

CITY OF HIGHLAND SPECIAL MEETING OF THE CITY COUNCIL AGENDA

SPECIAL MEETING

August 20, 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 attend or 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/93854558022>

- Listen to the meeting by calling (669) 900-9128 and enter the Meeting ID: 938 5455 8022#

Toll free phone numbers:

(877) 853-5247 or (888) 788-0099
Meeting ID: 938 5455 8022#

Submission of Public Comments: For those wishing to make public comments at the August 20, 2020 special Council meeting regarding items on this agenda only, 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 August 20, 2020, to the City Clerk at publiccomment@cityofhighland.org. If you are making a comment regarding an item on the agenda, please identify the agenda item in the subject line.

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

August 20, 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 August 20, 2020, at 10:00 a.m. in the City Council Chambers of City Hall located at 27215 Base Line, Highland, California. 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 (LIMITED TO ITEMS ON THIS AGENDA ONLY)

The City Clerk shall read all email comments received before 9:00 a.m., provided that the reading shall not exceed three (3) minutes because this is the time limit for speakers at a Council meeting. The email comments submitted shall become part of the record of the Council meeting.

CITY COUNCIL LEGISLATIVE

1. City Clerk's Certification that There are Not More Candidates Than Offices (3) to be Elected in District 1, District 3 and District 5
RECOMMENDATION: That the City Council receive and file the City Clerk's Certification that there are not more candidates than offices (3) to be elected in City Council District 1, District 3 and District 5, and direct staff accordingly pursuant to California Elections Code § 10229.

ADJOURN

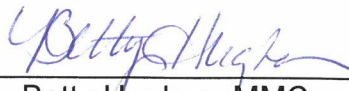
I, Betty Hughes, City Clerk, certify I caused to be posted this Agenda on or before August 13, 2020, by 5:30 p.m., on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: August 13, 2020



Betty Hughes, MMC
City Clerk



STAFF REPORT

TO THE CITY COUNCIL

DATE: August 20, 2020

FROM: Joseph A. Hughes, City Manager

PREPARED BY: Betty Hughes, MMC, City Clerk

SUBJECT: City Clerk's Certification that There are Not More Candidates Than Offices (3) to be Elected in District 1, District 3 and District 5

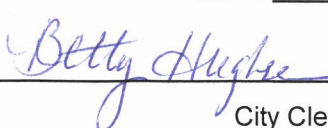
RECOMMENDATION: That the City Council receive and file the City Clerk's Certification that there are not more candidates than offices (3) to be elected in City Council District 1, District 3 and District 5 and direct staff accordingly pursuant to California Elections Code § 10229.

FISCAL IMPACT: The County of San Bernardino Registrar of Voters is in the process of preparing cost estimates for the election; \$35,000 has been budgeted. Not holding the election in District 1, District 3 and District 5 would result in some savings in an amount yet to be determined.

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website, and notice was timely published according to applicable law.

BACKGROUND: On June 9, 2020, City Council adopted Resolution No. 2020-027 calling the General Municipal Election to elect three Members of City Council on November 3, 2020. The Notice of Election was posted and published on July 3, 2020. The nomination period was open from July 13 through August 7, 2020. At the conclusion of the nomination period, only one incumbent candidate was nominated in each district to fill the three four-year terms:

Jesus "Jesse" Chavez – District 1
Penny T. Lilburn – District 3
Larry McCallon – District 5

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

The City Clerk's certification confirming that there are not more candidates than offices to be elected was provided to City Council on August 10, 2020.

California Elections Code § 10229 provides that if there are not more candidates than offices to be elected, the City Council has three courses of action to consider:

1. Appoint to the office the person(s) who have been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

If the City Council appoints to the office the person nominated in each district, then the election for all three districts is cancelled and the City Clerk is not to accept any further nominations. The nominees shall take office and serve exactly as if elected at a municipal election. Attached is a proposed resolution if Option 1 is chosen.

Notice of the subject meeting and that there are not more candidates than offices to be elected (3) was published on August 14, 2020, pursuant to Elections Code §10229.

RESOLUTION NO. 2020-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA,
PROVIDING FOR THE APPOINTMENT TO THREE CITY COUNCIL OFFICES FOR
DISTRICT 1, DISTRICT 3 AND DISTRICT 5, AND CANCELLING THE NOVEMBER 3,
2020 MUNICIPAL ELECTION IN THOSE DISTRICTS**

WHEREAS, pursuant to Section 10229 of the Elections Code of the State of California, as of the close of the nomination period on August 7, 2020, there are not more candidates than offices to be elected in City Council District 1, District 3 and District 5, and that Section 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person(s) who have been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

WHEREAS, a certification of these facts was submitted to the City Council on August 10, 2020, pursuant to Elections Code Section 10229; and

WHEREAS, a notice was timely published and posted on August 14, 2020, in a newspaper of general circulation pursuant to law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, DOES HEREBY RESOLVE, DELCARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to Section 10229 of the Elections Code of the State of California, the following action is being taken:

Pursuant to Elections Code Section 10229(a)(3), the following persons are being appointed to the office to which he or she was nominated:

Jesus "Jesse" Chavez	Member of City Council	District 1	4-Years
Penny T. Lilburn	Member of City Council	District 3	4-Years
Larry McCallon	Member of City Council	District 5	4-Years

SECTION 2. The municipal elections scheduled to be held on Tuesday, November 3, 2020, in District 1, District 3 and District 5 are now canceled.

SECTION 3. The persons appointed shall qualify and take office and serve exactly as if elected at a municipal election for the office.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 20th day of August, 2020.

Larry McCallon
Mayor

ATTEST:

Betty Hughes, MMC
City Clerk