Revision (SPR 22-001) Ordinance No. 455 of the City of Highland Proposing an Amendment to the Greenspot Village & Marketplace Specific Plan (SPR 06-001A) to Increase the Maximum Dwelling Count from 700 to 746 within Planning Area 2 and the Total Buildout Number from 800 to 946 for the Overall Specific Plan

Conducted a second reading of Specific Plan Revision (SPR 22-001) Ordinance No. 455 amending the Greenspot Village & Marketplace Specific Plan (SPR 06-001A) to increase the maximum dwelling count range from 500-700 to 500-746 within Planning Area 2 and the total buildout number from 800 to 946 for the Overall Specific Plan.

ORDINANCE NO. 455

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING THE GREENSPOT VILLAGE & MARKETPLACE SPECIFIC PLAN (SPR 06-001A) AND MAKING A DETERMINATION THAT THE ADOPTION OF THIS ORDINANCE IS EXEMPT FROM FURTHER CEQA REVIEW UNDER CEQA GUIDELINES SECTION 15162, PUBLIC RESOURCES CODE SECTION 21666 AND GOVERNMENT CODE SECTION 65457

17. The Coalition for Clean Air Requests the City to Participate in the 2022 California Clean Air Day on October 5, 2022
Adopted Resolution No. 2022-048 to support and participate in the 2022 California Clean Air Day on October 5, 2022.

RESOLUTION NO. 2022-048

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING OCTOBER 5, 2022, AS CLEAN AIR DAY

CITY COUNCIL PUBLIC HEARING

No public hearing.

CITY COUNCIL LEGISLATIVE

18. Measure I Capital Project Needs Analysis (2023/24-2027/28) for the Measure I Major Street and Freeway Interchange Programs

Public Works Director/City Engineer Zamano gave a brief review of the staff report.

A MOTION was made by Mayor Pro Tem Lilburn, seconded by Council Member Solano, to adopt Resolution No. 2022-049 approving the Five-Year Capital Project Needs Analysis (2023/24-2027/28) for the Measure I Major Street and Freeway Interchange Programs. Motion carried, 5-0.

RESOLUTION NO. 2022-049

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2023/2024 THROUGH 2027/2028

19. Bid Award – Bid No. 2022-02, “3rd Street/5th Street Corridor Improvement Project” (Project str18001)

Public Works Director/City Engineer Zamano gave a brief review of the staff report.

A MOTION was made by Council Member Timmer, seconded by Council Member Solano, to award the construction contract for Bid No. 2022-02, “3rd Street/5th Street Corridor Improvement Project (Project str18001)” to the responsible low bidder, Granite Construction Company (Granite), in the amount of \$9,395,939.00. Motion carried, 5-0.

20. Hernandez, Kroone & Associates (HKA) Contract, Second Amendment for Professional Services – 3rd Street and 5th Street Corridors Improvement Project (Project No. str18001)

Public Works Director/City Engineer Zamano gave a brief review of the staff report.

A MOTION was made by Mayor Pro Tem Lilburn, seconded by Council Member Timmer, to:

- 1) Approve a second amendment to the professional services agreement with HKA; and
- 2) Authorize the City Manager to approve any future contract amendments up to 10% of the new contract amount. Motion carried, 5-0.

21. Public Improvement Reimbursement Agreement Amendment No. 1 with East Valley Water District (EVWD) for Traffic Signal Modifications at 5th Street and Del Rosa Drive

Public Works Director/City Engineer Zamano gave a brief review of the staff report.

A MOTION was made by Council Member Solano, seconded by Mayor Pro Tem Lilburn, to:

- 1) Approve the Public Improvement Reimbursement Agreement Amendment No. 1 with EVWD for Traffic Signal Modifications at 5th Street and Del Rosa Drive;
- 2) Authorize the Mayor to sign the Agreement Amendment No. 1; and
- 3) Approve the following Budget Adjustment: Transfer \$267,786.07 from 007-2100 (DIF-Fund Balance) to be expended from 007-8330-6550 (Traffic Improvements). Motion carried 5-0.

22. Alliance Residential Company – Request for Parkland Acquisition & Park Facilities Development Impact Fee Credit in Accordance with Highland Municipal Code Section 16.40.200, Park and Recreational Facilities

Community Development Director Mainez gave a brief review of the staff report.

A MOTION was made by Council Member Solano, seconded by Council Member Chavez, to approve Alliance Residential Company's request for a fifty percent (50%) Parkland Acquisition & Park Facilities Development Impact Fee credit in the amount of \$1,235,374.14. Motion carried, 5-0.

23. Senate Bill 972 – Amendments to the California Retail Food Code to Allow Cottage Food Operations and Microenterprise Home Kitchens to Serve as a Commissary or Mobile Support for Food Vendors among Other Provisions (pending approval by Governor Gavin Newsom)

Community Development Director Mainez gave a brief review of the staff report.

A MOTION was made by Council Member Chavez, seconded by Council Member Timmer, that the City Council take no action concerning Senate Bill 972. Motion carried, 5-0.

24. City Manager Report and Comments (Work Program, Regional/Legislative/Development Issues, Subcommittees, etc.)

City Manager Hughes stated just a few quick things. He wanted to make the Council aware that we have completed the replacement of the HVAC units at City Hall. All eleven units have been replaced with new energy efficient models that include UV lighting inside each return air duct to combat against airborne viruses. The last remaining portion is the programmable thermostats which are on back order. We are hoping we get them by the end of the week. The next item is the SR-210 Victoria Avenue interchange. The cooperative agreement between Caltrans and Highland for the project approval and environmental document phase of the Victoria Avenue interchange has been fully executed and the project kickoff meeting is anticipated to be scheduled with Caltrans in early October. To get this project underway, the Memorandum of Understanding between San Manuel and Highland was approved by San Manuel on September 8 and is now being routed for their signature. Our annual audit will start Monday, September 9 and staff will be working on that. Of course, that will come forward to the Finance/Personnel Subcommittee and then to the City Council. On September 6, the Planning Commission approved a 187,000 square foot warehouse development located at the southeast corner of Victoria Avenue and Cypress Street. Several parcels will be consolidated for the project, including the existing Far West Meat Company, which is in the process of divesting its business and will be just demolished as part of this new development. A second warehouse was entitled earlier this year, located at the northwest corner of Victoria Avenue and 6th Street. A pre-construction meeting was held on site in anticipation of the grading activity for that warehouse. As part of the Council work program, which was ranked a high priority plus, staff has been working to implement a grant funded web-based permit management software system, basically replacing all of our current system. Weekly coordination and training for all departments involved in issuing permits have been taking place over the last few months. One of the unique features of this new permit management system is a citizen engagement function, basically a complaint-based report-an-issue function and it will be on our website. Citizens can also bring it up on their cell phones where they can report a complaint, add a photograph of the location, and get an immediate response back that their complaint has been received. It will then be routed through to the appropriate staff for follow up. We are hoping to have that report-an-issue feature go online this week. We have been testing it this week and it worked so it should go live. Some quick stats from the Sheriff's Department, from August 8 through September 11,

they had 3,998 calls for service, took 298 reports and made 181 arrests. Volunteer Services, there will be a blood drive on Monday, September 26, and that will be held at the Highland Police Station. On Saturday, October 1, there will be a Highland Improvement Team cleanup. Signups will start at 7:30 a.m. and cleanup will go from 8:00 a.m. to 12:00 p.m. and check in is here at City Hall. On Wednesday, October 5, there will be an online pledge for Clean Air Day. We have that listed on our website and folks can go into that portal. There is information available at www.cleanairday.org. On Thursday, October 13, we will have our State of the City event. It will be held at the San Manuel Event Center at the corner of Highland Avenue and Boulder Avenue. It will start at 5:30 p.m. with a reception and at 6:30 p.m. the program will begin. Reservations are required as it is limited seating, so if anyone is interested in getting a reservation, you have to RSVP by October 1 to (909) 864-6861, extension. 203. There is no cost for this event. The illegal dumping work orders for August, there were 133, which is actually down from the last five months, so we are seeing a decrease. Hopefully all of our outreach and what we are doing with the apartment complexes is helping. That concludes the presentation.

25. Council Member Comments (Agency/Committee/AB 1234 Reports, District Updates, etc.)

Mayor Pro Tem Lilburn stated she is super excited and appreciates staff putting together the State of the City event. She is looking forward to hearing Mayor McCallon boast about the great things going on in the City of Highland. She was asked by the Chamber of Commerce and the Women's Club to be their guest speaker next month so she is looking forward to that.

Mayor McCallon stated today he went to the port of Long Beach for a tour of the port as part of his activities on the Air Quality Management District and it was very interesting to see. You do not realize how large that port is and what is going on down there, it is amazing. He was obviously interested in what they are doing in terms of air pollution reduction and their use of zero emission kinds of gantries and moving equipment. They are doing a good job. They are working hard at helping to clean the air. The Victoria Interchange was one of the projects that he also mentioned in their meeting today, about potential follow-on projects for the continuation of a measure. So that was put into the works along with the widening of the 210 freeway and doing something about the San Bernardino 210 interchange. He also brought up the fact that we may have to consider doing something again at the 5th Street interchange once 3rd Street gets punched through to 5th. Especially now, with all of the warehouse activity that is going on along that corridor.

City Manager Hughes stated he would like to bring up one more thing. He forgot to mention that at the State of the City event, Mayor McCallon will be giving the State of the City address. Mike Burrows will be there to give an update on the airport, which will allow the Community to hear about everything that is going on out there at the San Bernardino International Airport.

ANNOUNCEMENTS

None

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor McCallon adjourned the meeting at 6:37 p.m. in memory of Carmen Ramirez, James R. Ramos, and Grace Vargas.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Larry McCallon
Mayor