

**MINUTES
CITY COUNCIL REGULAR MEETING
JUNE 9, 2020**

This meeting was conducted as a videoconference meeting in the Donahue Council Chambers, 27215 Base Line, Highland, California. All votes during the meeting were conducted by roll call.

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.

ROLL CALL

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

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

City Clerk Hughes read public comment received from Mark Falcone regarding recent public protests in Highland.

CITY COUNCIL CONSENT CALENDAR

A MOTION was made by Council Member Timmer, seconded by Council Member Solano, to approve the consent calendar as submitted. 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 – May 26, 2020 City Council Regular Meeting
Approved the Minutes as submitted.
3. Warrant Register
Approved Warrant Register No. 705 for June 9, 2020, in the amount of \$2,210,150.06 and Payroll of \$94,684.10.
4. Resolution No. 2020-023 Amending the City of Highland Premium Only Plan
Approved Resolution No. 2020-023 amending the City of Highland Premium Only Plan.

RESOLUTION NO. 2020-023
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, AMENDING THE CITY OF HIGHLAND PREMIUM ONLY PLAN

5. Resolution No. 2020-024 Rendering the Annual Statement of Investment Policy for Fiscal Year 2020/21
Adopted Resolution No. 2020-024 rendering the Annual Statement of Investment Policy for Fiscal Year 2020/21.

RESOLUTION NO. 2020-024
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ADOPTING THE ANNUAL STATEMENT OF INVESTMENT
POLICY FOR FISCAL YEAR 2020/2021

6. Resolution No. 2020-025 Confirming the Authority of the City Treasurer Pursuant to Government Code Section 53607
Adopted Resolution No. 2020-025 confirming the authority of the City Treasurer pursuant to Government Code Section 53607.

RESOLUTION NO. 2020-025
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, CONFIRMING THE AUTHORITY
OF THE CITY TREASURER, PURSUANT TO
GOVERNMENT CODE SECTION 53607

7. Resolution No. 2020-026 Establishing the Appropriations Limit for Fiscal Year 2020/21 for the City of Highland in Accordance with the Provisions of Division 9 of Title 1 of the California Government Code
Adopted Resolution No. 2020-026 establishing the Appropriations Limit for Fiscal Year 2020/21 for the City of Highland in accordance with the provisions of Division 9 of Title 1 of the California Government Code.

RESOLUTION NO. 2020-026
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ESTABLISHING THE APPROPRIATIONS
LIMIT FOR FISCAL YEAR 2020-2021 FOR THE CITY OF HIGHLAND
IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1
OF THE CALIFORNIA GOVERNMENT CODE

8. Bid Award – Bid No. 2020-01, “Facilities and Parks Landscape Maintenance Contract”
Awarded the contract for Bid No. 2020-01, “Facilities and Parks Landscape Maintenance” to the responsive low bidder, RP Landscape & Irrigation in the amount of \$111,456.

9. November 3, 2020 General Municipal Election – Proposed Resolutions Calling the November 3, 2020, General Municipal Election; Consolidating the General Municipal Election with the Statewide Election; and Adopting Regulations for Candidate Statements
1. Adopted Resolution No. 2020-027 calling and giving notice of the holding of the general municipal election to be held on November 3, 2020;
 2. Adopted Resolution No. 2020-028 requesting San Bernardino County to consolidate the general municipal election with the statewide election; and
 3. Adopted Resolution No. 2020-029 establishing regulations for candidate statements.

RESOLUTION NO. 2020-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS IN DISTRICT 1, DISTRICT 3 AND DISTRICT 5 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

RESOLUTION NO. 2020-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

RESOLUTION NO. 2020-029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

CITY COUNCIL PUBLIC HEARING

10. Public Hearing and Consideration of the Adjustment in the Residential and Commercial Refuse Collection Rates and Annual Property Tax Roll Billing in Accordance with the Current Franchise Agreement dated August 1, 2018

Mayor McCallon opened the public hearing.

Public Services Manager Morgan stated the item before you tonight is the annual protest hearing for the solid waste rate adjustment and the placement of the annual residential charges on the property tax roll. On June 25, 2019, in accordance with the City's integrated waste management ordinance, the Council adopted resolution 2019-033 which established the current rates for residential and commercial industrial refuse collection. On February 28, 2020, City staff

received a timely request for a rate adjustment from Burrtec. On April 14, 2020, City staff presented to the Public Works Subcommittee Burrtec's proposal for a rate increase for residential and commercial industrial rates to include a cost of living adjustment, an adjustment to the disposal components to compensate for the County's recent disposal dump tipping fee increase, an adjustment in the recycling processing fees and a reduction in the residential street sweeping component. The rate adjustment request includes a \$.53 cent CPI increase to the service component, a reduction of \$.24 cents in the street sweeping component, a \$.20 cent per ton refuse disposal increase, a \$.67 cent increase in recycling processing fees, a \$.26 cent increase in green waste processing fees. This results in a total increase to overall disposal/processing fees of \$1.13. There is a correlated \$.19 increase in the Franchise and Household Hazardous Waste Fee. In regards to the pavement impact fee, the Public Works Subcommittee was presented with two different options to adjust the rate component. Option 1 was to apply the reduction in the street sweeping component of \$.24 to the pavement impact fee. This would have raised the pavement impact fee to \$1.00 per month. This would have resulted in a monthly rate of \$28.55; which is a monthly increase of \$1.91. Option 2 was to forgo the addition of the \$.24 to the pavement impact fee this year and realize the savings to reduce the impact of the overall increase. This option would maintain the pavement impact fee at \$.73 this year. This results in an adjustment of the monthly rate to \$28.30; which is a monthly increase of \$1.66. The Subcommittee is recommending the Council chose Option 2 tonight. This represents a 6.2% increase of the existing \$26.64 rate. This is an annual increase of \$19.92 which means the total amount of the property taxes would be an annual increase of the \$19.92. The Senior Rate will increase \$1.33 per month; for a total rate of \$22.64 which is an annual increase of \$15.96. For Commercial Rate Components, the Subcommittee was presented two options as well for the adjustments. Option 1 was to equalize the refuse and food waste bins with the basis of only 39 accounts eligible. Option 2 changed the basis to 75 accounts eligible. City staff urged the Subcommittee to select Option 2 as a tool to encourage and support compliance by the threshold required businesses with current and upcoming State mandates regarding food waste and organics. The Subcommittee is recommending Option 2 tonight. This option will increase the most common commercial rate, three yard dumpster picked up once a week, from \$210.34 to \$237.17. Of significant impact to the rates this year is the cost of recycling processing. In February 2018, the country of China implemented the Chinese National Sword Policy. It bans imports of 24 types of waste material and sets a tougher standard for contamination levels in others. It has been regarded by many as a catastrophe that will have a devastating impact on global recycling. This policy has taken the rate component for recycling processing from being a revenue source to a cost factor. Last year's rate adjustment only included a half year of the impact; this year the rates realize a full year of the impact of this policy. After providing notice to the rate payers, staff received a few phone calls regarding two new rates on the rate sheet. These two rates are entitled Barrel or Bin Exchange and Barrel or Bin Replacement. These rates had never been established in the rate sheet prior to now and staff is requiring that any possible charges that a customer could incur are included on the rate sheet, not just the monthly charges. The exchange fee is not charged for an initial request; it is only

charged after a request is made for an additional exchange in a calendar year. Requests for exchange can be made for reasons such as the customer feels the barrel or bin is too dirty and this is when the barrel is not damaged. The replacement fee is also not charged for the first request. At the time a second request is made to replace a barrel or bin, it will depend on how the damage occurred or if the item has been lost or stolen. If it is found that the customer has caused the damage, for example placing hot coals in the barrel or pool chemicals, then upon the second replacement the customer would be charged the replacement fee. It is important to note that any decision to charge either fee is on a case by case basis after investigation by Burrtec and City staff. As part of its analysis, staff conducted a refuse rate survey which included only those cities located in San Bernardino County and excluding cities in the high desert. The attached refuse rate survey includes basic residential rates. The proposed rate for basic residential service is approximately \$.36 per month lower than the average survey rate of \$28.66. Upon City Council approval, the proposed rates would take effect on July 1, 2020. To the item of property tax roll billing, as provided in the written report, which is attachment number three, which is a listing of all account that would be applicable to tax roll. The City Clerk caused notice of the filing of the Written Report and of a time and place of a hearing tonight thereon to be published in accordance with the code. At the time stated in the notice, the City Council must hear and consider all objections or protests, if any, to the written report. If the City Council finds that protests are made by the owners of a majority of the identified parcels, then the written report shall not be adopted. However, the City may still impose the charge for the fiscal year but such charge must be collected separately from the County tax roll and shall not constitute a lien against any parcel or parcels of land. To be noted, the dollar amounts reflected in the written report are only the annual charges and does not contain any delinquent amounts. Attached as attachment number seven are all protests received as of the date of the printing of the staff report. The amount of protests received to prevent Council from adoption of the rate adjustment resolution is 6,621. The amount of protests received to prevent Council from adoption of the tax roll resolution is 6,102. The City Clerk will provide information as to the amount of protests received. This concludes staff's presentation.

Mayor McCallon stated this is a public hearing item and he will now ask City Clerk Hughes if there are any public comments on this agenda item.

City Clerk Hughes responded since the publication of the agenda, nine letters have been received to be read aloud.

Thomas Stack submitted a letter in opposition of this item.

Terence O'Malley submitted a letter in opposition of this item.

Michael Burns submitted a letter in opposition of this item.

Brenda Oliver submitted a letter in opposition of this item.

Janet Bent submitted a letter in opposition of this item.

Charles Walker submitted a letter in opposition of this item.

Sterling Walker submitted a letter in opposition of this item.

Susan Walker submitted a letter in opposition of this item.

Mark Falcone submitted a letter in opposition of this item.

City Clerk Hughes stated that concludes the readings of the submitted letters thus far.

Mayor McCallon inquired if any other additional public comments have been received during the public hearing.

City Clerk Hughes stated no, we have not.

Mayor McCallon stated with that, he will close the public hearing.

Council Member Chavez inquired regarding the trash cans, are renters allowed to order a new bin or does it need to be the landlord?

Public Services Manager Morgan responded because the accounts are held in the landlord's name or the property owner's name, the requests have to come through the property owner but, she will state that, sometimes when staff is out in the community and notices a trash can that is damaged, we will assist in getting it replaced. In fact, staff will request for Burrtec to replace it themselves. She wants to make another note too because there was a lot of concern about these rates for the replacement or exchange. Neither of these would apply for normal wear and tear of a barrel. We actually do gauge the life span of a barrel and kind of know when they are starting to have defects or fail.

Council Member Chavez stated with that it really does not help his community specifically because we have a lot of people in his community who are renters. He has heard a lot of stories and gotten phone calls from residents that say they try to call Burrtec to get a brand new trash can and they cannot because they have to be the landlord and since the landlord owns so many properties in our City they are unable to get brand new trash cans right away so that is a major concern. Is there a way to find a way to have the renters to be able to get a trash bin without going through the landlord or at least getting a letter from the landlord so they do not have to consistently be calling their landlord for their trash cans because a majority of them again are renters.

Public Services Manager Morgan stated so unfortunately because of the way the rates are applied and the way the bills are paid through the property tax roll, we cannot take requests from not the rate payer legally because they can incur charges on an account where they are not responsible. What staff can suggest is that maybe we do some education and outreach through different media outlets to suggest that if they have a difficult time getting a trash container, that they can call her department and speak to any of her staff or herself and they can assist them getting them exchanged out. They are very active in making sure that they have barrels that are not out there. She will say even today they actually went through and did a survey of a community and exchanged barrels at no cost to that community because they knew that they were getting to the end of their lifespan. So would that be okay? We can start doing that outreach so tenants would not have to if they were having a hard time, they could just come straight to staff.

Council Member Chavez stated he appreciates all staff does and he understands but again, that is just an obstacle that we are putting in front of the renters. A lot of these people are low income families and a lot of them do not speak English so it is hard for them to communicate with Burrtec or even the City. He finds it very difficult for us to be putting this obstacle in front of our renters and our low income community people who cannot access trash cans and they have to go through their landlord. It is a process that we should not make them go through.

Mayor Pro Tem Lilburn stated she wants to build on what Council Member Chavez is speaking about. She is sure Burrtec has Spanish speaking people and she understands the obstacles but he is right on the trash cans. Also, on the western side of Highland we do have a lot of renters and not only, she is not privy about the trash cans, if that has been an issue but she does know when a renter moves out and they put all their trash outside, nobody in that complex can call to have that trash picked up unless it is the owner. So those tenants will endure all the trash piled up and it will sit there unless the owner calls and says they have to but what she is told is that the owner does not want to call because they have a bunch of units and they only get so many trash pickups. She thinks that we really need to look, she did not know the trash cans were an issue, to look at the trash cans as well as looking for these tenants to not have to have all this trash built up in their rentals until the owner decides, the out of town owner, decides that he wants to get in touch with Burrtec and have this cleaned up. Another note, is there any reason why we could not wait to have this meeting in person? What is their urgency and is that why we had to do it via zoom?

Public Services Manager Morgan stated she is going to attempt to answer Mayor Pro Tem Lilburn's first and third questions. The first question was a comment about tenants and problems with trash cans and she thinks again it goes back to who pays the bill. If the tenant incurs a cost to the account that the owner is not aware of, we cannot enforce that charge against the owner. What she can do is, one of the things she just thought of, is that if a tenant calls Burrtec and the Burrtec clerk tells them they cannot assist them because they are not the property owner, she is going to instruct Burrtec staff, and also she did not

mention that she has Mike Aragon and Steve Bradshaw in her office. If Council has any questions directly for them they are available, but she is going to direct them (Burrtec clerk) to take either the information down and forward it to her or have the person call here at City Hall then we can assist in getting it taken care of. Sometimes that actually does turn into a code enforcement issue because we hold the property owner responsible for the trash and debris that is outside of a container. On the Spanish speaking question, Burrtec has Spanish speaking clerks and we also have Spanish speaking employees here at City Hall. So anytime somebody calls us or makes contact and cannot speak English we always accommodate them by providing a translator. The other part of the question that she can explain is that there is a timeline that we have to meet in order to submit the tax roll to the County. That deadline is in August and with the Council not having a meeting in July it was imperative that this meeting is conducted in June. Then the last part of the question was why zoom and not face to face, she believes it is because of the state regulations that are still in place but she will leave that for somebody else to answer.

Council Member Solano stated can Public Services Manager Morgan please repeat what the terms for replacement bins were again.

Public Services Manager Morgan stated so there is two different fees. They are set up in two categories, residential and commercial, one barrel or bin replacement. That means that the barrel or bin for some reason has to be replaced at the request of the rate payer. That is we do get requests for somebody who says my trash cart is just too dirty and wants a clean one. That is the most typical request. We do not provide cleaning at no cost but if they want it replaced, the first request we will accommodate them and exchange it out. Anything after this first request is on a case by case basis. She will say since she has been at the City, fifteen years, we have never charged anybody. Again, the reason why you see it on the rate sheet this time is because we want to make sure to formalize any charges that could be charged. The barrel replacement is when a barrel is damaged to the point where it cannot be used anymore or a piece is missing or a wheel is missing, a lid is missing, something like that. Again, if it is normal wear and tear it will be replaced at no charge. If it is damaged even though it is the fault of the resident, the most common one is they put hot coals in the trash can and it burns a hole in it. We still exchange the first one, replace it, she should not say exchange. This is a replacement because the barrel that we are taking away is not usable we still replace it at no cost the first time around. We will provide some education, try to figure out what happened and then we go from there. If there is another request from the same resident, within a calendar year, we are going to start looking at why is this happening. Has their barrel gone missing, are they saying it is missing. We look at different scenarios to see why is this happening again because ideally if we exchanged your barrel in the first year, the life time of a barrel is longer than a year. It is ten years. So we are going to start questioning why and that is the only reason for the rates being there. Again, it is not automatically charged, it is on a case by case basis determined by City staff and Burrtec.

Council Member Timmer stated the Public Works Subcommittee reviewed all the individual components of the trash rate and surprisingly, unless you really look closely at the numbers, the biggest component of the increase was the recycling component. Public Services Manager Morgan spoke about China changing their policy so the value of the recyclables that Burrtec is collecting, basically the market has dropped out from that and there is no return. However, the State still requires the cities to do recycling even though there is no real great value in a lot of the products. So it's a catch 22. We are required to recycle but a lot of things that used to be recycled and gave revenue to offset the costs of resident's trash bills have now disappeared. Now to continue to maintain the recycling program, we have to now charge a little extra for that to maintain a program which is required by the State.

Mayor Pro Tem Lilburn stated a few of the charges that we are being charged, are those being charged to us and are they just additional costs being charged from the County or from where are they being charged, and are those passed through costs that we have to charge the residents?

Public Services Manager Morgan stated that is correct. So for example the refuse disposal costs, that is a complete pass through from the County. We do not control that rate. That rate is controlled by our Waste Delivery Agreement with the County. Such as the recycling processing, the recycling has to be processed at a facility, which is a pass through cost as well, as the green waste, the organic processing. There are not a lot of components of the rate structure that we actually control. Even the solid waste haulers fee is controlled by the franchise agreement and they only allowed the CPI increase. The only components of the rate structure that we actually can control and adjust would be the franchise fees and we have not adjusted those, she thinks, since the very inception. Also included in your rate survey is a listing of other surrounding communities surveyed franchise fees and we are right in the median.

Mayor Pro Tem Lilburn stated so the franchise fees, so taking out these pass through costs, we are not looking at any franchise fees that we are imposing.

Public Services Manager Morgan stated no, we are not increasing. The franchise fees only get increased based on the percentage of the pass through costs and CPI increase. For example, the franchise fee is 10%, we do not raise that to 11 or 12%, we leave it at 10% but then it's 10% of whatever the total fee is. So it goes up a little bit but it is not because we are adjusting the actual overall rate.

Mayor McCallon stated and the other thing that we have done this year is not to increase or we decreased the street sweeping. We took that charge away. So that's not included this time. Is that correct?

Public Services Manager Morgan stated that is correct. So after this, effective July 1, the residential customers no longer pay any portion of their rate structure towards street sweeping. That was something that staff negotiated in a franchise agreement. Then on top of that it was decided at the time that we would take that portion of the rate and add it to the pavement impact fee so that way when we were collecting the pavement impact fee it was not as hard as an impact to the rate. The Subcommittee also went a step further this year because we knew that rate increase was going to be a higher impact than most years, that we actually instead of adding that \$.24 cents to pavement impact for this year, we did not add it. So the Subcommittee will make the decision next year to bring that \$.24 cents back in. City staff believes that next year because we had the highest increase to the recycling processing fee that it should level out, hopefully barring any other actions and that we would be able to have that added back to the pavement impact fee at not as a strong increase next year.

Mayor Pro Tem Lilburn stated she wants the tax payers to understand why we put this on the tax because she wants to reiterate it was costing the residents to go to tax liens and so we were able to save that money and give them additional services out there that would benefit everyone as a homeowner. Would that be a correct assumption?

Public Services Manager Morgan stated yes, so when we negotiated the last franchise agreement, City staff along with the work of the Subcommittee requested several things of Burrtec. In return, Burrtec basically asked for one thing which was tax roll billing. The biggest things we requested was a City staff member dedicated to code enforcement for solid waste issues. This staff member has been a huge advantage to her department in dealing with trash issues in the community and in getting our community cleaned up. It also works hand in hand with the illegal dumping program where Burrtec responds to illegal dumping in the right-of-way instead of our Public Works staff. Additionally, we negotiated out the street sweeping costs and we also increased the amount of free bulky item pick up to the residents. So, there were many benefits that the community is enjoying now because of the fact we negotiated a new franchise agreement and agreed to go to tax roll billing.

Mayor Pro Tem Lilburn stated she appreciates the reiteration of the information and expanding on it.

City Clerk Hughes stated a question for the City Attorney; we received an email which was sent to the incorrect email address initially. The sender just forwarded the email to the correct address but initially it was sent at 12:02 p.m. We received the email, as it was forwarded, after the public hearing was closed. Can we still read the record into the public hearing or how would you advise us to proceed?

City Attorney Marroquin stated she would probably, in the interest of equity, ask the Mayor if he will entertain opening the public hearing so the comment can be read into the record and then closing it again.

Mayor McCallon stated he will open the public hearing to include the comment.

Mike Petrich submitted a letter in opposition of this item.

City Clerk Hughes stated for the record, with that comment, makes 39 letters received. So, that would be one opposed to the tax roll, 7 opposed to the rate increase, 29 opposed to both and then 2 as public comment. That is all we have.

Mayor Pro Tem Lilburn requested copies of all submitted letters.

City Clerk Hughes stated she will make copies for all of the City Council.

Mayor McCallon closed the public hearing and will bring the item back to the City Council for action.

Council Member Solano stated she can see why the rate increases are being proposed due to the cost of living, the County's disposal dumping tipping fee increases and the recycling processing fees being impacted, especially due to China's national sword policy having an impact on how we handle recycling. She also wants to acknowledge the reduction in the street sweeping component being proposed as well.

A MOTION was made by Council Member Timmer, seconded by Council Member Solano, to:

1. Adopt Resolution No. 2020-030 establishing rates for residential and commercial/industrial refuse collection and rescinding Resolution No. 2019-033 effective July 1, 2020, in the event that the City Council determines that a majority protest does not exist; and
2. Adopt Resolution No. 2020-031 providing for the levy and collection of solid waste program fees by the County tax collector in the same manner and at the same time as general taxes, in the event that the City Council determines that a majority protest does not exist. Motion carried on a roll call vote, 4-1, with Council Member Chavez dissenting.

RESOLUTION NO. 2020-030

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ESTABLISHING RATES FOR RESIDENTIAL AND
COMMERCIAL/INDUSTRIAL REFUSE COLLECTION AND RESCINDING
RESOLUTION 2019-033, EFFECTIVE JULY 1, 2020**

RESOLUTION NO. 2020-031

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, LEVYING CHARGES FOR REFUSE COLLECTION SERVICES
FOR FISCAL YEAR 2020-21 PURSUANT TO CHAPTER 8.12 OF THE
HIGHLAND MUNICIPAL CODE AND ORDERING THE RESIDENTIAL
CHARGES TO BE COLLECTED ON THE COUNTY OF
SAN BERNARDINO TAX ROLL**

11. Street and Drainage Maintenance District 96-1 Annual Report (Fiscal Year 2020/21)

Mayor McCallon opened the public hearing.

Public Services Manager Morgan stated the item before you is the annual engineer's report for the Street and Drainage Maintenance District. This item was originally before you at the May 12 meeting where the Council gave preliminary approval of the engineer's report and set this evening as the date for the protest hearing. There are no extraordinary aspects to the report, it is just the annual adoption and there are five zones that are proposed to be increased by the allowable 5%. Most of the information was presented at the last Council meeting in the May 12, 2020 staff report, which is also attached as an attachment to this item tonight.

Mayor McCallon inquired if we had received any public comments on this agenda item.

City Clerk Hughes responded we have not received any public comment on this item.

Mayor McCallon inquired if have we received any additional public comments during the public hearing.

City Clerk Hughes responded we have not.

Mayor McCallon stated the public hearing is now closed and will be brought back to the City Council for discussion and action.

A MOTION was made by Council Member Timmer, seconded by Mayor Pro Tem Lilburn, to approve Resolution No. 2020-032 ordering the continued maintenance of improvements in Street and Drainage Maintenance District No. 96-1, confirming the Engineer's Report and levying the assessment for Fiscal Year 2020/21. Motion carried on a roll call vote, 5-0.

RESOLUTION NO. 2020-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ORDERING THE CONTINUED MAINTENANCE OF
IMPROVEMENTS IN THE STREET AND DRAINAGE MAINTENANCE
DISTRICT NO. 96-1 AND CONFIRMING THE ENGINEER'S REPORT
AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2020/21

12. Consolidated Landscape and Lighting District 96-1 Annual Report (Fiscal Year 2020/21)

Public Services Manager Morgan stated the item before you is the annual presentation of the Consolidated Landscape and Lighting District engineer's report. It was also scheduled at the May 12 meeting and at that time the Council gave preliminary approval and set this evening as the date for the protest hearing. A special note that she would like to add is that the Landscaping and Lighting District Zone A, which is the lighting, the City has completed the purchase of the eligible street lights from Southern California Edison and retrofitted the street lights to LED lamps. As a result, City staff anticipates an estimated positive fund balance in this zone. This is the first time she has ever been able to say that. She would like to celebrate. The remaining zones, there are some that are being proposed to be increased and if they are, it is of the allowable 5% per the ballot. The item was initially presented at the May 12 meeting and the information was also presented in the May 12 staff report which is attached to this evening's staff report as attachment two.

Mayor McCallon inquired if we had received any public comments on this agenda item.

City Clerk Hughes responded we have not received any public comments.

Mayor McCallon inquired if have we received any additional public comments during the public hearing.

City Clerk Hughes responded we have not.

Mayor McCallon stated the public hearing is now closed and will be brought back to the City Council for discussion and action.

A MOTION was made by Mayor Pro Tem Lilburn, seconded by Council Member Timmer, to approve Resolution No. 2020-033 ordering the continued maintenance of improvements in Consolidated Landscape and Lighting District No. 96-1, confirming the Engineer's Report and levying the assessment for Fiscal Year 2020-21. Motion carried on a roll call vote, 5-0.

RESOLUTION NO. 2020-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ORDERING THE CONTINUED MAINTENANCE OF
IMPROVEMENTS IN THE CONSOLIDATED LANDSCAPE AND LIGHTING
DISTRICT NO. 96-1 AND CONFIRMING THE ENGINEER'S REPORT AND
LEVYING THE ASSESSMENT FOR FISCAL YEAR 2020/21

CITY COUNCIL LEGISLATIVE

13. Special Event Permit Application (SEP 20-004) and Request for Co-sponsorship of the Immanuel Baptist Church 4th of July Fireworks Display and Community Event

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

City Attorney Marroquin stated in order to grant a special event permit application, certain findings must be made. One of those findings is that the operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or welfare. From what she is hearing from a majority of the Council that due to the Covid-19 epidemic and the State and County guidelines related to Covid-19, this type of event could be a menace to the public health and safety and that would be a reason for denial of the permit.

A MOTION was made by Council Member Chavez, seconded by Council Member Solano, to deny Special Event Permit 20-004. Motion carried on a roll call vote, 4-1, with Council Member Timmer dissenting.

14. Resolution Requesting Governor Newsom Extend the Implementation Date of Senate Bill 743 for One Year

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

A MOTION was made by Mayor Pro Tem Lilburn, seconded by Council Member Solano, to approve Resolution No. 2020-034 requesting Governor Newsom extend the implementation date of Senate Bill 743 for one year (until July 1, 2021). Motion carried on a roll call vote, 5-0.

RESOLUTION NO. 2020-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, TO REQUEST THE DELAY OF THE IMPLEMENTATION OF
TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS,
SECTION 15064.3

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

City Manager Hughes stated a brief update regarding Covid-19. County-wide there are now 6,417 cases and in the City of Highland we have 182 positive cases. Testing county-wide has gone up dramatically since two weeks ago and we are now at 77,829 people tested and we have had 1,839 Highland residents tested. Unfortunately, there have been four deaths in the City of Highland related to Covid-19 and there have been 221 deaths county-wide. Just an update regarding City Hall - City Hall lobby is now open. Face coverings are required for

people to come into the lobby and we are limiting the lobby to five residents at a time. Parks are still open for passive use and we do still have the parking lots closed at Community Park to discourage large gatherings. He encourages citizens to visit our website and our Facebook page for updates and links to the current State and County guidelines. As he is sure the Council is aware of, a few weeks ago, restaurants were allowed to reopen as well as retail and churches under guidelines. Recently barbershops and beauty salons can also reopen. Effective June 12, which is this Friday, bars, gyms, campgrounds, and hotels will be able to reopen in the State of California under guidelines again from the State. Any questions regarding Covid-19, citizens can call the County hotline at (909) 387-3911.

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

Mayor Pro Tem Lilburn stated the Veterans Day Committee continues to meet. Everyone is doing a great job and has tackled the task of flyovers and is still planning on going forward with this event unless something should change. As she mentioned, Memorial Day was canceled, so they are going to try and implement a few segments into that event as well. On Thursday, June 11, 2020, the Senior Center is doing Covid-19 testing through the County. The maximum appointments they had available was 150 and those appointments filled within about three hours so they are going to do some walk-ins after 1pm. The event will be from 10am to 1pm for appointments and then walk-ins are welcome after 1pm. Most importantly she wanted to thank our City and our law enforcement especially. She wants to thank them for the work they did this last week during the protests and protecting our City against looters, people who have no respect for private property and the damage they cause. They did a great job. Our City was relatively safe and unscathed. So she wanted to say thank you to all of our residents who did what they had to do to stay inside and stay safe and those who helped, but more importantly, our staff who did a lot of good work and our law enforcement should really be commended for all the work that they did. So, she wanted to say thank you.

Mayor McCallon stated he also wanted to thank our police department for all the good work that they did. They spend a lot of time out helping the citizens and helping the City. He also wants to thank those peaceful protestors that assembled a couple of times in the City and marched for the Black Lives Matter movement. The young kids that were out there were respectful and did it in a way that he thinks showed their passion and he thanks them for having a peaceful protest. That is what America is all about, the ability to speak your mind and do it peacefully. When we get troublemakers in there that just want to cause havoc, that takes away from the importance of our First Amendment rights to be able to petition our government and to speak our minds.

Council Member Chavez stated he also wants to thank the protestors for allowing us to be there as he was present at one of the protests. It was very peaceful, it was very nice. He enjoyed it all. He understands the message that they are trying to send in. There is a lot of racial injustice in our community and within our nation so they are just trying to raise their voices and trying to make their voices heard. He is glad that they were able to do that and make their voices heard. He hopes we as a people, light skinned people, white people, are able to listen to them and understand what they are really feeling and bring them to the table because it is important for us to understand what they are going through in order for us to do our job correctly.

Council Member Timmer stated he would like to echo what Mayor McCallon and Mayor Pro Tem Lilburn said. Some of you may know that he was out of town during most of this commotion as he was visiting his grandkids in different states. He really would like to thank the SO [Sheriff's office] from Highland and the SO staff that was brought in and it sounds like the CHP was involved also on 5th Street and the freeway. So thanks to them as well and Cal Fire was involved. He really wants to send special thanks to City Manager Hughes for the daily updates he provided on his voice mail so that he could listen to what was going on and understand what was going on. He really appreciates those play by play comments as time went by.

Council Member Solano stated she would like to echo what her constituents said. She is definitely appreciative of the peaceful protests that occurred. A lot of this definitely impacts life and our way of living so she is definitely appreciative of all that.

ANNOUNCEMENTS

None

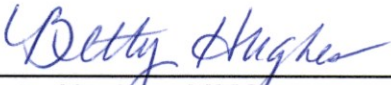
CLOSED SESSION

None

ADJOURN

There being no further business, Mayor McCallon adjourned the meeting at 7:20 p.m. in memory of Howard Wicks.

Submitted By:


Betty Hughes, MMC
City Clerk

Approved By:


Larry McCallon
Mayor