

CITY OF HIGHLAND SPECIAL MEETING OF THE CITY COUNCIL AGENDA

SPECIAL MEETING

June 8, 2020

10:00 a.m.

City Hall

Donahue Council Chambers

27215 Base Line

Highland, California

CITY COUNCIL MEMBERS

LARRY McCALLON, MAYOR

PENNY LILBURN, MAYOR PRO TEM

JESSE CHAVEZ, COUNCIL MEMBER

ANAELI SOLANO, COUNCIL MEMBER

JOHN P. TIMMER, COUNCIL MEMBER

STAFF

Joseph A. Hughes - City Manager

Chuck Dantuono - Director of Administrative Services/City Treasurer

Betty Hughes - City Clerk

Lawrence Mainez - Community Development Director

Carlos Zamano - Public Works Director/City Engineer

Maricela Marroquin - City Attorney

MISSION STATEMENT

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

Visit the City's Website at: www.cityofhighland.org

The City of Highland complies with the Americans with Disabilities Act of 1990. If you require special assistance to participate in this meeting, please call the City Clerk's Department at (909) 864-6861, ext. 226, at least 48 hours prior to the meeting.

Pursuant to Government Code Section 54957.5, any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Highland to all or a majority of the City Council less than 72 hours prior to that meeting are available for public inspection at City Hall, 27215 Base Line, Highland, CA 92346, during normal business hours.

SPECIAL NOTICE REGARDING COVID-19

In accordance with Governor Newsom's Executive Order N-25-20 and N-29-20, this meeting is being conducted via teleconference/Zoom. Anyone can join the meeting virtually or by phone:

- To join the Zoom Meeting online: <https://zoom.us/j/97308130533>
- Listen to the meeting by calling (669) 900-9128 and enter the Meeting ID: 973 0813 0533#

Toll free phone numbers:

(877) 853-5247 or (888) 788-0099
Meeting ID: 973 0813 0533#

Submission of Public Comments for Items on the Agenda Only: For those wishing to make public comments at the June 8, 2020 Council meeting, please submit your comments by email to be read aloud at the meeting by the City Clerk. Email comments must be submitted by 9:00 a.m. on June 8, 2020 to the City Clerk at publiccomment@cityofhighland.org. All email comments shall be subject to the same rules as would otherwise govern speaker comments at the Council meeting.

CALL AND NOTICE OF A SPECIAL MEETING OF THE HIGHLAND CITY COUNCIL

Donahue Council Chambers – City Hall
27215 Base Line, Highland, California

June 8, 2020 – 10:00 a.m.

NOTICE IS HEREBY GIVEN that a special meeting of the Highland City Council is hereby called to be held on June 8, 2020, at 10:00 a.m. via teleconference/Zoom. Said special meeting shall be for the purpose of conducting business in accordance with the attached Agenda.

AGENDA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT

For those wishing to make public comments for items on the agenda at the June 8, 2020 Council meeting, please submit your comments by email to be read aloud at the meeting by the City Clerk. Email comments must be submitted by 9:00 a.m. on June 8, 2020 to the City Clerk at publiccomment@cityofhighland.org. All email comments shall be subject to the same rules as would otherwise govern speaker comments at the Council meeting.

CITY COUNCIL LEGISLATIVE

1. Review and Ratification of Proclamation and Order Proclaiming the Existence of a Local Emergency and Declaring a Curfew and Any Supplemental Orders of the Director of Emergency Services
RECOMMENDATION: That the City Council adopt Resolution No. 2020-_____ ratifying the proclamation of local emergency and order that declared a curfew, and any supplemental orders of the Director of Emergency Services.

ADJOURN

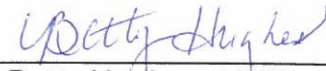
I, Betty Hughes, City Clerk, certify I caused to be posted this Agenda on or before June 4, 2020, by 5:30 p.m., on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: June 4, 2020



Betty Hughes, MMC
City Clerk



STAFF REPORT

TO THE CITY COUNCIL

DATE: June 8, 2020

FROM: Joseph A. Hughes, City Manager

PREPARED BY: Joseph A. Hughes, City Manager
Maricela Marroquin, City Attorney

SUBJECT: Review and Ratification of Proclamation and Order Proclaiming the Existence of a Local Emergency and Declaring a Curfew and Any Supplemental Orders of the Director of Emergency Services

RECOMMENDATION: That the City Council adopt Resolution No. 2020-____ ratifying the proclamation of local emergency and order that declared a curfew, and any supplemental orders of the Director of Emergency Services.

FISCAL IMPACT: The adoption of the resolution has no immediate fiscal impact on the City; however, the costs associated with public safety are unknown at this time.

PUBLIC NOTICE: In compliance with the Governor's Executive Order N-25-20 and N-29-20, notice of the special meeting that will be held via teleconference/Zoom was posted at the three locations per Resolution No. 2011-047 and on the City's website.

BACKGROUND: Chapter 2.44 of the Highland Municipal Code empowers the Director of Emergency Services to proclaim the existence of a local emergency for the protection of persons and property in the event of an emergency when the City Council is not in session, and further provides that any local emergency proclaimed by the Director of Emergency Services shall become null and void after seven days unless ratified by the City Council.

On June 1, 2020, a local emergency was proclaimed by the Director of Emergency Services due to conditions of extreme peril to the safety of persons and property that arose within and around the City of Highland, caused by potential civil unrest and disturbances. The conditions of extreme peril warranted and necessitated the proclamation of the existence of a local emergency and imposition of a curfew.

The City Council is being asked to ratify the declaration of a local emergency and the curfew that was imposed. The curfew expires by its own terms on June 8, 2020. The City Council will also be asked to ratify any supplemental orders of the Director of Emergency Services that are issued before June 8, 2020.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>1</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
			
City Clerk		City Manager	

RESOLUTION NO. 2020-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND CONFIRMING AND RATIFYING THE DIRECTOR OF EMERGENCY SERVICES PROCLAMATION AND ORDER PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY AND DECLARING A CURFEW AND ANY SUPPLEMENTAL ORDERS OF THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, Government Code Section 8550 *et seq.*, and Chapter 2.44 of the Highland Municipal Code authorize the City's Director of Emergency Services to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, Highland Municipal Code Section 2.44.060 empowers the City Manager in his capacity as the Director of Emergency Services to proclaim the existence of a local emergency when the City Council is not in session. Thereafter, the City Council must act to ratify the proclamation of a local emergency within seven days after its issuance; and

WHEREAS, in the event of a proclamation of a local emergency, Highland Municipal Code Section 2.44.060 empowers the Director of Emergency Services to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency, provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council; and

WHEREAS, on May 30, 2020, Governor Newsom authorized assistance after a request from the City of Los Angeles and the County of Los Angeles, and proclaimed a state of emergency in the County of Los Angeles, citing to the civil unrest therein; and

WHEREAS, on May 31, 2020 the City experienced looting, vandalism, and damage to local businesses; and

WHEREAS, there has been widespread arson, looting, vandalism, rioting, and other civil unrest in neighboring cities and counties including the neighboring city of San Bernardino. On June 1, 2020, looters set fire to a DMV and other businesses in San Bernardino and looted and vandalized several businesses and damaged numerous buildings; and

WHEREAS, there was a protest in the City on June 3, 2020 that drew large crowds of approximately 300 to 400 people and remained peaceful as everyone abided by the curfew order that was in place. There are further protests scheduled in Highland for June 5, 2020; and

WHEREAS, the City respects the rights of peaceful assembly and protest but some individuals in other communities have engaged in dangerous and unlawful activity by threatening the safety of lawful demonstrators, surrounding communities, and first responders; and

WHEREAS, the health, safety and welfare of the City residents, businesses, visitors, and City staff are of utmost importance to the City; and

WHEREAS, it is especially difficult to preserve public safety during the hours of darkness; and

WHEREAS, on June 1, 2020 the Director of Emergency Services issued Emergency Proclamation 2020-02 to proclaim a local emergency due to large scale and recurring incidents of civil unrest occurring in surrounding cities including San Bernardino as well as the looting and property damage that occurred in the City; and

WHEREAS, Emergency Proclamation 2020-02 further declared a curfew in the City in order to safeguard the rights of peaceful assembly and protest, to protect the safety of City residents, property and businesses as well as emergency and law enforcement providers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HIGHLAND HEREBY RESOLVES AS FOLLOWS:

Section 1. Ratification of Emergency Proclamation.

A. The City Council hereby finds that the aforesaid conditions of extreme peril as described in the above recitals and in Emergency Proclamation 2020-02 did warrant and necessitate the proclamation of the existence of a local emergency and the imposition of a curfew by the Director of Emergency Services on June 1, 2020.

B. The City Council hereby ratifies each of the Director of Emergency Services' actions, including the imposition of the curfew, as set forth in Emergency Proclamation No. 2020-02, and incorporated herein by this reference as though set forth in full.

Section 2. Proclamation and Continuation of Local Emergency. The Local Emergency declared in Emergency Proclamation No. 2020-02 is hereby approved and extended until the earlier of its rescission by the City Council or Director of Emergency Services due to the continuing existence of conditions of public health or extreme peril to the safety of persons and property within the City of Highland, as set forth in Emergency Proclamation No. 2020-02 and the recitals above.

Section 3. Authorization.

A. The City Council authorizes and directs the Director of Emergency Services, to issue emergency orders that are necessary to protect the life and safety of City occupants and property within the City. The City Council further directs the City's emergency organization to take all steps necessary and reasonable to protect public health, safety, and property in the City.

B. The City Council hereby confirms the delegation to the Director of Emergency Services the authority to issue additional orders for the protection of life and property.

C. During the existence of this local emergency, the Director of Emergency Services, is hereby designated as the authorized representative of the City of Highland for the purpose of receipt, processing and coordination of all inquiries necessary to obtain available state and federal assistance.

Section 5. Review. The local emergency shall be deemed to continue until such time when the Highland City Council proclaims the termination of the emergency. The City Council shall review the need for continuing the local emergency as required by law.

Section 6. Notice. The City shall give widespread publicity and notice of the current local emergency through the most feasible and adequate means of disseminating such notice throughout the City including through the City's website.

Section 7. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and shall enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 8th day of June, 2020.

Larry McCallon
Mayor

ATTEST:

Betty Hughes, MMC
City Clerk