CITY OF HIGHLAND
REGULAR MEETING OF THE CITY COUNCIL
AGENDA

REGULAR MEETING

September 14, 2021
6:00 p.m.
City Hall
Donahue Council Chambers
27215 Base Line
Highland, California

CITY COUNCIL MEMBERS

PENNY LILBURN, MAYOR
LARRY McCALLON, 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

CITY OF HIGHLAND • 27215 BASE LINE • HIGHLAND, CALIFORNIA 92346 • (909) 864-6861☎ • (909) 862-3180 🖷

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 72 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

This meeting is being held in person. Please be advised, facial coverings or masks are required to be worn in the Council Chambers regardless of a person's vaccination status. If you do not have a facial covering or mask, one will be provided to you.

Submission of Public Comments: To limit the number of persons in the Council Chambers, the public is encouraged to make public comments by email rather than in person. For those wishing to make public comments by email, please submit your comments by email to be read aloud at the meeting. Email comments must be submitted by 5:00 p.m. on September 14, 2021, to the City Clerk at publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the September 14, 2021 agenda, please identify the agenda item number in the subject line.

Members of the public will be permitted to make public comments in person.

CITY COUNCIL REGULAR MEETING
SEPTEMBER 14, 2021 - 6:00 p.m.

AGENDA

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT FROM CLOSED SESSION

SPECIAL PRESENTATIONS

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

To address the City Council, please complete a speaker form located at the entrance and give it to the City Clerk prior to the beginning of the meeting. Your name will be called when it is your turn to speak. State Law prohibits the City Council from taking action on any item not on the agenda. Individual speakers are limited to three minutes each.

Comments received via email by September 14, 2021, 5:00 p.m., will be read into the record, provided that the reading shall not exceed three (3) minutes. Email comments submitted by a speaker that also appears in person to address the same matter will not be read into the record.

CITY COUNCIL CONSENT CALENDAR

1. Waive the Reading of All Ordinances
   RECOMMENDATION: Waive the reading of all Ordinances in their entirety and read by title only.

2. Minutes – August 24, 2021 City Council Regular Meeting
   RECOMMENDATION: Approve the Minutes as submitted.

3. Warrant Register
   RECOMMENDATION: Approve Warrant Register No. 729 for September 14, 2021, in the amount of $2,159,836.96 and Payroll of $103,536.04.

4. Drainage Easement Acceptance – "San Carlo" Apartments Project, Northwest Corner of Greenspot Road & Webster Street (SPR 20-001 DRA 020-006)
   RECOMMENDATION: That the City Council:
   1) Accept the Grant of Easement for Drainage purposes from San Carlo Apartment Homes, LLC; and
   2) Direct the City Clerk to record the Grant of Easement.

5. Easement Acceptance/Lomeli (7497 Golondrina Drive)
RECOMMENDATION: That the City Council:
1) Accept the Grant of Easement for Road and Drainage purposes from Marisol Morris; and
2) Direct the City Clerk to record the Grant of Easement.

6. Bid Award – YMCA Dance Room Sport Floor Replacement
RECOMMENDATION: That the City Council:
1) Approve the bid for floor replacement at the YMCA dance room to the responsive low bidder, Hoover Co. Floor Covering Contractors, in the amount of $20,205.00; and
2) Authorize staff to implement the alternate addition of Drytex Moisture Barrier solution if required due to moisture levels in the floor system in the amount of $4,240.

7. Resolution Adopting Chapter 10 of the California Department of Transportation Local Assistance Procedure Manual Entitled "Consultant Selection"
RECOMMENDATION: That the City Council adopt Resolution No. 2021-_____ adopting Chapter 10 of the California Department of Transportation (Caltrans) Local Assistance Procedures Manual, entitled "Consultant Selection," as the process by which the City retains Architectural and Engineering consultant services related to federal and state funded transportation projects.

8. 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 Seniors
RECOMMENDATION: That the City Council approve the contract and authorize execution by the Community Development Director.

9. Status Report in Conformance with Government Code Section 65858(d) for Interim Ordinance No. 449, on Measure Taken to Alleviate the Conditions that Led to the Adoption of a Moratorium on the Approval of Land Use Entitlements for New Fueling Service Stations and the Expansion of the Number of Fueling Pumps at Existing Stations
RECOMMENDATION: That the City Council issue this status report for Interim Ordinance No. 449 related to the moratorium on the approval of Land Use Entitlements for New Fueling Service Stations and the Expansion of Existing Stations.

CITY COUNCIL PUBLIC HEARING

The order of business for Public Hearings shall be:

1) Mayor opens Public Hearing;
2) Staff presentation;
3) Applicant/Representative presentation;
4) Speakers in favor of proposal;
5) Speakers in opposition to proposal;
6) Applicant rebuttal;
7) Mayor closes Public Hearing;
8) Council discussion, motion and vote.

ONCE THE PUBLIC HEARING IS CLOSED NO FURTHER TESTIMONY IS TAKEN.

No public hearing.

CITY COUNCIL LEGISLATIVE

10. Measure I Capital Project Needs Analysis (2022/23 – 2026/27)
RECOMMENDATION: That the City Council approve the Five-Year Capital Project Needs Analysis (2022/23-2026/27) for the Measure I Major Street and Freeway Interchange Programs.

11. 5th Street Storm Drain Connection to City Creek (Project str07004a)
RECOMMENDATION: That the City Council:
    1) Approve proposal from Engineering Resources of Southern California, Inc., (ERSC) to provide engineering design services for the 5th Street Storm Drain Connection to City Creek Project; and
    2) Authorize the City Manager to approve contract amendments up to 10% of the contract amount.

12. (1) Request from the City of Rancho Cucamonga to Join Their Coalition and Advocate for a Fair and Equitable Distribution of the Bradley Burns 1% Local Sales Tax; (2) Designation of Voting Delegate and Alternate for the Cal Cities Annual Conference; and (3) Consider the 2021 Resolutions to Determine the City's Position
RECOMMENDATION: That the City Council:
    1) Direct staff accordingly for a letter of support for the City of Rancho Cucamonga's Resolution for Fair and Equitable Distribution of the Bradley Burns 1% Local Sales Tax;
    2) Appoint a Voting Delegate and Alternate for the annual conference to be held September 22-24, 2021, in Sacramento; and
    3) Consider the two (2) resolutions introduced by Cal Cities and determine a City position that the Voting Delegate can represent to Cal Cities.

13. City Manager Report and Comments (Work Program, Regional/Legislative/ Development Issues, Subcommittees, etc.)
RECOMMENDATION: Discussion and possible action.

14. Council Member Comments (Agency/Committee/AB 1234 Reports, District Updates, etc.)
RECOMMENDATION: Discussion and possible action.

ANNOUNCEMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and/or (d)(3):
One case.

ADJOURN

Regular Meetings
September 28; October 12, 26; November 9, 23; December 14, (December 28 - no meeting)

I, Betty Hughes, City Clerk, certify I caused to be posted this Agenda on or before September 9, 2021, 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: September 9, 2021

Betty Hughes, MMC
City Clerk

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

PREPARED BY: Betty Hughes, MMC, City Clerk

SUBJECT: Waive the Reading of All Ordinances

RECOMMENDATION: Waive the reading of all Ordinances in their entirety and read by title only.

Approved _____ Motion _____ Second _____ Agenda Item No. 1

Denied _____ Ayes _____

Continued _____ Noes _____ File No. _____

Tabled _____ Abstain _____

Absent _____

_____ City Clerk

_____ City Manager

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

PREPARED BY: Betty Hughes, MMC, City Clerk

SUBJECT: Minutes – August 24, 2021 Regular Meeting

RECOMMENDATION: Approve the minutes as submitted.

Approved _____ Motion _____ Second _____ Agenda Item No. 2

Denied _____ Ayes _____

Continued _____ Noes _____ File No. _____

Tabled _____ Abstain _____

Absent _____

B Hughes

City Clerk

City Manager

MINUTES
CITY COUNCIL REGULAR MEETING
AUGUST 24, 2021

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 Lilburn 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 Mayor Lilburn.

ROLL CALL

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

CITY COUNCIL PUBLIC HEARING – REDISTRICTING

1. Redistricting Process

Mayor Lilburn opened the public hearing.

City Clerk Hughes stated thank you Mayor and Members of the City Council, before you is a public hearing item regarding redistricting. Todd Tatum with National Demographics Corporation will be presenting the item. He is our consultant on this. She does want to point out under background there is a typo. She has April 17, 2021 as a deadline, and obviously that has passed, so it is 2022. We will turn it over to Todd if staff did not have any questions.

Todd Tatum stated first of all, thank you to the Mayor, the Council, and the City staff and especially thank you to City Clerk Hughes for all the hard work in helping him put this together. He is going to jump right into the presentation. The redistricting process, as you all know, because you are in districts now, will occur every ten years based on the Census and the new census count. The State requires that we have a minimum of four public hearings. This is the first of our four. Our second hearing is on October 26, at which time we hope to have the release of the data. Like he said, this is the first of the four public hearings that Highland will have. Our second one is October 26 at which time we hope to have the release of the data to begin the graph maps. After the data comes, we will be drafting maps, the public as well as the Council. Then we will have the two final map hearings that are scheduled for January 11 and January 22 and, like we said earlier, our deadline for adoption is April 17, 2022. What has been the major challenge this year is the census data has been delayed due to the COVID pandemic. We only got the federal census data on August 12. However, the State makes us wait until they do the review of the data and produce what they refer to

as prisoner adjusted numbers. This means they take the state prisoners and domicile them where their last known address was, and that is how they build the numbers and those will not be released until early to mid-October, and all the cities and counties are required to use the state data. So, with our redistricting, we have got three different categories that we need to adhere to, and if any of you are new to this process and those of you that remember the prior process that you went through, there are certain laws and criteria that we must follow. Some of these laws have changed slightly for this year's process. First, the first category, the federal process, we need to follow the federal laws where each district must have equal population. We must follow the Federal Voting Rights Act and there can be no racial gerrymandering. Second, the new state law ranks the order of the criteria that we must follow. So first off, they say the districts must be geographically contiguous where to the extent practicable. Number two, we have to look for undivided neighborhoods and communities of interest. Number three, we have to make sure that the districts have easily identifiable boundaries, meaning that we follow major roads or freeways, or other features that are easily understandable. Number four, we have to achieve compactness, meaning we cannot reach around or try to put together groups of people and bypass other groups within a community. In addition, the state law requires that we not look at partisanship or any political party registration or affiliation. As you will note, in all the available data that NDC provides you, we do not show any party registration or affiliation. The third category are the other traditional principles and traditions that we want to follow and that is we want to minimize, the shift of voters into different districts. Your voters have and are now used to voting within their district. We want to do as much as possible to keep them within their district, which goes to the second point, we want to respect the voters' choices and continuity in office. Third, we want to identify any future population growth and take that into consideration. Lastly, we want to strive to preserve the core of the existing districts as best we can. So next up, we have got a demographic summary of your existing districts, and while we do not have the final 2020 census data yet from the State, we do have an estimate of what that data may look like, and we do have the final voting rights analysis and it is current and will not change for the upcoming redistricting process. As you will see in the citizens voting age population, this reflects the population over the age of eighteen that has U.S. citizenship, and those percentages will stay with you throughout the redistricting process. In looking at the estimates, we are confident that the estimates are going to be very close to the final numbers that we receive in October, and what these numbers show is the City has increased its population. Actually roughly 57% over what it was ten years ago. However, the current deviation for the districts is only 6.76%, which falls under the required less than 10% deviation, and what that means is you will see that line under the 2020 estimates, and we have got a number, the percent of deviation for each district. The total number needs to be 10% or less. So, the good news is, although you have grown quite a bit, it seems to have spread out almost evenly across all five districts. After we get those final numbers in October, we will be able to show you what the current deviation is. However, the change to each districts current look should be very minimal and we are projecting that each district must contain roughly 11,400 people. According to the California Voting Rights Act analysis, we must identify any concentration of protected class groups. In

Highland we did find some concentration of Latinos, African Americans, Asian Americans, and Native Americans, and it does appear that the current maps have not separated these protected class groups. So, in other words, you will see when we speak later about communities of interest, we want to keep the communities of interest, which also include these protected class groups together as much as possible without dividing them into separate districts. So, one of the things that we want to do is we want to look at your neighborhoods and try to figure out exactly where your communities are. This is what we need the Council and the public to help us define. Beyond those neighborhoods, we want to find the communities of interest. So, we are asking both what your neighborhoods and community of interests are for two reasons. First, the law requires us to ask this and second, we also want to emphasize that if we do not have to make changes in the current districts to get them into balance, if we do have to make them, what are the best places to make those adjustments? Where do we prevent the dividing of a neighborhood or community of interest? And that is really where we need your input. Beyond those communities, what the communities of interest are, we can think of those as shared geographical areas, homeowner associations, areas influenced by the same roads, things that we may think of traditionally, bringing a neighborhood or community together as well as those protected class groups that he mentioned earlier. Now as we get further into the process your public, citizens, all your citizens, will have access to what we call a story map. It will be available as soon as the demographic data is available and it will allow you to look at basic socioeconomic characteristics like income, percentage of renters and put them in the graphic form of the map. The story map is very simple to use, and trust him, if he was able to figure it out, he thinks anybody in your City can. You will also have access to an application tool where you will be able to review the different maps that have been submitted in the current districts, as well as any proposed revision to those current districts once we get all that October data in. We will look at the revisions to the current districts, if necessary, and have all those maps available in this interactive map review. So, the first stage of this process is really to get the conversation going on how the current districts work in your City and if there needs to be any adjustments or changes. Then like he said, due to the fact that the deviation is so low, there may not be, your changes may be minimal. We will also need your input into defining your neighborhoods and communities of interest and where it will be best to make any changes, should there have to be any changes in your current district maps. So, as you will see on this slide, we have got your City website, which has a link directly to the redistricting process, where your citizens can get involved, a phone number to your City Clerk, as well as an email that you can direct your questions to. If there are any questions that your City cannot answer that will be up to us at NDC to make sure that we answer those. So, with that, he would like to thank you for this opportunity, and he is available to answer any questions that Council may have.

Mayor Lilburn stated thank you very much, we appreciate that presentation. At this time, she has no speaker slips.

Council Member Timmer stated can he ask a question first.

Mayor Lilburn stated well let her go through this process and then she will come back to your questions. She has no speaker slips. She would like to hear the speakers if we have anybody.

City Clerk Hughes stated she did not receive any via email.

Mayor Lilburn stated okay, and we have no applicant rebuttal, so she has no speaker slips in opposition or in favor of this. So, at this time, can she close the public hearing and we could still have discussion with him?

City Attorney Marroquin stated just double check that no one from the audience has any comment for public hearing.

Mayor Lilburn stated okay, at this time if the audience has any questions, any comments, if they would like to address the City Council on this item please come to the podium and we are happy to hear your comments. Seeing none, Council Member Timmer please go ahead with your questions.

Council Member Timmer stated on page three of your presentation, on the category three, other transitional redistricting principles. The one says future population growth, he thought this whole boundary was based on the 2020 census. How can the future growth be considered if you are basing everything on the current information we have for the 2020 census? How does that fit in? It does not make sense to him.

Todd Tatum stated okay, he thinks if you all came to us and said that you know, just for an example, in a certain part of your City, there is going to be a giant master planned community that is on the books, and will kick off, you know, during this next decade. We might look at how the district, that it might be in, how we might want to adjust that, if any, but you are absolutely right, these districts are going to be drawn to the 2020 census numbers. There will be balance based on those 2020 census numbers, so it does not, it would not, you know, draw, he means, maybe what we would do there since there would be no population, but it might be in a district that currently say is less than another district. As far as numbers we could take that into consideration while drawing that district. Does that answer your question?

Council Member Timmer stated no but thank you. To me it does not make any sense, the two are not compatible.

Mayor Lilburn stated thank you. Mayor Pro Tem McCallon.

Mayor Pro Tem McCallon stated thank you. Between district three and four there is a freeway which is a no-no, you cannot cross it, so balancing the population between the four or five districts to get 11,400 is going to be difficult because districts four and five are on one side of the freeway and districts one, two, and three are on the other side.

Todd Tatum stated got you and that is why we need the input from you all and the public on, because like he said, the numbers currently based on our estimates, your districts really do not have to change much at all.

Mayor Pro Tem McCallon stated he agrees.

Council Member Chavez stated he just wants to encourage everyone here and those listening at home to participate in this civic engagement. He thinks it is important for us to draw the maps in our City and this is where a lot of the money is going to come from. So just participation from the public would be very appreciated.

Mayor Lilburn stated thank you. When do we expect the 2020 census numbers to get to you?

Todd Tatum stated early October.

Mayor Lilburn stated early October, and were they affected from the COVID? Were they able to get a full, kind of overlook and view of what we have with the Census?

Todd Tatum stated the U.S. Census numbers that came out August 12, they believe that they got a full counting, even with the COVID, but the State has to go off those U.S. Census numbers and then like he said, do the official prisoner adjusted numbers that we have to work off of and we will not have those until early October.

Mayor Lilburn stated okay, thank you very much.

Mayor Pro Tem McCallon stated one more question, if he might, and this may be to City Manager Hughes. Is DOF [Department of Finance] going to use the 2020 census numbers for our population and if so, are they going to be using population numbers that include the prisoner population?

City Manager Hughes stated he does not know that. He does not know if the DOF resets their numbers every ten years and then adds, you know, from there.

Mayor Lilburn stated okay, any more questions for staff or our presenter. Hearing none, she has closed the public hearing and we will go ahead. This is just to move forward. Do we need a vote on this?

City Attorney Marroquin stated no, this was information.

Mayor Lilburn stated information only and with that we appreciate his presentation. Thank you for putting your time and efforts in and we probably mostly agree with, we probably do not need a lot, but that is not our job. That is your job, so we appreciate all your work.

Todd Tatum stated okay, and he will see Council on October 26.

Mayor Lilburn stated you got it. Thank you very much.

REPORT FROM CLOSED SESSION

City Attorney Marroquin stated she is reporting out on the Housing Authority, which she understands this is the City Council meeting, but we need to report out. So, just to let everyone know that the Housing Authority held a closed session pursuant to Government Code 54956.8 to discuss three separate properties. 7433 Central Avenue, vacant adjacent parcels APN 1192-431-05 and 13 vacant lots of along Lillian Lane, east of Community Park, APN's 1192-257-40 thru 46 and 1192-591-04 thru 09. No reportable action was taken but direction was provided to staff.

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

City Clerk Hughes stated there were no public comments received via email for items not listed on the agenda nor items on the agenda.

CITY COUNCIL CONSENT CALENDAR

A MOTION was made by Council Member Timmer, seconded by Council Member Solano, to approve the consent calendar. Motion carried on a roll call vote, 5-0.

2. Waive the Reading of All Ordinances
   Waived the reading of all Ordinances in their entirety and read by title only.

3. Minutes – August 10, 2021 City Council Regular Meeting
   Approved the Minutes as submitted.

4. Warrant Register
   Approved Warrant Register No. 728 for August 24, 2021, in the amount of $956,593.47 and Payroll of $99,904.58.

5. Treasurer's Report for June 2021
   Received and filed Treasurer's Report for June 2021.

6. Declare One (1) Seat Vacant on the Community Trails Committee
   1. Declared one (1) seat vacant on the Community Trails Committee; and
   2. Directed the City Clerk to advertise the vacancy on the Community Trails Committee.

7. Second Reading of Ordinance No. 448 of the City of Highland Amending Title 16 (Land Use and Development Code) of the Highland Municipal Code, Chapter 16.06 (Definitions), Chapter 16.12 (Special Districts), Chapter 16.16 (Residential Districts), Chapter 16.22 (Mixed Use Districts), and Chapter 16.44 (Specific Development Standards) Regarding Accessory Dwelling Units ("ADUs") and Junior Accessory Dwelling Units ("JADUs") and Making a Finding under CEQA
Conducted a second reading, read by title only, and waived further reading of Ordinance No. 448 amending Title 16 (Land Use and Development Code) of the Highland Municipal Code to amend regulations pertaining to Accessory Dwelling Units and Junior Accessory Dwelling Units and making a finding of exemption under Section 15282(H) of the California Environmental Quality Act Guidelines and Public Resources Code Section 21070.17.

City Clerk Hughes introduced Ordinance No. 448:

ORDINANCE NO. 448
AN ORDINANCE OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING TITLE 16 (ZONING) OF THE HIGHLAND MUNICIPAL CODE TO AMEND REGULATIONS PERTAINING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND MAKING A FINDING OF EXEMPTION UNDER SECTION 15282(H) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES AND PUBLIC RESOURCES CODE SECTION 21070.17

which title was read.

8. Final Map Approval/Tract 18893-1 & Tract 18893-2 (D.R. Horton)
Adopted Resolution No. 2021-039 and Resolution No. 2021-040 to:
1. Approve the Final Maps of Tract 18893-1 and Tract 18893-2;
2. Accept the subdivision bonds; and
3. Authorize the Mayor to sign the standard subdivision agreements.

RESOLUTION NO. 2021-039
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING THE FINAL MAP AND SUBDIVISION AGREEMENT, AND ACCEPTING THE SUBDIVISION BONDS FOR TRACT NO. 18893-1 (D.R. HORTON)

RESOLUTION NO. 2021-040
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING THE FINAL MAP AND SUBDIVISION AGREEMENT, AND ACCEPTING THE SUBDIVISION BONDS FOR TRACT NO. 18893-2 (D.R. HORTON)

CITY COUNCIL PUBLIC HEARING

No public hearing.

CITY COUNCIL LEGISLATIVE

9. Use of State and Local Fiscal Recovery Funds (SLFRF) through the American Rescue Plan Act (ARPA)

City Manager Hughes gave a brief review of the staff report.

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

1. Authorize the expenditures of the $7,447,553.50 for the SLFRF funds for the programs and amounts described in Attachment #1 and authorize the Finance/Personnel Subcommittee to move any funds as needed in the future within the approved categories; and
2. Authorize budget adjustments in the amount of $7,447,555 (accounts listed in Attachment #1) in expenditures. Motion carried, 5-0.

10. Measure I 5-Year Capital Improvement Plan (2021/2022-2025/2026)

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:

1. Approve the Measure I Capital Improvement Plan Expenditure Strategy (2021/2022-2025/2026); and
2. Approve Resolution No. 2021-041 adopting the Measure I 5-Year Capital Improvement Plan (2021/2022-2025/2026). Motion carried, 5-0.

RESOLUTION NO. 2021-041
A RESOLUTION OF THE CITY COUNCIL OF THE CITY HIGHLAND, CALIFORNIA, ADOPTING THE MEASURE I FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FY2021/2022 THROUGH FY2025/2026

11. Consideration of an Interim Urgency Ordinance to Establish a Moratorium for a Period of 45 Days on the Approval of Land Use Entitlements for New Fueling Service Stations or the Expansion of the Number of Fueling Pumps at Existing Stations

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

David Eady spoke in opposition of this item.

Unknown/Unannounced speaker spoke in opposition of this item.

City Attorney Marroquin stated this is the first consideration of this ordinance. Today, all you have before you is a 45-day moratorium. What Council Member Timmer was referring to is that under the law, you are allowed to extend the moratorium. So, we could do a first extension that does add an additional 10 months and 15 days and that would have to come back for a notice of public hearing, that cannot just be automatically done. Similarly, you could do a second extension, under the law, for up to an additional year, and she thinks that was what Council Member Timmer was referring to, that it could be upwards up to two years, but right now what you have before you is simply a 45-day moratorium. That would stop the entitlements of any projects with fueling stations or the expansion of any existing gas stations, so this would apply city-wide. It is not directed at all towards any particular project. It is a city-wide moratorium on all development pertaining to fueling stations. This allows staff the time to study issues pertaining to what was discussed at the last meeting, in terms of you know, changing technology, calls for service, and things of that nature. So, if Council wants to carve out an exception and say except for and then, you know, whatever language you want to insert. We could revise the ordinance. So, is that the trigger point we are discussing? Potentially saying that the moratorium would apply to all properties except those that have either submitted a pre-application or a formal application for fueling stations. She would like to take a brief two-minute recess to draw up the language.

The City Council took a brief recess.

City Attorney Marroquin stated the proposed change would be to section 2 (b), and it would state, notwithstanding any other ordinance or provision of the Highland Municipal Code or any specific plan after August 24, 2021. No pre-application shall be accepted for processing or approving a new service station or for expanding additional fueling pumps at existing service stations.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Council Member Solano, to adopt Interim Ordinance No. 449, as amended, establishing a moratorium on the approval of land use entitlements for new service stations or expansion of the number of fueling pumps at existing stations by a four-fifths vote, waiving full reading, and read by title only. Motion carried, 5-0.

City Clerk Hughes introduced Ordinance No. 449:

URGENCY ORDINANCE NO. 449
AN INTERIM URGENCY ORDINANCE OF THE CITY OF HIGHLAND, CALIFORNIA, ESTABLISHING A MORATORIUM ON THE APPROVAL OF APPLICATIONS FOR LAND USE ENTITLEMENTS FOR NEW SERVICE STATION USES OR THE EXPANSION IN THE NUMBER OF PUMPS OF EXISTING SERVICE STATION USES IN THE CITY OF HIGHLAND

which title was read.

Mayor Lilburn appointed Mayor Pro Tem McCallon and Council Member Timmer to serve on an Ad-Hoc Committee [Service Station Review Ad Hoc] to address the Land Use Entitlements for new fueling service stations or the expansion of the number of fueling pumps at existing stations.

City Attorney Marroquin stated if she could just clarify for the record, the question that Council Member Timmer had, the definition says that for purposes of this interim urgency ordinance, the term service station shall be limited to retail business selling gasoline or other motor vehicle fuels derived from fossil fuels. So, if you have the electric vehicle charging grants that come in, we would be able to move forward on those.

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

City Manager Hughes stated he just wanted to bring the Council up to speed on our Sector E Pavement Rehabilitation. That is our last sector of our first Five-Year Pavement Management Program, the design is 90% complete at this point. This project will involve pavement rehabilitation on twenty-seven street segments, totaling approximately 3.6 miles. We anticipate going out to bid on this on September 16 and bring it before the City Council on October 26. With construction starting in November, the estimated cost is $2 million. We are continuing to work with Cal Fire on the Wildland Protection Agreement. It has been reviewed by the City Attorney, and we are hoping to bring that forward to the City Council in September. We are also working with the Sheriff's Department and East Valley Water District on an additional deputy that would be funded by East Valley Water District. He spoke to the Council about this during the budget process, but they are getting ready for their new facility to start, hopefully sometime at the beginning of next year. So, we will be bringing forward to the City Council a modified Schedule A to fund that position. On August 16, the Housing Authority and Public Works staff made available a bid package for the demolition of the single-family residence at 7433 Central Avenue, so that will be going out to bid. We are hoping to have that bid opening on September 27 and bring it to the Council shortly thereafter and we will get that house taken down. On August 17, the Planning Commission took action to adopt a Declaration of Public Nuisance and ordering the property owner to remove illegal tractor trailers and bus storage on the property generally located on the northwest corner of Central and 5th Street, the property owner has sixty days to comply. On August 13, the Community Development Department released a request for proposal to participate in the City's Two-Year Tow Rotation Program, so we are starting that process again. Seems like we just did it, but two years goes by like that, so that will be coming forward in October. Also, in the Planning Department, he is not sure if Council is aware, but Associate Planner Quintanilla has moved on. He ended up getting a job with the City of Fontana, which is where he lives, so he could be close to home. We determined it was in our best interest to promote Planning Technician III Tafolla up into that planning position. We will be doing a recruitment to replace the Planning Technician position. She has been a long-term employee and she has just done a great job for us, so we are promoting her up. As far as Police Department calls, for the last

two weeks, total calls, they actually had an uptick, at 1,839 calls for service, 110 reports and made 79 arrests. Burrtec has, as of the 20th of August, already done 135 illegal dumping pickups. He did want to bring the Council up to date on some COVID numbers. Right now, we are up to 325,000 cases county-wide. Since February 1, of those cases, we have had 24,000 non fully vaccinated people and 3,200 fully vaccinated people since February. So, it is now 88% of the people that have gotten COVID since February are not fully vaccinated in San Bernardino County. Unfortunately, we are now up to 4,901 deaths, and in the last 14 days we have had 13 deaths due to COVID. That being said, of the known vaccination status of people that have passed away, ten of them were not fully vaccinated and zero were fully vaccinated, so it is really showing that the that the vaccination does have an impact on those severe cases of COVID. Hospitalizations, he mentioned at the last meeting that the hospitalization was really going up there again. We actually ended up surpassing last summer and the number of people that were in the hospital. Right now, we are about 550 confirmed cases with 33 suspected. The peak, as of a couple days ago, was 578. So, it looks like we have hit the peak and they are starting to come back down again. So, hopefully this surge is on its way down. The ICU, we currently have 133 confirmed people and four suspected and 107 of those in the ICU are on ventilators. So those are very severe cases. We are still in the widespread category of the old tier system. But that is also starting to go down, it peaked, and now it is starting to come back down again, and while it is coming down, we are still in widespread though. So, people have to remember if we were under that old tier system, we would be in lockdown right now with the number of cases. There is now over a million people, almost 1.1 million people have had at least one dose of the vaccine in San Bernardino County; 926,000 are fully vaccinated and the County's vaccination goal is 1.18 million, so county-wide we are getting pretty close to hitting the county target on vaccinations. He is sure the Council heard that Pfizer, at least, has received full FDA approval. He thinks there has been some people that have been waiting for that, so hopefully that will get some folks out and get vaccinated. It does make an impact on the severity if you do get COVID, it is not going to prevent you from getting it, but if you do get it, it is going to be a less severe disease, so that is kind of where we are at county-wide.

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

Mayor Lilburn stated just to keep the Council up to date, the Veterans Day event is still moving forward as of right now.

ANNOUNCEMENTS

None

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 7:01 p.m.

Submitted By:

Betty Hughes, MMC
City Clerk

Approved By:

Penny Lilburn
Mayor

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

REVIEWED BY: Chuck Dantuono, Director of Administrative Services/City Treasurer

PREPARED BY: Leticia Nava-Cruz, Accounting Supervisor LNC

SUBJECT: Warrant Register #729

RECOMMENDATION: City Council to approve Warrant Register #729; Warrants in the amount of $2,159,836.96 and Payroll in the amount of $103,536.04.

FISCAL IMPACT: The total of Cash and Expenditures is $2,263,373.00.

PUBLIC NOTICE: The agenda for this item was posted at the three required locations.

BACKGROUND: See Printouts Attached.

Approved _____	Motion_____	Second _____	Agenda Item No. 3
Denied _____	Ayes_____		
Continued_____	Noes _____		File No. _____
Tabled_____	Abstain_____		
	Absent_____		
B Hugh			
City Clerk		City Manager	

CITY OF HIGHLAND

WARRANT REGISTER #729

September 14, 2021

Warrants:

8/24/2021	Ck#83508-83542	1,759,637.14
8/27/2021	Payroll Wire #603-606 & Ck #83543-83545	58,679.14
8/31/2021	Ck#83546-83598	184,241.47
9/7/2021	Ck#83599-83638 & Wire 1001937617	157,279.21
	Total Warrants	$2,159,836.96

Payroll:

8/27/2021	Direct Deposits #11014-11054	103,250.32
8/27/2021	Ck #642	285.72
	Total Payroll	$ 103,536.04
	Total Warrants & Payroll	**$2,263,373.00**

APPROVED BY:

Larry McCallon
Finance Subcommittee

Joseph A. Hughes
City Manager

John Timmer
Finance Subcommittee

Chuck Dantuono
Director of Administrative
Services/City Treasurer

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83508	8/24/2021	000030 SAN BERNARDINO COUNTY SHERIFFS	POLICE SERVICES-AUG POLICE SERVICES-AUG 001.2000.4560	923,169.00
			Total :	**923,169.00**
83509	8/24/2021	000085 EAST VALLEY WATER DISTRICT	SEELEY PARK-AUG SEELEY PARK-AUG 016.8540.4030 LMD #76-AUG LMD #76-AUG	478.18
			012.8500.4030 LMD 11-AUG LMD 11-AUG	81.27
			012.8500.4030 LMD 16-AUG LMD 16-AUG	412.11
			012.8500.4030 LMD 17 A-AUG LMD 17 A-AUG	57.43
			012.8500.4030 LMD 17 B-AUG LMD 17 B-AUG	85.52
			012.8500.4030 LMD 17 C-AUG LMD 17 C-AUG	870.68
			012.8500.4030 LMD 17 D-AUG LMD 17 D-AUG	202.84
			012.8500.4030 LMD 25-AUG LMD 25-AUG	166.71
			012.8500.4030 LMD B 39-AUG LMD B 39-AUG	198.31
			012.8500.4030 LMD 47-AUG LMD 47-AUG	176.19

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83509	8/24/2021	000085 EAST VALLEY WATER DISTRICT	(Continued)		
			012.8500.4030		
			LMD 55-AUG		267.12
			LMD 55-AUG		
			012.8500.4030		643.35
				Total :	**3,639.71**
83510	8/24/2021	000090 FEDEX	OVERNIGHT MAIL		
			OVERNIGHT MAIL		
			001.4100.4210		173.82
				Total :	**173.82**
83511	8/24/2021	000105 HIGHLAND CHAMBER OF COMMERCE	MONTHLY LUNCHEON MEETING-OWENS-AUG		
			MONTHLY LUNCHEON MEETING-OWENS-AUG		
			001.4100.4320		25.00
				Total :	**25.00**
83512	8/24/2021	000190 SAN BERNARDINO COUNTY	ICH09001 PART PM RDA07 MAY-JUN		
			ICH09001 PART PM RDA07 MAY-JUN		
			010.3830.6813		9,546.13
			ICH09001 PS&E RDA07 MAY-JUN		
			ICH09001 PS&E RDA07 MAY-JUN		
			010.3830.6813		852.98
			ICH09001 CON RDA07 MAY-JUN		
			ICH09001 CON RDA07 MAY-JUN		
			010.3830.6813		214,098.05
			ICH09001 R/W IVDA AGMT MAY-JUN		
			ICH09001 R/W IVDA AGMT MAY-JUN		
			027.8490.6813		134.68
				Total :	**224,631.84**
83513	8/24/2021	000203 SOUTHERN CALIFORNIA EDISON	LS#3-AUG		
			LS#3-AUG		
			013.8510.4011		52.75
			LS#3-AUG		
			LS#3-AUG		
			013.8510.4011		81.94
			LMD#76-AUG		
			LMD#76-AUG		

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83513	8/24/2021	000203 SOUTHERN CALIFORNIA EDISON	(Continued)		
			012.8500.4010		14.47
				Total :	**149.16**
83514	8/24/2021	000207 KONICA MINOLTA	COPIER LEASE-SEP		
			COPIER LEASE-SEP		
			042.9510.4205		1,054.54
			COPIER LEASE-SEP		
			001.2000.4205		625.29
				Total :	**1,679.83**
83515	8/24/2021	000233 WAXIE SANITARY SUPPLY	PD: JANITORIAL SUPPLIES		
			PD: JANITORIAL SUPPLIES		
			001.2000.4055		26.13
			PD: JANITORIAL SUPPLIES		
			PD: JANITORIAL SUPPLIES		
			001.2000.4055		377.02
				Total :	**403.15**
83516	8/24/2021	000424 SAN BERNARDINO COUNTY FIRE	HAZARDOUS WASTE FEE 07/21-09/21		
			HAZARDOUS WASTE FEE 07/21-09/21		
			001.4200.4596		12,218.89
				Total :	**12,218.89**
83517	8/24/2021	000623 HARBOR FREIGHT TOOLS	STATION #1 SUPPLIES		
			STATION #1 SUPPLIES		
			028.2050.4245		70.68
			STATION #1 SUPPLIES		
			029.2100.4245		70.67
				Total :	**141.35**
83518	8/24/2021	000636 STEVEN ENTERPRISES INC	ANNUAL MAINTENANCE AGREEMENT		
			ANNUAL MAINTENANCE AGREEMENT		
			001.3200.4245		1,486.00
				Total :	**1,486.00**
83519	8/24/2021	001082 CHRISP COMPANY	STR20004 GCF CON RET RELEASE		
			STR20004 GCF CON RET RELEASE		
			023.1350		3,893.20

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83519	8/24/2021	001082 001082 CHRISP COMPANY	(Continued)	Total :	3,893.20
83520	8/24/2021	001122 GALLS, LLC	UNIFORMS: CHAMBERS, OWENS & RAMIREZ		
			UNIFORMS: CHAMBERS, OWENS & RAMIREZ		
			001.4600.4249		1,109.43
				Total :	1,109.43
83521	8/24/2021	001476 TIME WARNER CABLE	STATION #1 TELE/INT-JUL		
			STATION #1 TELE/INT-JUL		
			028.2050.4065		182.69
			STATION #1 TELE/INT-JUL		
			029.2100.4065		182.68
			STATION #2 TELE/INT-JUL		
			STATION #2 TELE/INT-JUL		
			028.2050.4065		220.17
			STATION #2 TELE/INT-JUL		
			029.2100.4065		220.17
			STATION #3 TELE/INT-JUL		
			STATION #3 TELE/INT-JUL		
			028.2050.4065		106.75
			STATION #3 TELE/INT-JUL		
			029.2100.4065		106.75
				Total :	1,019.21
83522	8/24/2021	002149 SB CO DEPT OF PUBLIC HEALTH	ANIMAL CONTROL SERVICES 4/1/21-6/30/21		
			ANIMAL CONTROL SERVICES 4/1/21-6/30/21		
			001.2200.4565		114,525.00
				Total :	114,525.00
83523	8/24/2021	002190 ENGINEERING RESOURCES OF SO CA	SDC21001-JUN		
			SDC21001-JUN		
			001.3200.4551		895.95
			HYD21002-JUN		
			HYD21002-JUN		
			001.3200.4551		21.50
			FIN21001-JUN		
			FIN21001-JUN		
			001.3200.4551		495.00

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83523	8/24/2021	002190 002190 ENGINEERING RESOURCES OF SO (Continued)	Total :	1,412.45
83524	8/24/2021	002480 CASC ENGINEERING & CONSULTING	EXE20001-JUN EXE20001-JUN 001.3200.4551	140.00
			ENC20001-JUN ENC20001-JUN 001.3200.4551	140.00
			FWQ17002-JUN FWQ17002-JUN 001.3200.4551	140.00
			RGI20001-JUN RGI20001-JUN 001.3200.4551	140.00
			RGI21001-JUN RGI21001-JUN 001.3200.4551	140.00
			FWQ19001-JUN FWQ19001-JUN 001.3200.4551	87.50
			FWQ20002-JUN FWQ20002-JUN 001.3200.4551	87.50
			CWQ21001-JUN CWQ21001-JUN 001.3200.4551	595.00
			CWQ21005-JUN CWQ21005-JUN 001.3200.4551	987.50
			WQP21001-JUN WQP21001-JUN 001.3200.4551	17.50
			FWQ19001-JUL FWQ19001-JUL 001.3200.4551	105.00
			FWQ20003-JUL FWQ20003-JUL 001.3200.4551	902.50

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83524	8/24/2021	002480 CASC ENGINEERING & CONSULTING	(Continued)	
			FWQ20002-JUL	
			FWQ20002-JUL	
			001.3200.4551	835.00
			CWQ21001-JUL	
			CWQ21001-JUL	
			001.3200.4551	52.50
			WQP21001-JUL	
			WQP21001-JUL	
			001.3200.4551	275.00
			EXE20001-JUL	
			EXE20001-JUL	
			001.3200.4551	210.00
			ENC20001-JUL	
			ENC20001-JUL	
			001.3200.4551	70.00
			RGI20001-JUL	
			RGI20001-JUL	
			001.3200.4551	280.00
			RGI21002-JUL	
			RGI21002-JUL	
			001.3200.4551	140.00
			RGI21001-JUL	
			RGI21001-JUL	
			001.3200.4551	140.00
				Total : **5,485.00**
83525	8/24/2021	002653 H & H GENERAL CONTRACTORS	BRG04004A CON MSRC PPE#2	
			BRG04004A CON MSRC PPE#2	
			027.8490.6813	9,135.00
			BRG04004A CON DIF REG PPE#2	
			BRG04004A CON DIF REG PPE#2	
			007.8330.6813	9,135.00
			BRG04004A CON PNRS PPE#2	
			BRG04004A CON PNRS PPE#2	
			030.8495.6813	98,874.00
			BRG04004A CON DIF REG PPE#2	
			BRG04004A CON DIF REG PPE#2	

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83525	8/24/2021	002653 H & H GENERAL CONTRACTORS	(Continued)	
			007.8330.6813 BRG04004A CON DIF REG PPE#2	24,718.51
			BRG04004A CON DIF REG PPE#2 007.8330.6813 BRG04004A CON MSRC PPE#2 RET	160,352.40
			BRG04004A CON MSRC PPE#2 RET 027.1350 BRG04004A CON DIF REG PPE#2 RET	-456.75
			BRG04004A CON DIF REG PPE#2 RET 007.1350 BRG04004A CON PNRS PPE# RET	-456.75
			BRG04004A CON PNRS PPE# RET 030.1350 BRG04004A CON DIF REG PPE#2 RET	-4,943.70
			BRG04004A CON DIF REG PPE#2 RET 007.1350 BRG04004A CON DIF REG PPE#2 RET	-1,235.93
			BRG04004A CON DIF REG PPE#2 RET 007.1350	-8,017.62
				Total : **287,104.16**
83526	8/24/2021	002710 HERNANDEZ, KROONE & ASSOCIATES	CUP21001-JUN	
			CUP21001-JUN 001.3200.4551 CUP21001-JUL	890.50
			CUP21001-JUL 001.3200.4551 CUP21007-JUN	131.25
			CUP21007-JUN 001.3200.4551 CUP21007-JUL	926.50
			CUP21007-JUL 001.3200.4551 VMT POLICY ASSISTANCE-JUL	568.75
			VMT POLICY ASSISTANCE-JUL 001.3200.4550	1,793.75

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83526	8/24/2021	002710 002710 HERNANDEZ, KROONE & ASSOCIA	(Continued)	Total :	4,310.75
83527	8/24/2021	003044 THOMSON REUTERS WEST	CODE BOOKS		
			CODE BOOKS		
			001.1200.4626		1,243.50
				Total :	1,243.50
83528	8/24/2021	003360 DIRECTV	POLICE SATELLITE CABLE-AUG		
			POLICE SATELLITE CABLE-AUG		
			001.2000.4065		78.00
				Total :	78.00
83529	8/24/2021	004193 AECOM USA INC.	BRG07001 DES HBP-APR		
			BRG07001 DES HBP-APR		
			030.8495.6813		39,149.44
			BRG07001 DES RDA07-APR		
			BRG07001 DES RDA07-APR		
			010.3830.6813		5,072.22
				Total :	44,221.66
83530	8/24/2021	004920 TKE ENGINEERING	LDR 20-001 EVWD SNRC APR-MAY		
			LDR 20-001 EVWD SNRC APR-MAY		
			001.3200.4551		82.50
			STC 20-001 EVWD SNRC APR-MAY		
			STC 20-001 EVWD SNRC APR-MAY		
			001.3200.4551		1,635.00
			TSP 20-001 EVWD SNRC APR-MAY		
			TSP 20-001 EVWD SNRC APR-MAY		
			001.3200.4551		742.50
			HYD 20-001 EVWD SNRC APR-MAY		
			HYD 20-001 EVWD SNRC APR-MAY		
			001.3200.4551		1,462.50
			DRA 20-006 SAN CARLO APT FEB-MAY		
			DRA 20-006 SAN CARLO APT FEB-MAY		
			001.3200.4551		7,880.66
			DRA 19-008 27002 MEINES ST APR-MAY		
			DRA 19-008 27002 MEINES ST APR-MAY		
			001.3200.4551		772.50
			DRA 19-011 PATS PLACE APR-MAY		

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83530	8/24/2021	004920 TKE ENGINEERING	(Continued)	
			DRA 19-011 PATS PLACE APR-MAY	
			001.3200.4551	696.70
			LDR 21-001 PATS PLACE APR-MAY	
			LDR 21-001 PATS PLACE APR-MAY	
			001.3200.4551	425.00
			LDR 21-002 PATS PLACE APR-MAY	
			LDR 21-002 PATS PLACE APR-MAY	
			001.3200.4551	115.00
			PM 19797 TRANSITION PROP APR-MAY	
			PM 19797 TRANSITION PROP APR-MAY	
			001.3200.4551	2,100.00
			TR 18893 MEDITERRA APR-MAY	
			TR 18893 MEDITERRA APR-MAY	
			001.3200.4551	650.00
			EXE 21-002 TR 18893 MEDITERRA APR-MAY	
			EXE 21-002 TR 18893 MEDITERRA APR-MAY	
			001.3200.4551	200.00
			SDI 21-001 TR 18893 MEDITERRA APR-MAY	
			SDI 21-001 TR 18893 MEDITERRA APR-MAY	
			001.3200.4551	4,150.00
			RGI 20-001 TR 18893 MEDITERRA APR-MAY	
			RGI 20-001 TR 18893 MEDITERRA APR-MAY	
			001.3200.4551	150.00
			EVWD PERMIT/INSP FIXED FEE FEB-MAY	
			EVWD PERMIT/INSP FIXED FEE FEB-MAY	
			001.3200.4551	750.00
			342-21-001 EVWD PERMIT/INSP FEB-MAY	
			342-21-001 EVWD PERMIT/INSP FEB-MAY	
			001.3200.4551	200.00
			AT&T PERMIT/INSP FIXED FEE APR-MAY	
			AT&T PERMIT/INSP FIXED FEE APR-MAY	
			001.3200.4551	850.00
			350-21-013 AT&T PERMIT/INSP APR-MAY	
			350-21-013 AT&T PERMIT/INSP APR-MAY	
			001.3200.4551	100.00
			350-21-014 AT&T PERMIT/INSP APR-MAY	
			350-21-014 AT&T PERMIT/INSP APR-MAY	

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83530	8/24/2021	004920 TKE ENGINEERING	(Continued)	
			001.3200.4551 SOCAL GAS PERMIT/INSP FIXED FEE APR-MAY	200.00
			SOCAL GAS PERMIT/INSP FIXED FEE APR-MAY 001.3200.4551 SCE PERMIT/INSP FIXED FEE APR-MAY	500.00
			SCE PERMIT/INSP FIXED FEE APR-MAY 001.3200.4551 353-21-028 SCE PERMIT/INSP APR-MAY	400.00
			353-21-028 SCE PERMIT/INSP APR-MAY 001.3200.4551 353-21-030 SCE PERMIT/INSP APR-MAY	300.00
			353-21-030 SCE PERMIT/INSP APR-MAY 001.3200.4551 353-21-032 SCE PERMIT/INSP APR-MAY	150.00
			353-21-032 SCE PERMIT/INSP APR-MAY 001.3200.4551 353-21-034 SCE PERMIT/INSP APR-MAY	150.00
			353-21-034 SCE PERMIT/INSP APR-MAY 001.3200.4551 353-21-036 SCE PERMIT/INSP APR-MAY	150.00
			353-21-036 SCE PERMIT/INSP APR-MAY 001.3200.4551 353-21-037 SCE PERMIT/INSP APR-MAY	100.00
			353-21-037 SCE PERMIT/INSP APR-MAY 001.3200.4551 SPECTRUM PERMIT/INSP FIXED FEE APR-MAY	100.00
			SPECTRUM PERMIT/INSP FIXED FEE APR-MAY 001.3200.4551 358-21-009 SPECTRUM PERMIT/INSP APR-MAY	500.00
			358-21-009 SPECTRUM PERMIT/INSP APR-MAY 001.3200.4551 MISC PERMIT/INSP FIXED FEE APR-MAY	100.00
			MISC PERMIT/INSP FIXED FEE APR-MAY 001.3200.4551 EXE 21-003 MISC PERMIT/INSP APR-MAY	100.00
			EXE 21-003 MISC PERMIT/INSP APR-MAY 001.3200.4551	1,550.00

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83530	8/24/2021	004920 TKE ENGINEERING	(Continued)	
			EXE 20-001 EVWD SNRC PERMIT/INSP APR-MAY	
			EXE 20-001 EVWD SNRC PERMIT/INSP APR-MAY	
			001.3200.4551	1,650.00
			EXE 21-001 EVWD SNRC PERMIT/INSP APR-MAY	
			EXE 21-001 EVWD SNRC PERMIT/INSP APR-MAY	
			001.3200.4551	400.00
			BOULDER HOLDINGS 7-11 PERMIT/INSP	
			BOULDER HOLDINGS 7-11 PERMIT/INSP	
			001.3200.4551	1,950.00
			EXE 21-005 BOUDLER HOLDING 7-11 APR-MAY	
			EXE 21-005 BOUDLER HOLDING 7-11 APR-MAY	
			001.3200.4551	100.00
			Total :	**31,362.36**
83531	8/24/2021	004920 TKE ENGINEERING	DRA 20-006 SAN CARLO APT JUN	
			DRA 20-006 SAN CARLO APT JUN	
			001.3200.4551	860.00
			DRA 19-011 PATS PLACE JUN	
			DRA 19-011 PATS PLACE JUN	
			001.3200.4551	85.00
			PM 19797 TRANSITION PROP JUN	
			PM 19797 TRANSITION PROP JUN	
			001.3200.4551	100.00
			SDI 21-001 TR 18893 MEDITERRA JUN	
			SDI 21-001 TR 18893 MEDITERRA JUN	
			001.3200.4551	5,250.00
			AT&T PERMIT/INSP FIXED FEE JUN	
			AT&T PERMIT/INSP FIXED FEE JUN	
			001.3200.4551	100.00
			350-21-014 AT&T PERMIT/INSP JUN	
			350-21-014 AT&T PERMIT/INSP JUN	
			001.3200.4551	200.00
			SOCAL GAS PERMIT/INSP FIXED FEE JUN	
			SOCAL GAS PERMIT/INSP FIXED FEE JUN	
			001.3200.4551	200.00
			351-21-012 SOCAL GAS PERMIT/INSP JUN	
			351-21-012 SOCAL GAS PERMIT/INSP JUN	

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83531	8/24/2021	004920 TKE ENGINEERING	(Continued)	
			001.3200.4551 351-21-014 SOCAL GAS PERMIT/INSP JUN 351-21-014 SOCAL GAS PERMIT/INSP JUN	100.00
			001.3200.4551 351-21-015 SOCAL GAS PERMIT/INSP JUN 351-21-015 SOCAL GAS PERMIT/INSP JUN	100.00
			001.3200.4551 351-21-010 SOCAL GAS PERMIT/INSP JUN 351-21-010 SOCAL GAS PERMIT/INSP JUN	100.00
			001.3200.4551 351-21-017 SOCAL GAS PERMIT/INSP JUN 351-21-017 SOCAL GAS PERMIT/INSP JUN	100.00
			001.3200.4551 351-21-024 SOCAL GAS PERMIT/INSP JUN 351-21-024 SOCAL GAS PERMIT/INSP JUN	200.00
			001.3200.4551 358-21-011 SPECTRUM PERMIT/INSP JUN 358-21-011 SPECTRUM PERMIT/INSP JUN	100.00
			001.3200.4551 MISC PERMIT/INSP FIXED FEE JUN MISC PERMIT/INSP FIXED FEE JUN	1,950.00
			001.3200.4551 EXE 21-003 MISC PERMIT/INSP JUN EXE 21-003 MISC PERMIT/INSP JUN	150.00
			001.3200.4551 ENC 21-001 MISC PERMIT/INSP JUN ENC 21-001 MISC PERMIT/INSP JUN	750.00
			001.3200.4551 ENC 21-002 MISC PERMIT/INSP JUN ENC 21-002 MISC PERMIT/INSP JUN	250.00
			001.3200.4551 EXE 20-002 EVWD SNRC PERMIT/INSP JUN EXE 20-002 EVWD SNRC PERMIT/INSP JUN	200.00
			001.3200.4551 EXE 20-001 EVWD SNRC PERMIT/INSP JUN EXE 20-001 EVWD SNRC PERMIT/INSP JUN	150.00
			001.3200.4551	650.00

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83531	8/24/2021	004920 TKE ENGINEERING	(Continued)	
			EXE 21-001 EVWD SNRC PERMIT/INSP JUN	
			EXE 21-001 EVWD SNRC PERMIT/INSP JUN	
			001.3200.4551	1,150.00
			BOUDLER HOLDINGS 7-11 PERMIT/INSP JUN	
			BOUDLER HOLDINGS 7-11 PERMIT/INSP JUN	
			001.3200.4551	100.00
			353-21-044 SCE PERMIT/INSP JUN	
			353-21-044 SCE PERMIT/INSP JUN	
			001.3200.4551	300.00
			353-21-046 SCE PERMIT/INSP JUN	
			353-21-046 SCE PERMIT/INSP JUN	
			001.3200.4551	150.00
			353-21-039 SCE PERMIT/INSP JUN	
			353-21-039 SCE PERMIT/INSP JUN	
			001.3200.4551	150.00
			353-21-049 SCE PERMIT/INSP JUN	
			353-21-049 SCE PERMIT/INSP JUN	
			001.3200.4551	300.00
			353-21-050 SCE PERMIT/INSP JUN	
			353-21-050 SCE PERMIT/INSP JUN	
			001.3200.4551	300.00
			RGI 21-002 PERMIT/INSP JUN	
			RGI 21-002 PERMIT/INSP JUN	
			001.3200.4551	450.00
			MISC PERMIT/INSP FIXED FEE JUN	
			MISC PERMIT/INSP FIXED FEE JUN	
			001.3200.4551	100.00
				Total : **14,595.00**
83532	8/24/2021	004920 TKE ENGINEERING	EVWD PERMIT/INSP FIXED FEES NOV-JAN	
			EVWD PERMIT/INSP FIXED FEES NOV-JAN	
			001.3200.4551	850.00
			SOCAL GAS PERMIT/INSP FIXED FEE NOV-JAN	
			SOCAL GAS PERMIT/INSP FIXED FEE NOV-JAN	
			001.3200.4551	2,200.00
			SCE PERMIT/INSP FIXED FEES NOV-JAN	
			SCE PERMIT/INSP FIXED FEES NOV-JAN	

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83532	8/24/2021	004920 TKE ENGINEERING	(Continued)	
			001.3200.4551	
			SPECTRUM PERMIT/INSP FIXED FEE NOV-JAN	225.00
			SPECTRUM PERMIT/INSP FIXED FEE NOV-JAN	
			001.3200.4551	
			MISC PERMIT/INSP FIXED FEE NOV-JAN	100.00
			MISC PERMIT/INSP FIXED FEE NOV-JAN	
			001.3200.4551	
			TCP 20-001 EVWD SNRC PERMIT/INSP NOV-JAN	400.00
			TCP 20-001 EVWD SNRC PERMIT/INSP NOV-JAN	
			001.3200.4551	
			EXE 20-001 EVWD SNRC PERMIT/INSP NOV-JAN	100.00
			EXE 20-001 EVWD SNRC PERMIT/INSP NOV-JAN	
			001.3200.4551	
				4,150.00
			Total :	**8,025.00**
83533	8/24/2021	004920 TKE ENGINEERING	AT&T PERMIT/INSP FIXED FEE FEB-MAR	
			AT&T PERMIT/INSP FIXED FEE FEB-MAR	
			001.3200.4551	
			SOCAL GAS PERMIT/INSP FIXED FEE FEB-MAR	200.00
			SOCAL GAS PERMIT/INSP FIXED FEE FEB-MAR	
			001.3200.4551	
			SCE PERMIT/INSP FIXED FEE FEB-MAR	1,950.00
			SCE PERMIT/INSP FIXED FEE FEB-MAR	
			001.3200.4551	
			SPECTRUM PERMIT/INSP FIXED FEE FEB-MAR	1,775.00
			SPECTRUM PERMIT/INSP FIXED FEE FEB-MAR	
			001.3200.4551	
			MISC PERMIT/INSP FIXED FEE FEB-MAR	500.00
			MISC PERMIT/INSP FIXED FEE FEB-MAR	
			001.3200.4551	
			EXE 20-001 EVWD SNRC PERMIT/INSP FEB-MAR	3,350.00
			EXE 20-001 EVWD SNRC PERMIT/INSP FEB-MAR	
			001.3200.4551	
			EXE 21-001 EVWD SNRC PERMIT/INSP FEB-MAR	3,550.00
			EXE 21-001 EVWD SNRC PERMIT/INSP FEB-MAR	
			001.3200.4551	
			BOULDER HOLDINGS 7-11 PERMIT/INSP	500.00

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83533	8/24/2021	004920 TKE ENGINEERING	(Continued)	
			BOULDER HOLDINGS 7-11 PERMIT/INSP	
			001.3200.4551	1,150.00
			Total :	**12,975.00**
83534	8/24/2021	005310 KOA CORPORATION	LRS19001 DE LRSP-JUN	
			LRS19001 DE LRSP-JUN	
			027.8490.6550	4,411.61
			LSR19001 DE MSRI-JUN	
			LSR19001 DE MSRI-JUN	
			017.8350.6550	490.18
			Total :	**4,901.79**
83535	8/24/2021	005324 CHARLES ABBOTT ASSOCIATES, INC	FIRE MARSHALL SERVICES-JUL	
			FIRE MARSHALL SERVICES-JUL	
			029.2100.4540	4,577.50
			Total :	**4,577.50**
83536	8/24/2021	005402 BORDIN SEMMER LLP	GARAY-JUN	
			GARAY-JUN	
			041.9500.4390	3,091.00
			Total :	**3,091.00**
83537	8/24/2021	005450 ESECURITY SOLUTIONS	SOPHOS SG 210-1 YEAR RENEWAL	
			SOPHOS SG 210-1 YEAR RENEWAL	
			042.9510.4208	1,600.00
			Total :	**1,600.00**
83538	8/24/2021	005771 AMAZON CAPITAL SERVICES	PPE SUPPLIES COVID 19	
			PPE SUPPLIES COVID 19	
			030.8495.4349	525.90
			OFFICE SUPPLIES	
			OFFICE SUPPLIES	
			001.1700.4200	25.05
			OFFICE SUPPLIES	
			OFFICE SUPPLIES	
			001.1200.4200	49.82
			Total :	**600.77**

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83539	8/24/2021	005894 COPP CONTRACTING INC.	OLA18001 RET REL CON CDBG OLA18001 RET REL CON CDBG 006.1350		15,157.91
			OLA18001 RET REL CON EVWD OLA18001 RET REL CON EVWD 027.1350		243.00
			OLA18001 RET REL CON RAC OLA18001 RET REL CON RAC 027.1350		467.63
			OLA19001 RET REL CON CDBG OLA19001 RET REL CON CDBG 006.1350		8,442.13
			OLA19001 RET REL CON EVWD OLA19001 RET REL CON EVWD 027.1350		135.00
			OLA19001 RET REL CON RAC OLA19001 RET REL CON RAC 027.1350		524.20
			OLA20001 RET REL CON CDBG OLA20001 RET REL CON CDBG 006.1350		8,451.44
			OLA20001 RET REL CON EVWD OLA20001 RET REL CON EVWD 027.1350		135.00
			OLA20001 RET REL CON RAC OLA20001 RET REL CON RAC 027.1350		350.30
				Total :	**33,906.61**
83540	8/24/2021	005934 SAN BERNARDINO COUNTY	PPE SUPPLIES PPE SUPPLIES 030.8495.4349		216.00
				Total :	**216.00**
83541	8/24/2021	005935 TRANSITION PROPERTIES, LP	DRA 16-014 E/C DEPOSIT REFUND DRA 16-014 E/C DEPOSIT REFUND 051.1440		10,050.00
			DRA 16-014 MON. DEPOSIT REFUND		

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83541	8/24/2021	005935 TRANSITION PROPERTIES, LP	(Continued) DRA 16-014 MON. DEPOSIT REFUND 051.1420	1,200.00
			Total :	**11,250.00**
83542	8/24/2021	005936 CCRR PUBLISHING CO.	NEWSPAPER PUBLICATIONS NEWSPAPER PUBLICATIONS 001.1200.4300	416.00
			Total :	**416.00**
35	**Vouchers for bank code :**	wfb	**Bank total :**	**1,759,637.14**
35	**Vouchers in this report**		**Total vouchers :**	**1,759,637.14**

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
603	8/27/2021	000003 ICMA RETIREMENT TRUST-457	ICMA DEFERRED COMP 457: PAYMENT	
			ICMA DEFERRED COMP 457: Payment 001.1170	7,974.91
			ICMA DEFERRED COMP 457: Payment 004.1170	971.66
			ICMA DEFERRED COMP 457: Payment 010.1170	799.99
			ICMA DEFERRED COMP 457: Payment 012.1170	12.49
			ICMA DEFERRED COMP 457: Payment 016.1170	12.49
			ICMA DEFERRED COMP 457: Payment 023.1170	5.01
			ICMA DEFERRED COMP 457: Payment 041.1170	324.93
			ICMA DEFERRED COMP 457: Payment 070.1170	291.65
			Total :	**10,393.13**
604	8/27/2021	000004 PUBLIC EMPLOYEE RETIREMENT SYS	EPMC: PAYMENT	
			EPMC: Payment 001.1145	526.14
			EPMC: Payment 004.1145	120.43
			EPMC: Payment 006.1145	19.82
			EPMC: Payment 010.1145	40.06
			EPMC: Payment 012.1145	2.37
			EPMC: Payment 016.1145	2.37
			EPMC: Payment 023.1145	6.62
			EPMC: Payment 024.1145	0.56

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
604	8/27/2021	000004 PUBLIC EMPLOYEE RETIREMENT SYS	(Continued)	
			EPMC: Payment	
			041.1145	31.58
			EPMC: Payment	
			042.1145	11.54
			EPMC: Payment	
			070.1145	54.70
			PERS: Payment	
			001.1145	12,822.14
			PERS: Payment	
			004.1145	2,783.65
			PERS: Payment	
			006.1145	650.69
			PERS: Payment	
			010.1145	937.31
			PERS: Payment	
			012.1145	114.94
			PERS: Payment	
			016.1145	114.94
			PERS: Payment	
			023.1145	115.14
			PERS: Payment	
			024.1145	19.22
			PERS: Payment	
			041.1145	451.29
			PERS: Payment	
			042.1145	844.46
			PERS: Payment	
			070.1145	781.55
			PERS SURVIVOR: Payment	
			001.1145	23.30
			PERS SURVIVOR: Payment	
			004.1145	4.63
			PERS SURVIVOR: Payment	
			006.1145	1.31
			PERS SURVIVOR: Payment	
			010.1145	1.08

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
604	8/27/2021	000004 PUBLIC EMPLOYEE RETIREMENT SYS	(Continued)	
			PERS SURVIVOR: Payment 012.1145	0.56
			PERS SURVIVOR: Payment 016.1145	0.54
			PERS SURVIVOR: Payment 023.1145	0.27
			PERS SURVIVOR: Payment 024.1145	0.04
			PERS SURVIVOR: Payment 041.1145	0.33
			PERS SURVIVOR: Payment 042.1145	1.65
			PERS SURVIVOR: Payment 070.1145	0.70
			Total :	**20,485.93**
605	8/27/2021	000119 INTERNAL REVENUE SERVICE	FEDERAL TAXES: PAYMENT	
			FEDERAL TAXES: Payment 001.1120	10,611.49
			FEDERAL TAXES: Payment 004.1120	2,300.58
			FEDERAL TAXES: Payment 006.1120	614.73
			FEDERAL TAXES: Payment 010.1120	699.97
			FEDERAL TAXES: Payment 012.1120	41.48
			FEDERAL TAXES: Payment 016.1120	41.48
			FEDERAL TAXES: Payment 023.1120	73.63
			FEDERAL TAXES: Payment 024.1120	17.29
			FEDERAL TAXES: Payment 041.1120	420.54

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
605	8/27/2021	000119 INTERNAL REVENUE SERVICE	(Continued)	
			042.1120 FEDERAL TAXES: Payment	605.43
			070.1120 SOCIAL SECURITY: Payment	684.54
			001.1140 MEDICARE: Payment	605.94
			001.1140 MEDICARE: Payment	2,761.82
			004.1140 MEDICARE: Payment	574.88
			006.1140 MEDICARE: Payment	144.62
			010.1140 MEDICARE: Payment	174.42
			012.1140 MEDICARE: Payment	32.12
			016.1140 MEDICARE: Payment	32.14
			023.1140 MEDICARE: Payment	24.32
			024.1140 MEDICARE: Payment	4.72
			041.1140 MEDICARE: Payment	76.28
			042.1140 MEDICARE: Payment	194.74
			070.1140	136.40
			Total :	**20,873.56**
606	8/27/2021	000001 CALIF STATE EMPLOYMENT	STATE TAXES: PAYMENT STATE TAXES: Payment	
			001.1130 STATE TAXES: Payment	4,107.22
			004.1130 STATE TAXES: Payment	945.70
			006.1130	239.83

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
606	8/27/2021	000001 CALIF STATE EMPLOYMENT	(Continued)	
			STATE TAXES: Payment	
			010.1130	317.71
			STATE TAXES: Payment	
			012.1130	17.17
			STATE TAXES: Payment	
			016.1130	17.16
			STATE TAXES: Payment	
			023.1130	20.67
			STATE TAXES: Payment	
			024.1130	6.21
			STATE TAXES: Payment	
			041.1130	171.26
			STATE TAXES: Payment	
			042.1130	238.10
			STATE TAXES: Payment	
			070.1130	268.18
				Total : **6,349.21**
83543	8/27/2021	000433 ARROWHEAD UNITED WAY	ARROWHEAD UNITED WAY: PAYMENT	
			ARROWHEAD UNITED WAY: Payment	
			001.1180	11.27
			ARROWHEAD UNITED WAY: Payment	
			004.1180	0.77
			ARROWHEAD UNITED WAY: Payment	
			041.1180	2.27
			ARROWHEAD UNITED WAY: Payment	
			070.1180	0.69
				Total : **15.00**
83544	8/27/2021	003804 AFLAC WWHQ	AFLAC ACCIDENT INSURANCE: PAYMENT	
			AFLAC ACCIDENT INSURANCE: Payment	
			001.1181	108.78
			AFLAC ACCIDENT INSURANCE: Payment	
			004.1181	13.98
			AFLAC ACCIDENT INSURANCE: Payment	
			012.1181	3.57
			AFLAC ACCIDENT INSURANCE: Payment	

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83544	8/27/2021	003804 AFLAC WWHQ	(Continued)	
			016.1181 AFLAC ACCIDENT INSURANCE: Payment	3.57
			023.1181 AFLAC ACCIDENT INSURANCE: Payment	5.80
			024.1181 AFLAC CANCER INSURANCE: Payment	0.26
			001.1181 AFLAC DISABILITY INSURANCE: Payment	18.63
			001.1181 AFLAC DISABILITY INSURANCE: Payment	211.30
			004.1181 AFLAC DISABILITY INSURANCE: Payment	24.70
			012.1181 AFLAC DISABILITY INSURANCE: Payment	6.31
			016.1181 AFLAC DISABILITY INSURANCE: Payment	6.31
			024.1181 AFLAC HOSPITAL INSURANCE: Payment	0.50
			001.1181 AFLAC HOSPITAL INSURANCE: Payment	73.60
			012.1181 AFLAC HOSPITAL INSURANCE: Payment	6.71
			016.1181 AFLAC DENTAL: Payment	6.69
			001.1181 AFLAC DENTAL: Payment	27.89
			004.1181 AFLAC DENTAL: Payment	0.56
			041.1181 AFLAC DENTAL: Payment	1.67
			070.1181 AFLAC SPECIFIED HEALTH INS: Payment	0.54
			001.1181 AFLAC SPECIFIED HEALTH INS: Payment	2.96
			012.1181 AFLAC SPECIFIED HEALTH INS: Payment	1.49

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83544	8/27/2021	003804 AFLAC WWHQ	(Continued)	
			016.1181	1.49
			Total :	527.31
83545	8/27/2021	004556 STATE OF CALIFORNIA	STATE TAX GARNISHMENT: PAYMENT	
			STATE TAX GARNISHMENT: Payment	
			001.1180	21.00
			STATE TAX GARNISHMENT: Payment	
			006.1180	14.00
			Total :	35.00
	7 Vouchers for bank code : wfb		Bank total :	58,679.14
	7 Vouchers in this report		Total vouchers :	58,679.14

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83546	8/31/2021	004206 #1 SON PLUMBING	LMD2: WATER LEAK REPAIR		
			LMD2: WATER LEAK REPAIR		
			012.8500.4030		995.51
				Total :	**995.51**
83547	8/31/2021	004193 AECOM USA INC.	BRG07001 DES HBP MAY-JUN		
			BRG07001 DES HBP MAY-JUN		
			030.8495.6813		14,278.17
			BRG07001 DES RDA07 MAY-JUN		
			BRG07001 DES RDA07 MAY-JUN		
			010.3830.6813		1,849.89
				Total :	**16,128.06**
83548	8/31/2021	005737 AGA ENGINEERS, INC.	ON-CALL TRAFFIC ENGINEERING SERVICES-JUL		
			ON-CALL TRAFFIC ENGINEERING SERVICES-JUL		
			020.8440.4550		2,145.00
			TRAFFIC SIG MONITORING SERV-JUL		
			TRAFFIC SIG MONITORING SERV-JUL		
			020.8440.4550		3,200.00
				Total :	**5,345.00**
83549	8/31/2021	000014 ALL CITY MANAGEMENT SERVICES	CROSSING GUARD SERVICES		
			CROSSING GUARD SERVICES		
			002.8200.4530		1,133.55
				Total :	**1,133.55**
83550	8/31/2021	005771 AMAZON CAPITAL SERVICES	OFFICE SUPPLIES		
			OFFICE SUPPLIES		
			001.4100.4200		21.54
			COMPUTER MONITOR		
			COMPUTER MONITOR		
			001.4100.4200		373.88
				Total :	**395.42**
83551	8/31/2021	000165 AT&T	POLICE ALARM-AUG		
			POLICE ALARM-AUG		
			001.2000.4060		1,742.81

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83551	8/31/2021	000165 000165 AT&T	(Continued)	Total :	1,742.81
83552	8/31/2021	000165 AT&T	BASELINE LITTLE LEAGUE-AUG BASELINE LITTLE LEAGUE-AUG 001.6000.4060		842.45
				Total :	842.45
83553	8/31/2021	000165 AT&T	CITY HALL-AUG CITY HALL-AUG 042.9510.4060		842.45
				Total :	842.45
83554	8/31/2021	005516 BASE HILL INC., DBA JAN POINT	MONTHLY JANITORIAL SERVICES-AUG CITY HALL-AUG 042.9510.4504		1,562.00
			COUNCIL CHAMBERS-AUG 042.9510.4504		311.00
			AURANTIA PARK-AUG 001.6000.4504		1,454.00
			COMMUNITY PARK-AUG 001.6000.4504		1,950.00
			POLICE DEPT-AUG 001.2000.4504		1,080.00
				Total :	6,357.00
83555	8/31/2021	003445 BOOT BARN, INC.	UNIFORM: HALLOWAY UNIFORM: HALLOWAY 001.6010.4249		173.96
			UNIFORM: LAYNE UNIFORM: LAYNE 004.8310.4249		144.30
			UNIFORM: COLEMAN UNIFORM: COLEMAN 001.6000.4249		173.96
			UNIFORM BOOTS: FLOREZ UNIFORM BOOTS: FLOREZ 001.4200.4249		125.00
			UNIFORM BOOTS: WILSON		

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83555	8/31/2021	003445 BOOT BARN, INC.	(Continued)		
			UNIFORM BOOTS: WILSON		
			001.4200.4249		125.00
				Total :	**742.22**
83556	8/31/2021	005402 BORDIN SEMMER LLP	GARAY-JUL		
			GARAY-JUL		
			041.9500.4390		1,823.30
				Total :	**1,823.30**
83557	8/31/2021	005938 CABRAL, ARTHUR	RENTAL BUS LIC REFUND		
			RENTAL BUS LIC REFUND		
			001.1450.7452		120.00
			RENTAL BUS LIC REFUND		
			051.1493		4.00
				Total :	**124.00**
83558	8/31/2021	000281 CMTA	CMTA-NAVA-CRUZ 2021/2022		
			CMTA-NAVA-CRUZ 2021/2022		
			001.1700.4310		95.00
				Total :	**95.00**
83559	8/31/2021	000281 CMTA	CMTA-DANTUONO 2021/2022		
			CMTA-DANTUONO 2021/2022		
			001.1700.4310		95.00
				Total :	**95.00**
83560	8/31/2021	000143 COMMUNITY WORKS DESIGN GROUP	DRA16014-JUN		
			DRA16014-JUN		
			001.4100.4547		155.00
			DRA21006-JUN		
			DRA21006-JUN		
			001.4100.4547		77.50
			DRA21004-JUN		
			DRA21004-JUN		
			001.4100.4547		465.00
			SPR0601A-JUN		
			SPR0601A-JUN		
			001.4100.4547		232.50

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83560	8/31/2021	000143 COMMUNITY WORKS DESIGN GROUP	(Continued)		
			DRA20010-JUN		
			DRA20010-JUN		
			001.4100.4547		77.50
			DRA21008-JUN		
			DRA21008-JUN		
			001.4100.4547		155.00
			CUP21007-JUN		
			CUP21007-JUN		
			001.4100.4547		155.00
			DRA21006-JUN		
			DRA21006-JUN		
			001.4100.4547		10.45
			TRA20001 DE GCF-JUL		
			TRA20001 DE GCF-JUL		
			023.3890.6816		8,254.10
			TRA20001 DE RTP-JUL		
			TRA20001 DE RTP-JUL		
			030.8495.6816		11,398.51
				Total :	**20,980.56**
83561	8/31/2021	005867 CWFC INC	YMCA: HVAC MECHANICAL ENCLOSURE		
			YMCA: HVAC MECHANICAL ENCLOSURE		
			001.6000.4588		1,800.00
				Total :	**1,800.00**
83562	8/31/2021	001035 DEPARTMENT OF JUSTICE	FINGERPRINT APPS		
			FINGERPRINT APPS-CHAMBERS		
			001.1700.4236		32.00
			FINGERPRINT APPS-LOO		
			001.1700.4236		32.00
			FINGERPRINT APPS-MARTIN		
			001.1700.4236		32.00
			FINGERPRINT APPS-KEMO		
			001.1700.4236		32.00
				Total :	**128.00**
83563	8/31/2021	001764 DEPENDABLE COFFEE & WATER SVC.	BREAKROOM SUPPLIES		

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83563	8/31/2021	001764 DEPENDABLE COFFEE & WATER SVC.	(Continued)		
			BREAKROOM SUPPLIES		
			042.9510.4200		10.45
			BREAKROOM SUPPLIES		
			BREAKROOM SUPPLIES		
			042.9510.4200		13.44
			BREAKROOM SUPPLIES		
			BREAKROOM SUPPLIES		
			042.9510.4200		13.44
			BREAKROOM SUPPLIES		
			BREAKROOM SUPPLIES		
			042.9510.4200		13.44
			BREAKROOM SUPPLIES		
			BREAKROOM SUPPLIES		
			042.9510.4200		10.45
			BREAKROOM SUPPLIES		
			BREAKROOM SUPPLIES		
			042.9510.4200		107.21
			BREAKROOM SUPPLIES		
			BREAKROOM SUPPLIES		
			042.9510.4200		13.44
			BREAKROOM SUPPLIES		
			BREAKROOM SUPPLIES		
			042.9510.4200		99.20
				Total :	**281.07**
83564	8/31/2021	000324 DIB'S SAFE & LOCK SERVICE	COMMUNITY PARK RESTROOM LOCK REPAIR		
			COMMUNITY PARK RESTROOM LOCK REPAIR		
			001.6000.4070		229.63
				Total :	**229.63**
83565	8/31/2021	000085 EAST VALLEY WATER DISTRICT	CANYON OAKS PARK-AUG		
			CANYON OAKS PARK-AUG		
			016.8540.4030		626.13
			BEATTIE IRRIGATION-AUG		
			BEATTIE IRRIGATION-AUG		
			001.6000.4030		10,871.09
			LMD 00 BASELINE-AUG		

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83565	8/31/2021	000085 EAST VALLEY WATER DISTRICT	(Continued)	
			LMD 00 BASELINE-AUG	
			012.8500.4030	138.89
			LMD 01 A-AUG	
			LMD 01 A-AUG	
			012.8500.4030	78.25
			LMD 01 B-AUG	
			LMD 01 B-AUG	
			012.8500.4030	83.47
			LMD 02 A-AUG	
			LMD 02 A-AUG	
			012.8500.4030	93.77
			LMD 02 B-AUG	
			LMD 02 B-AUG	
			012.8500.4030	373.50
			LMD 02 C-AUG	
			LMD 02 C-AUG	
			012.8500.4030	250.08
			LMD 02 D-AUG	
			LMD 02 D-AUG	
			012.8500.4030	161.55
			LMD 02 E-AUG	
			LMD 02 E-AUG	
			012.8500.4030	72.81
			LMD 03 BASELINE-AUG	
			LMD 03 BASELINE-AUG	
			012.8500.4030	88.69
			LMD 03 YARNELL-AUG	
			LMD 03 YARNELL-AUG	
			012.8500.4030	47.54
			LMD 06-AUG	
			LMD 06-AUG	
			012.8500.4030	41.71
			LMD 08-AUG	
			LMD 08-AUG	
			012.8500.4030	239.85
			LMD 13-AUG	
			LMD 13-AUG	

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83565	8/31/2021	000085 EAST VALLEY WATER DISTRICT	(Continued)	
			012.8500.4030 LMD 20 BASELINE-AUG LMD 20 BASELINE-AUG	284.22
			012.8500.4030 LMD 20 STREATER-AUG LMD 20 STREATER-AUG	224.41
			012.8500.4030 LMD 22-AUG LMD 22-AUG	202.35
			012.8500.4030 LMD 30-AUG LMD 30-AUG	190.81
			012.8500.4030 LMD 31-AUG LMD 31-AUG	1,055.94
			012.8500.4030 LMD 35-AUG LMD 35-AUG	518.02
			012.8500.4030 LMD B 39-AUG LMD B 39-AUG	120.90
			012.8500.4030 LMD B 39-AUG LMD B 39-AUG	1,317.04
			012.8500.4030 LMD B 39-AUG LMD B 39-AUG	473.62
			012.8500.4030 LMD 48-AUG LMD 48-AUG	542.51
			012.8500.4030 LMD 46 B-AUG LMD 46 B-AUG	654.67
			012.8500.4030 LMD 70-AUG LMD 70-AUG	462.40
			012.8500.4030	125.23

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83565	8/31/2021	000085 000085 EAST VALLEY WATER DISTRICT	(Continued)	Total :	19,339.45
83566	8/31/2021	000085 EAST VALLEY WATER DISTRICT	CITY HALL-AUG CITY HALL-AUG 042.9510.4030 CITY HALL-AUG CITY HALL-AUG 042.9510.4030 POLICE STATION-AUG POLICE STATION-AUG 001.2000.4030 POLICE STATION-AUG POLICE STATION-AUG 001.2000.4030 POLICE STATION-AUG POLICE STATION-AUG 001.2000.4030 POLICE STATION-AUG POLICE STATION-AUG 001.2000.4030 STATION #1-AUG STATION #1-AUG 029.2100.4030 STATION #1-AUG 028.2050.4030 STATION #2-AUG STATION #2-AUG 029.2100.4030 STATION #2-AUG 028.2050.4030 STATION #2-AUG STATION #2-AUG 029.2100.4030 STATION #2-AUG 028.2050.4030 STATION #3-AUG STATION #3-AUG 029.2100.4030		369.28 35.14 1,443.23 52.70 52.70 163.86 79.40 79.39 70.60 70.59 17.57 17.57 176.62

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83566	8/31/2021	000085 EAST VALLEY WATER DISTRICT	(Continued)	
			STATION #3-AUG	
			028.2050.4030	176.62
			STATION #3-AUG	
			STATION #3-AUG	
			029.2100.4030	26.35
			STATION #3-AUG	
			028.2050.4030	26.35
			STATION #3-AUG	
			STATION #3-AUG	
			029.2100.4030	33.91
			STATION #3-AUG	
			028.2050.4030	33.90
			AURANTIA PARK-AUG	
			AURANTIA PARK-AUG	
			001.6000.4030	1,900.59
			BASELINE MEDIAN-AUG	
			BASELINE MEDIAN-AUG	
			004.8310.4030	290.95
			BASELINE MEDIAN-AUG	
			BASELINE MEDIAN-AUG	
			004.8310.4030	300.50
			LMD 04-AUG	
			LMD 04-AUG	
			012.8500.4030	65.20
			LMD 07-AUG	
			LMD 07-AUG	
			012.8500.4030	111.49
			LMD 15 A-AUG	
			LMD 15 A-AUG	
			012.8500.4030	281.83
			LMD 15 B-AUG	
			LMD 15 B-AUG	
			012.8500.4030	530.58
			LMD 21 A-AUG	
			LMD 21 A-AUG	
			012.8500.4030	137.51
			LMD 21 B-AUG	

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83566	8/31/2021	000085 EAST VALLEY WATER DISTRICT	(Continued)		
			LMD 21 B-AUG		
			012.8500.4030		218.22
			LMD 29-AUG		
			LMD 29-AUG		
			012.8500.4030		86.69
			LMD 37-AUG		
			LMD 37-AUG		
			012.8500.4030		209.91
			LMD 45-AUG		
			LMD 45-AUG		
			012.8500.4030		1,228.50
			LMD 73-AUG		
			LMD 73-AUG		
			012.8500.4030		54.76
				Total :	**8,342.51**
83567	8/31/2021	003073 EWING IRRIGATION PRODUCTS INC	COMMUNITY PARKS IRRIGATION SUPPLIES		
			COMMUNITY PARKS IRRIGATION SUPPLIES		
			001.6000.4206		184.55
			CORP YARD IRRIGATION SUPPLIES		
			CORP YARD IRRIGATION SUPPLIES		
			004.8310.4206		166.37
			LMD 2 IRRIGATION SUPPLIES		
			LMD 2 IRRIGATION SUPPLIES		
			012.8500.4206		141.98
			LMD 17 IRRIGATION SUPPLIES		
			LMD 17 IRRIGATION SUPPLIES		
			012.8500.4206		36.99
				Total :	**529.89**
83568	8/31/2021	005358 FLEET SERVICES INC	ME543 FUEL ADDITIVE FOR ENGINES		
			ME543 FUEL ADDITIVE FOR ENGINES		
			028.2050.4220		31.24
			ME543 FUEL ADDITIVE FOR ENGINES		
			029.2100.4220		31.24
				Total :	**62.48**

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83569	8/31/2021	002710 HERNANDEZ, KROONE & ASSOCIATES	STR18001 R/W IVDA-JUL		
			STR18001 R/W IVDA-JUL		
			027.8490.6550		348.92
			STR18001 R/W RDA07-JUL		
			STR18001 R/W RDA07-JUL		
			010.3830.6550		349.14
			STR18001 R/W SMBMI-JUL		
			STR18001 R/W SMBMI-JUL		
			027.8490.6550		348.92
			STR18001 R/W EDA-JUL		
			STR18001 R/W EDA-JUL		
			030.8495.6550		1,229.06
			STR18001 PS&E IVDA-JUL		
			STR18001 PS&E IVDA-JUL		
			027.8490.6550		420.08
			STR18001 PS&E RDA07-JUL		
			STR18001 PS&E RDA07-JUL		
			010.3830.6550		420.36
			STR18001 PS&E SMBMI-JUL		
			STR18001 PS&E SMBMI-JUL		
			027.8490.6550		420.08
			STR18001 PS&E EDA-JUL		
			STR18001 PS&E EDA-JUL		
			030.8495.6550		1,479.75
				Total :	**5,016.31**
83570	8/31/2021	000662 HI WAY SAFETY INC	ROADWAY SIGNS		
			ROADWAY SIGNS		
			004.8310.4206		1,390.99
				Total :	**1,390.99**
83571	8/31/2021	000108 HIGH TECH SECURITY	BURG SYSTEMS-SEP		
			CITY HALL MONIT/MAINT-SEP		
			042.9510.4066		80.00
			COMMUNITY PARK MONIT/MAINT-SEP		
			001.6000.4066		40.00
			CORP YARD MONIT/MAINT-SEP		
			004.8310.4066		45.00

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83571	8/31/2021	000108 HIGH TECH SECURITY	(Continued)	
			COMMUNITY PARK CELL SERV ALARM-SEP	
			001.6000.4066	15.00
			CORP YARD CELLULAR BACK UP-SEP	
			004.8310.4066	10.00
			FIRE SYSTEMS-SEP	
			LIBRARY/YMCA MONIT/MAINT-SEP	
			001.6000.4066	100.00
			CITY HALL MONIT/MAINT-SEP	
			042.9510.4066	50.00
			CORP YARD MONIT/MAINT/CELL CARD-SEP	
			004.8310.4066	85.00
			FIRE STATION #3 MONIT/MAINT-SEP	
			028.2050.4066	25.00
			FIRE STATION #3 MONIT/MAINT-SEP	
			029.2100.4066	25.00
			POLICE MONIT/MAINT/CELL BACK UP-SEP	
			001.2000.4066	75.00
			POLICE 24 HOUR TIMER TEST-SEP	
			001.2000.4066	10.00
			CCTV SYSTEMS-SEP	
			AURANTIA PARK MAINT-SEP	
			001.6000.4066	25.00
			COMMUNITY PARK MAINT-SEP	
			001.6000.4066	50.00
			CITY HALL MAINT-SEP	
			042.9510.4066	25.00
			CORP YARD MAINT-SEP	
			004.8310.4066	25.00
			CANYON OAKS PARK MAINT-SEP	
			016.8540.4066	25.00
			FIRE SYSTEMS-AUG	
			STATION #1 ANNUAL FIRE TESTING INSP	
			028.2050.4244	80.00
			STATION #1 ANNUAL FIRE TESTING INSP	
			029.2100.4244	80.00
			FIRE SYSTEMS-AUG	

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83571	8/31/2021	000108 HIGH TECH SECURITY	(Continued)		
			STATION #2 ANNUAL FIRE TESTING INSP		
			028.2050.4244		80.00
			STATION #2 ANNUAL FIRE TESTING INSP		
			029.2100.4244		80.00
			FIRE SYSTEMS-AUG		
			STATION #3 ANNUAL FIRE TESTING INSP		
			028.2050.4244		80.00
			STATION #3 ANNUAL FIRE TESTING INSP		
			029.2100.4244		80.00
			FIRE SYSTEMS-AUG		
			CORP YARD ANNUAL FIRE TESTING INSP		
			004.8310.4066		160.00
				Total :	**1,350.00**
83572	8/31/2021	005554 IMPERIAL SPRINKLER SUPPLY	CORP YARD IRRIGATION SUPPLIES		
			CORP YARD IRRIGATION SUPPLIES		
			004.8310.4206		101.04
			CORP YARD IRRIGATION SUPPLIES		
			CORP YARD IRRIGATION SUPPLIES		
			004.8310.4206		38.27
			CORP YARD IRRIGATION SUPPLIES		
			CORP YARD IRRIGATION SUPPLIES		
			004.8310.4206		115.48
				Total :	**254.79**
83573	8/31/2021	002664 INLAND LIGHTING SUPPLIES, INC.	COMM PARK: LOT LIGHT REPAIR MATERIALS		
			COMM PARK: LOT LIGHT REPAIR MATERIALS		
			001.6000.4247		1,859.63
				Total :	**1,859.63**
83574	8/31/2021	003673 JOHNSON CONTROLS, INC	PD: HVAC MECHANICAL TROUBLESHOOT		
			PD: HVAC MECHANICAL TROUBLESHOOT		
			001.2000.4588		625.20
			YMCA: HVAC LEAK REPAIR		
			YMCA: HVAC LEAK REPAIR		
			001.6000.4588		7,130.33
				Total :	**7,755.53**

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83575	8/31/2021	000127 K & L HARDWARE	STATION #3 SUPPLIES	
			STATION #3 SUPPLIES	
			028.2050.4070	42.59
			STATION #3 SUPPLIES	
			029.2100.4070	42.59
			STATION #2 SUPPLIES	
			STATION #2 SUPPLIES	
			028.2050.4070	41.33
			STATION #2 SUPPLIES	
			029.2100.4070	41.33
			STATION #2 SUPPLIES	
			STATION #2 SUPPLIES	
			028.2050.4070	41.24
			STATION #2 SUPPLIES	
			029.2100.4070	41.24
			STATION #2 SUPPLIES	
			STATION #2 SUPPLIES	
			028.2050.4070	32.39
			STATION #2 SUPPLIES	
			029.2100.4070	32.39
			CORP YARD SUPPLIES	
			CORP YARD SUPPLIES	
			004.8310.4206	15.48
			CORP YARD SUPPLIES	
			CORP YARD SUPPLIES	
			004.8310.4206	9.68
			STATION #2 SUPPLIES	
			STATION #2 SUPPLIES	
			028.2050.4070	45.79
			STATION #2 SUPPLIES	
			029.2100.4070	45.78
			STATION #3 SUPPLIES	
			STATION #3 SUPPLIES	
			028.2050.4070	52.88
			STATION #3 SUPPLIES	
			029.2100.4070	52.88
			STATION #1 SUPPLIES	
			STATION #1 SUPPLIES	

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83575	8/31/2021	000127 K & L HARDWARE	(Continued)		
			028.2050.4070		30.04
			STATION #1 SUPPLIES		
			029.2100.4070		30.04
			STATION #2 SUPPLIES		
			STATION #2 SUPPLIES		
			028.2050.4070		51.02
			STATION #2 SUPPLIES		
			029.2100.4070		51.02
			STATION #3 SUPPLIES		
			STATION #3 SUPPLIES		
			028.2050.4070		22.18
			STATION #3 SUPPLIES		
			029.2100.4070		22.17
			ME541 VEHICLE SUPPLIES		
			ME541 VEHICLE SUPPLIES		
			028.2050.4070		0.16
			ME541 VEHICLE SUPPLIES		
			029.2100.4070		0.16
				Total :	**744.38**
83576	8/31/2021	005310 KOA CORPORATION	LRS19001 DE LRSP-JUL		
			LRS19001 DE LRSP-JUL		
			027.8490.6550		8,127.00
			LRS19001 DE MSRI-JUL		
			LRS19001 DE MSRI-JUL		
			017.8350.6550		903.00
				Total :	**9,030.00**
83577	8/31/2021	003814 KONE INC.	LIBRARY ELEVATOR MAINTENANCE		
			LIBRARY ELEVATOR MAINTENANCE		
			001.6000.4587		5,469.81
				Total :	**5,469.81**
83578	8/31/2021	000168 LETICIA NAVA-CRUZ, PETTY CASH	PETTY CASH-AUG		
			PETTY CASH-AUG		
			001.0020		50.00
				Total :	**50.00**

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83579	8/31/2021	001193 LIFE ASSIST, INC.	FS#3: PARAMEDIC SUPPLIES		
			FS#3: PARAMEDIC SUPPLIES		
			028.2050.4207		173.39
			FS#3: PARAMEDIC SUPPLIES		
			FS#3: PARAMEDIC SUPPLIES		
			028.2050.4207		479.53
			FS#3: PARAMEDIC SUPPLIES		
			FS#3: PARAMEDIC SUPPLIES		
			028.2050.4207		30.30
				Total :	**683.22**
83580	8/31/2021	001404 LOWE'S	CORP YARD SUPPLIES		
			CORP YARD SUPPLIES		
			004.8310.4206		39.92
			FS#3: FLOOR PLANK REPAIRS		
			FS#3: FLOOR PLANK REPAIRS		
			029.2100.4070		61.36
			FS#3: FLOOR PLANK REPAIRS		
			028.2050.4070		61.36
			COMPOST EVENT SUPPLIES		
			COMPOST EVENT SUPPLIES		
			001.4200.4206		268.51
				Total :	**431.15**
83581	8/31/2021	005937 MAXWELL, ANNA A.	OUT OF CITY BUS LIC REFUND		
			OUT OF CITY BUS LIC REFUND		
			001.1450.7450		42.00
			OUT OF CITY BUS LIC REFUND		
			051.1493		4.00
				Total :	**46.00**
83582	8/31/2021	001787 MOTOROLA SOLUTIONS INC.	FS#1: BATTERIES		
			FS#1: BATTERIES		
			029.2100.4203		577.92
			FS#1: BATTERIES		
			028.2050.4203		577.91
				Total :	**1,155.83**

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83583	8/31/2021	001439 OFFICE SOLUTIONS	RECYCLED COPY PAPER & TONERS		
			RECYCLED COPY PAPER & TONERS		
			042.9510.4200		1,647.12
				Total :	**1,647.12**
83584	8/31/2021	001439 OFFICE SOLUTIONS	OFFICE SUPPLIES		
			OFFICE SUPPLIES		
			042.9510.4200		121.06
				Total :	**121.06**
83585	8/31/2021	002408 PEOPLEREADY	TEMPORARY LABOR		
			TEMPORARY LABOR		
			001.6000.4206		231.64
			TEMPORARY LABOR		
			001.6100.4206		46.33
			TEMPORARY LABOR		
			004.8310.4570		92.66
			TEMPORARY LABOR		
			015.8530.4592		92.67
				Total :	**463.30**
83586	8/31/2021	000169 PITNEY BOWES GLOBAL FINANCIAL	POSTAGE MACHINE 07/01/21-09/30/21		
			POSTAGE MACHINE 07/01/21-09/30/21		
			042.9510.4248		407.85
				Total :	**407.85**
83587	8/31/2021	005326 RP LANDSCAPE & IRRIGATION	LANDSCAPING-AUG		
			LANDSCAPING-AUG		
			012.8500.4585		17,765.00
			LANDSCAPING-AUG		
			MEMORIAL PARK LANDSCAPING-AUG		
			001.6000.4585		400.00
			POLICE STATION LANDSCAPING-AUG		
			001.2000.4585		500.00
			CITY HALL LANDSCAPING-AUG		
			042.9510.4585		500.00
			LIBRARY LANDSCAPING-AUG		
			001.6000.4585		600.00

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83587	8/31/2021	005326 RP LANDSCAPE & IRRIGATION	(Continued)		
			YMCA LANDSCAPING-AUG		
			001.6000.4585		600.00
			CORP YARD LANDSCAPING-AUG		
			004.8310.4585		400.00
			AURANTA PARK LANDSCAPING-AUG		
			001.6000.4585		933.00
			COMMUNITY PARK LANDSCAPING-AUG		
			001.6000.4585		3,691.00
			CANYON OAK PARK LANDSCAPING-AUG		
			016.8540.4585		356.00
			CUNNINGHAM PARK LANDSCAPING-AUG		
			016.8540.4585		453.00
			SEELEY PARK LANDSCAPING-AUG		
			016.8540.4585		299.00
			OAK CREEK PARK LANDSCAPING-AUG		
			016.8540.4585		556.00
				Total :	**27,053.00**
83588	8/31/2021	005934 SAN BERNARDINO COUNTY	PPE SUPPLIES		
			PPE SUPPLIES		
			030.8495.4349		413.44
				Total :	**413.44**
83589	8/31/2021	001848 SB CO ASSESSORS OFFICE	PARCEL MAP REVISIONS-AUG		
			PARCEL MAP REVISIONS-AUG		
			001.4100.4310		2.00
				Total :	**2.00**
83590	8/31/2021	004898 SCOTTY'S MUFFLER & BRAKE	VEH#112: CATALYTIC ONVERTER		
			VEH#112: CATALYTIC ONVERTER		
			004.8310.4240		1,501.50
			VEH #122 REPAIR		
			VEH #122 REPAIR		
			001.6000.4240		144.00
				Total :	**1,645.50**
83591	8/31/2021	000204 SOCALGAS	POLICE-AUG		

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83591	8/31/2021	000204 SOCALGAS	(Continued)		
			POLICE-AUG		
			001.2000.4020		1,425.62
			STATION #1-AUG		
			STATION #1-AUG		
			029.2100.4020		21.84
			STATION #1-AUG		
			028.2050.4020		21.84
			STATION #2-AUG		
			STATION #2-AUG		
			028.2050.4020		26.47
			STATION #2-AUG		
			029.2100.4020		26.46
				Total :	**1,522.23**
83592	8/31/2021	000204 SOCALGAS	STATION #3-AUG		
			STATION #3-AUG		
			028.2050.4020		25.69
			STATION #3-AUG		
			029.2100.4020		25.68
				Total :	**51.37**
83593	8/31/2021	000203 SOUTHERN CALIFORNIA EDISON	CITY HALL-AUG		
			CITY HALL-AUG		
			042.9510.4010		507.65
			POLICE STATION-AUG		
			POLICE STATION-AUG		
			001.2000.4010		7,820.77
			STATION #3-AUG		
			STATION #3-AUG		
			028.2050.4010		1,047.79
			STATION #3-AUG		
			029.2100.4010		1,047.78
			CORP YARD-AUG		
			CORP YARD-AUG		
			004.8310.4010		931.01
			LIBRARY/ELC-AUG		
			LIBRARY/ELC-AUG		

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83593	8/31/2021	000203 SOUTHERN CALIFORNIA EDISON	(Continued)		
			001.6000.4010 LS#3-AUG LS#3-AUG		7,007.89
			013.8510.4011 SMART N FINAL SCE FEES-AUG SMART N FINAL SCE FEES-AUG		16.28
			013.8510.4011 BASELINE MEDIAN-AUG BASELINE MEDIAN-AUG		20.40
			004.8310.4010 BASELINE MEDIAN-AUG BASELINE MEDIAN-AUG		14.66
			004.8310.4010 EVC STATIONS-AUG EVC STATIONS-AUG		13.25
			042.9510.4012		447.48
				Total :	**18,874.96**
83594	8/31/2021	000203 SOUTHERN CALIFORNIA EDISON	TRAFFIC SIG PALM/CYPRESS-AUG TRAFFIC SIG PALM/CYPRESS-AUG		
			013.8510.4011 TRAFFIC SIG PALM/CYPRESS-AUG TRAFFIC SIG PALM/CYPRESS-AUG		32.58
			004.8310.4580 REAL JOURNEY ACADEMY LMD ZONE 73-AUG REAL JOURNEY ACADEMY LMD ZONE 73-AUG		44.89
			012.8500.4010		14.19
				Total :	**91.66**
83595	8/31/2021	004223 UNITED POWER GENERATION INC	FS#3 & PD GENERATORS MAINTENANCE FS#3: GENERATOR MAINTENANCE		
			028.2050.4222 FS#3: GENERATOR MAINTENANCE		238.12
			029.2100.4222 PD: GENERATOR MAINTENANCE		238.11
			001.2000.4222		572.81

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83595	8/31/2021	004223	004223 UNITED POWER GENERATION INC (Continued)	Total :	1,049.04
83596	8/31/2021	000233	WAXIE SANITARY SUPPLY		
			FS#3: JANITORIAL SUPPLIES		
			FS#3: JANITORIAL SUPPLIES		
			029.2100.4055		175.57
			FS#3: JANITORIAL SUPPLIES		
			028.2050.4055		175.56
			FS#3: JANITORIAL SUPPLIES		
			FS#3: JANITORIAL SUPPLIES		
			029.2100.4055		23.37
			FS#3: JANITORIAL SUPPLIES		
			028.2050.4055		23.38
			FS#3: JANITORIAL SUPPLIES		
			FS#3: JANITORIAL SUPPLIES		
			029.2100.4055		10.26
			FS#3: JANITORIAL SUPPLIES		
			028.2050.4055		10.25
			FS#3: JANITORIAL SUPPLIES		
			FS#3: JANITORIAL SUPPLIES		
			029.2100.4055		26.80
			FS#3: JANITORIAL SUPPLIES		
			028.2050.4055		26.81
			FS#2: JANITORIAL SUPPLIES		
			FS#2: JANITORIAL SUPPLIES		
			029.2100.4055		193.61
			FS#2: JANITORIAL SUPPLIES		
			028.2050.4055		193.60
			FS#2: JANITORIAL SUPPLIES		
			FS#2: JANITORIAL SUPPLIES		
			029.2100.4055		75.51
			FS#2: JANITORIAL SUPPLIES		
			028.2050.4055		75.51
			FS#3: JANITORIAL SUPPLIES		
			FS#3: JANITORIAL SUPPLIES		
			029.2100.4055		34.10
			FS#3: JANITORIAL SUPPLIES		
			028.2050.4055		34.10

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83596	8/31/2021	000233 000233 WAXIE SANITARY SUPPLY	(Continued)	Total :	1,078.43
83597	8/31/2021	000237 WILLDAN ASSOCIATES	OLA18001 CE MSRI-JUN OLA18001 CE MSRI-JUN 017.8350.6550 OLA19001 CE MSRI-JUN OLA19001 CE MSRI-JUN 017.8350.6550 OLA20001 CE MSRI-JUN OLA20001 CE MSRI-JUN 017.8350.6550 OLA18001 CE MSRI-JUL OLA18001 CE MSRI-JUL 017.8350.6550 OLA19001 CE MSRI-JUL OLA19001 CE MSRI-JUL 017.8350.6550 STR20001 CE MSRI-JUL STR20001 CE MSRI-JUL 017.8350.6550	2,545.21 1,582.71 1,474.58 136.29 84.75 78.96 Total :	5,902.50
83598	8/31/2021	004298 ZOLL MEDICAL CORPORATION	FS#3: PARAMEDIC SUPPLIES FS#3: PARAMEDIC SUPPLIES 028.2050.4207	325.01 Total :	325.01
53 Vouchers for bank code : wfb				Bank total :	184,241.47
53 Vouchers in this report				Total vouchers :	184,241.47

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83599	9/7/2021	000030 SAN BERNARDINO COUNTY SHERIFFS	CAL ID LIVESCAN-MAR, MAY, JUN		
			CAL ID LIVESCAN-MAR		
			001.2000.4236		2.00
			CAL ID LIVESCAN-MAY		
			001.2000.4236		2.00
			CAL ID LIVESCAN-JUN		
			001.2000.4236		2.00
				Total :	**6.00**
83600	9/7/2021	000085 EAST VALLEY WATER DISTRICT	LMD 36-AUG		
			LMD 36-AUG		
			012.8500.4030		432.78
			LMD 70 IRRIGATION-AUG		
			LMD 70 IRRIGATION-AUG		
			012.8500.4030		1,262.01
				Total :	**1,694.79**
83601	9/7/2021	000127 K & L HARDWARE	STATION #2 SUPPLIES		
			STATION #2 SUPPLIES		
			028.2050.4070		13.23
			STATION #2 SUPPLIES		
			029.2100.4070		13.22
			CORP YARD SUPPLIES		
			CORP YARD SUPPLIES		
			004.8310.4206		91.67
			STATION #1 SUPPLIES		
			STATION #1 SUPPLIES		
			028.2050.4070		18.30
			STATION #1 SUPPLIES		
			029.2100.4070		18.29
			STATION #1 SUPPLIES		
			STATION #1 SUPPLIES		
			028.2050.4070		28.00
			STATION #1 SUPPLIES		
			029.2100.4070		27.99
			STATION #2 SUPPLIES		
			STATION #2 SUPPLIES		

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83601	9/7/2021	000127 K & L HARDWARE	(Continued)	
			028.2050.4203 STATION #2 SUPPLIES	48.25
			029.2100.4203 AURANTIA PARK SUPPLIES	48.24
			AURANTIA PARK SUPPLIES 001.6000.4206 STATION #2 SUPPLIES	49.51
			STATION #2 SUPPLIES 029.2100.4203 STATION #2 SUPPLIES	34.20
			028.2050.4203 FS# : WEBER GAS GRILL	34.20
			FS# : WEBER GAS GRILL 029.2100.4203 FS# : WEBER GAS GRILL	279.61
			028.2050.4203 STATION #3 SUPPLIES	279.61
			STATION #3 SUPPLIES 028.2050.4070 STATION #3 SUPPLIES	45.33
			029.2100.4070	45.33
			Total :	**1,074.98**
83602	9/7/2021	000155 NEW YORK LIFE	NEW YORK LIFE-SEP	
			NEW YORK LIFE-SEP 001.1180 NEW YORK LIFE-SEP	9.75
			004.1180 NEW YORK LIFE-SEP	0.65
			041.1180 NEW YORK LIFE-SEP	1.95
			070.1180	0.65
			Total :	**13.00**
83603	9/7/2021	000165 AT&T	CORP YARD-AUG	
			CORP YARD-AUG 004.8310.4060	1,070.34

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83603	9/7/2021	000165 000165 AT&T	(Continued)	Total :	1,070.34
83604	9/7/2021	000165 AT&T	CITY HALL-AUG CITY HALL-AUG 042.9510.4060		877.35
				Total :	877.35
83605	9/7/2021	000176 PRINCIPAL LIFE INSURANCE CO	PRINCIPAL-SEP PRINCIPAL-SEP 001.1200.3590		41.86
			PRINCIPAL-SEP 001.1450.3590		61.74
			PRINCIPAL-SEP 001.1600.3590		7.84
			PRINCIPAL-SEP 001.1700.3590		87.14
			PRINCIPAL-SEP 001.3200.3590		29.78
			PRINCIPAL-SEP 001.4100.3590		74.58
			PRINCIPAL-SEP 001.4200.3590		62.27
			PRINCIPAL-SEP 001.4500.3590		44.97
			PRINCIPAL-SEP 001.4600.3590		47.58
			PRINCIPAL-SEP 001.6000.3590		16.49
			PRINCIPAL-SEP 001.6010.3590		16.23
			PRINCIPAL-SEP 001.6020.3590		11.36
			PRINCIPAL-SEP 004.8310.3590		133.42
			PRINCIPAL-SEP 006.8400.3590		29.15
			PRINCIPAL-SEP 010.3830.3590		57.99

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83605	9/7/2021	000176 PRINCIPAL LIFE INSURANCE CO	(Continued)	
			PRINCIPAL-SEP	
			012.8500.3590	8.13
			PRINCIPAL-SEP	
			016.8540.3590	8.13
			PRINCIPAL-SEP	
			023.3890.3590	4.78
			PRINCIPAL-SEP	
			024.8470.3590	0.86
			PRINCIPAL-SEP	
			041.9500.3590	13.86
			PRINCIPAL-SEP	
			042.9510.3590	28.05
			PRINCIPAL-SEP	
			070.7000.3590	28.71
			Total :	**814.92**
83606	9/7/2021	000203 SOUTHERN CALIFORNIA EDISON	LS#1-AUG	
			LS#1-AUG	
			013.8510.4011	7,578.36
			LS#2-AUG	
			LS#2-AUG	
			013.8510.4011	963.72
			LS#3-AUG	
			LS#3-AUG	
			013.8510.4011	864.34
			LS-3 METERS-AUG	
			LS-3 METERS-AUG	
			013.8510.4011	47.66
			SIGNALS-AUG	
			SIGNALS-AUG	
			004.8310.4580	2,643.75
			CUNNINGHAM PARK-AUG	
			CUNNINGHAM PARK-AUG	
			016.8540.4010	14.67
			HIGHLAND COMMUNITY PARK-AUG	
			HIGHLAND COMMUNITY PARK-AUG	
			001.6000.4010	267.37

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83606	9/7/2021	000203 SOUTHERN CALIFORNIA EDISON	(Continued)	
			CANYON OAK PARK-AUG	
			CANYON OAK PARK-AUG	
			016.8540.4010	17.34
			SEELEY PARK-AUG	
			SEELEY PARK-AUG	
			016.8540.4010	14.86
			LMD'S-AUG	
			LMD'S-AUG	
			012.8500.4010	555.26
			LMD#48C-AUG	
			LMD#48C-AUG	
			012.8500.4010	236.49
			LMD 13-AUG	
			LMD 13-AUG	
			012.8500.4010	10.25
			Total :	**13,214.07**
83607	9/7/2021	000203 SOUTHERN CALIFORNIA EDISON	LS#3-AUG	
			LS#3-AUG	
			013.8510.4011	17.08
			LS#3-AUG	
			LS#3-AUG	
			013.8510.4011	111.38
			SIGNALS-AUG	
			SIGNALS-AUG	
			004.8310.4580	42.80
			SIGNALS-AUG	
			013.8510.4011	37.19
			OAK CREEK PARK-AUG	
			OAK CREEK PARK-AUG	
			016.8540.4010	15.58
			HIGHLAND AVE ALPR-AUG	
			HIGHLAND AVE ALPR-AUG	
			001.2000.4062	15.20
			LS#3-AUG	
			LS#3-AUG	
			013.8510.4011	45.09

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83607	9/7/2021	000203 000203 SOUTHERN CALIFORNIA EDISON	(Continued)	Total :	284.32
83608	9/7/2021	000203 SOUTHERN CALIFORNIA EDISON	VICTORIA AVE AND 3RD ST-AUG		
			VICTORIA AVE AND 3RD ST-AUG		
			004.8310.4580		31.80
				Total :	31.80
83609	9/7/2021	000207 KONICA MINOLTA	COPIER MAINT-AUG		
			COPIER MAINT-AUG		
			001.2000.4205		9.19
			COPIER MAINT-AUG		
			042.9510.4205		831.24
				Total :	840.43
83610	9/7/2021	000208 STAPLES CREDIT PLAN	CORP YARD SUPPLIES		
			CORP YARD SUPPLIES		
			004.8310.4200		77.50
				Total :	77.50
83611	9/7/2021	000226 UNUM LIFE INSURANCE	LONG TERM DISABILITY-SEP		
			LONG TERM DISABILITY-SEP		
			001.1180		611.04
			LONG TERM DISABILITY-SEP		
			004.1180		58.23
			LONG TERM DISABILITY-SEP		
			006.1180		18.50
			LONG TERM DISABILITY-SEP		
			010.1180		37.00
			LONG TERM DISABILITY-SEP		
			041.1180		25.53
			LONG TERM DISABILITY-SEP		
			070.1180		55.12
				Total :	805.42
83612	9/7/2021	000233 WAXIE SANITARY SUPPLY	STATION #3 SUPPLIES		
			STATION #3 SUPPLIES		
			028.2050.4055		17.40
			STATION #3 SUPPLIES		
			029.2100.4055		17.40

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83612	9/7/2021	000233 000233 WAXIE SANITARY SUPPLY	(Continued)		
				Total :	34.80
83613	9/7/2021	000291 HIGHLAND COMMUNITY NEWS	NEWSPAPER PUBLICATIONS		
			NEWSPAPER PUBLICATIONS		
			001.1200.4300		2,668.62
				Total :	2,668.62
83614	9/7/2021	000744 D&T AUTO REPAIR	VEH#122: REPAIR		
			VEH#122: REPAIR		
			001.6000.4240		230.93
				Total :	230.93
83615	9/7/2021	001072 AUTO ZONE	STATION #1 VEH MAINTENANCE		
			STATION #1 VEH MAINTENANCE		
			028.2050.4240		31.54
			STATION #1 VEH MAINTENANCE		
			029.2100.4240		31.54
				Total :	63.08
83616	9/7/2021	001186 SITETECH, INC	CWQ21007 BALANCE REFUND		
			CWQ21007 BALANCE REFUND		
			001.1320		3,246.20
				Total :	3,246.20
83617	9/7/2021	001193 LIFE ASSIST, INC.	PARAMEDIC SUPPLIES		
			PARAMEDIC SUPPLIES		
			028.2050.4207		775.80
			PARAMEDIC SUPPLIES		
			PARAMEDIC SUPPLIES		
			028.2050.4207		232.74
				Total :	1,008.54
83618	9/7/2021	001193 LIFE ASSIST, INC.	FS#3: PARAMEDIC SUPPLIES		
			FS#3: PARAMEDIC SUPPLIES		
			028.2050.4207		201.60
			FS#3: PARAMEDIC SUPPLIES		
			FS#3: PARAMEDIC SUPPLIES		
			028.2050.4207		123.84

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83618	9/7/2021	001193 001193 LIFE ASSIST, INC.	(Continued)	Total :	325.44
83619	9/7/2021	001271 ALL STAR FIRE EQUIP, INC	SCBA REPAIRS SCBA REPAIRS 028.2050.4245		91.34
			SCBA REPAIRS 029.2100.4245		91.33
				Total :	182.67
83620	9/7/2021	001439 OFFICE SOLUTIONS	RECYCLED COPY PAPER & TONERS RECYCLED COPY PAPER & TONERS 042.9510.4200		94.81
				Total :	94.81
83621	9/7/2021	001476 TIME WARNER CABLE	POLICE TELE/INT SERVICE-SEP POLICE TELE/INT SERVICE-SEP 001.2000.4065		1,121.65
			CORP YARD TELE/INT SERVICE-SEP CORP YARD TELE/INT SERVICE-SEP 004.8310.4060		669.77
				Total :	1,791.42
83622	9/7/2021	001679 MC CRAY'S ENTERPRISES	ME542 REPAIRS ME542 REPAIRS 028.2050.4240		553.18
			ME542 REPAIRS 029.2100.4240		553.17
				Total :	1,106.35
83623	9/7/2021	001980 GOLDEN VALLEY MEDICAL	REFILL JUMBO OXYGEN TANK REFILL JUMBO OXYGEN TANK 028.2050.4203		52.50
			REFILL JUMBO OXYGEN TANK 029.2100.4203		52.50
				Total :	105.00
83624	9/7/2021	002408 PEOPLEREADY	TEMPORARY LABOR TEMPORARY LABOR 001.6000.4206		239.11

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83624	9/7/2021	002408 PEOPLEREADY	(Continued)	
			TEMPORARY LABOR	
			001.6100.4206	47.83
			TEMPORARY LABOR	
			004.8310.4570	95.65
			TEMPORARY LABOR	
			015.8530.4592	95.65
			Total :	**478.24**
83625	9/7/2021	002511 RECORDER-CLERK CO OF SB	DOCUMENT RECORDING SERVICES	
			DOCUMENT RECORDING SERVICES	
			001.1200.4506	120.00
			DOCUMENT RECORDING SERVICES	
			DOCUMENT RECORDING SERVICES	
			001.1200.4506	20.00
			DOCUMENT RECORDING SERVICES	
			DOCUMENT RECORDING SERVICES	
			001.1200.4506	200.00
			Total :	**340.00**
83626	9/7/2021	003044 THOMSON REUTERS WEST	CODE BOOKS	
			CODE BOOKS	
			001.1200.4626	1,243.50
			Total :	**1,243.50**
83627	9/7/2021	003073 EWING IRRIGATION PRODUCTS INC	LMD 2 IRRIGATION SUPPLIES	
			LMD 2 IRRIGATION SUPPLIES	
			012.8500.4206	237.54
			CORP YARD SUPPLIES	
			CORP YARD SUPPLIES	
			004.8310.4206	71.93
			STATION #1 IRRIGATION SUPPLIES	
			STATION #1 IRRIGATION SUPPLIES	
			028.2050.4045	20.85
			STATION #1 IRRIGATION SUPPLIES	
			029.2100.4045	20.85
			PARKS IRRIGATION SUPPLIES	
			PARKS IRRIGATION SUPPLIES	

Bank code : wfb

Voucher	Date	Vendor	Description/Account		Amount
83627	9/7/2021	003073 EWING IRRIGATION PRODUCTS INC	(Continued)		
			001.6000.4206 LMD 44 IRRIGATION SUPPLIES LMD 44 IRRIGATION SUPPLIES		37.33
			012.8500.4206 LMD 48 IRRIGATION SUPPLIES LMD 48 IRRIGATION SUPPLIES		216.99
			012.8500.4206 PARKS IRRIGATION SUPPLIES PARKS IRRIGATION SUPPLIES		47.77
			016.8540.4206		91.05
				Total :	**744.31**
83628	9/7/2021	003689 TPX COMMUNICATIONS	CORP YARD/CITY HALL PHONES-SEP CITY HALL PHONES-SEP		
			042.9510.4060 CORP YARD PHONES-SEP		6.67
			004.8310.4060		1,640.38
				Total :	**1,647.05**
83629	9/7/2021	003713 SATCOM GLOBAL LTD.	SATELLITE PHONES-SEP SATELLITE PHONES-SEP		
			029.2100.4061 SATELLITE PHONES-SEP		21.38
			001.2000.4061 SATELLITE PHONES-SEP		42.75
			042.9510.4061 SATELLITE PHONES-SEP		42.75
			028.2050.4061		21.37
				Total :	**128.25**
83630	9/7/2021	004298 ZOLL MEDICAL CORPORATION	FS#3: ZOLL MONITOR MAINTENANCE FS#3: ZOLL MONITOR MAINTENANCE		
			028.2050.4211		1,381.84
				Total :	**1,381.84**
83631	9/7/2021	004697 CHEMCO PRODUCTS COMPANY	CHEMICAL FEEDER SYSTEM MONITORING CHEMICAL FEEDER SYSTEM MONITORING		

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83631	9/7/2021	004697 CHEMCO PRODUCTS COMPANY	(Continued)	
			001.6000.4588	423.23
			Total :	**423.23**
83632	9/7/2021	004939 GUARDIAN	DENTAL-SEP	
			DENTAL-SEP	
			001.1160	959.14
			DENTAL-SEP	
			004.1160	296.84
			DENTAL-SEP	
			006.1160	14.13
			DENTAL-SEP	
			010.1160	108.08
			DENTAL-SEP	
			012.1160	9.63
			DENTAL-SEP	
			016.1160	9.63
			DENTAL-SEP	
			023.1160	14.13
			DENTAL-SEP	
			024.1160	2.43
			DENTAL-SEP	
			041.1160	30.27
			DENTAL-SEP	
			042.1160	20.48
			DENTAL-SEP	
			070.1160	15.72
			Total :	**1,480.48**
83633	9/7/2021	004956 FIDELITY SECURITY	VISION-SEP	
			VISION-SEP	
			001.1160	152.87
			VISION-SEP	
			004.1160	52.63
			VISION-SEP	
			006.1160	15.79
			VISION-SEP	
			010.1160	15.21

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83633	9/7/2021	004956 FIDELITY SECURITY	(Continued)	
			VISION-SEP	
			012.1160	5.18
			VISION-SEP	
			016.1160	5.18
			VISION-SEP	
			023.1160	7.61
			VISION-SEP	
			024.1160	0.52
			VISION-SEP	
			041.1160	1.64
			VISION-SEP	
			042.1160	8.50
			VISION-SEP	
			070.1160	3.57
			Total :	**268.70**
83634	9/7/2021	005018 FLYERS ENERGY, LLC	FUEL-AUG	
			FUEL-AUG	
			001.2000.4220	6,704.86
			FUEL-AUG	
			001.4200.4220	55.84
			FUEL-AUG	
			001.4600.4220	229.82
			FUEL-AUG	
			001.6000.4220	164.45
			FUEL-AUG	
			001.6010.4220	180.46
			FUEL-AUG	
			004.8310.4220	592.11
			FUEL-AUG	
			012.8500.4220	85.44
			FUEL-AUG	
			016.8540.4220	85.44
			FUEL-AUG	
			024.8470.4220	14.29
			FUEL-AUG	

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83634	9/7/2021	005018 FLYERS ENERGY, LLC	(Continued)	
			028.2050.4220 FUEL-AUG	1,184.63
			029.2100.4220 FUEL-AUG	1,184.63
			042.9510.4220 FUEL-AUG FUEL-AUG	153.34
			001.2000.4220 FUEL-AUG	4,823.35
			001.4200.4220 FUEL-AUG	40.17
			001.4600.4220 FUEL-AUG	165.33
			001.6000.4220 FUEL-AUG	118.30
			001.6010.4220 FUEL-AUG	129.82
			004.8310.4220 FUEL-AUG	425.96
			012.8500.4220 FUEL-AUG	61.46
			016.8540.4220 FUEL-AUG	61.46
			024.8470.4220 FUEL-AUG	10.28
			028.2050.4220 FUEL-AUG	852.20
			029.2100.4220 FUEL-AUG	852.20
			042.9510.4220	110.31
			Total :	**18,286.15**
83635	9/7/2021	005353 IDC CONSULTING ENGINEERS, INC.	BRG12001 PS&E DIF 8/1/20-10/31/20 BRG12001 PS&E DIF 8/1/20-10/31/20	
			007.8330.6813 BRG12001 PS&E DIF REG 11/01/20-2/28/21 BRG12001 PS&E DIF REG 11/01/20-2/28/21	56,238.56

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83635	9/7/2021	005353 IDC CONSULTING ENGINEERS, INC.	(Continued)	
			007.8330.6813	18,489.82
			Total :	**74,728.38**
83636	9/7/2021	005394 DATA TICKET, INC.	PARKING CITATIONS-JUL	
			PARKING CITATIONS-JUL	
			001.1700.4516	21.04
			Total :	**21.04**
83637	9/7/2021	005554 IMPERIAL SPRINKLER SUPPLY	LMD 10 IRRIGATION SUPPLIES	
			LMD 10 IRRIGATION SUPPLIES	
			012.8500.4206	180.37
			CORP YARD IRRIGATION SUPPLIES	
			CORP YARD IRRIGATION SUPPLIES	
			004.8310.4206	60.44
			BIODEGRADEABLE PESTISIDE	
			BIODEGRADEABLE PESTISIDE	
			004.8310.4206	484.21
			CORP YARD IRRIGATION SUPPLIES	
			CORP YARD IRRIGATION SUPPLIES	
			004.8310.4206	137.08
			PARKS IRRIGATION SUPPLIES	
			PARKS IRRIGATION SUPPLIES	
			016.8540.4206	97.88
			LMD 55 IRRIGATION SUPPLIES	
			LMD 55 IRRIGATION SUPPLIES	
			012.8500.4206	123.93
			LMD 36 IRRIGATION SUPPLIES	
			LMD 36 IRRIGATION SUPPLIES	
			012.8500.4206	183.28
			CORP YARD IRRIGATION SUPPLIES	
			CORP YARD IRRIGATION SUPPLIES	
			004.8310.4206	104.49
			TRAILS IRRIGATION SUPPLIES	
			TRAILS IRRIGATION SUPPLIES	
			001.6100.4206	104.49
			Total :	**1,476.17**

Bank code : wfb

Voucher	Date	Vendor	Description/Account	Amount
83638	9/7/2021	005915 3RD STREET DESCANSANDO LLC, BRAI	STR18001 R/W KAPLAN	
			STR18001 R/W IVDA KAPLAN	
			027.8490.6550	1,135.95
			STR18001 R/W RDA07 KAPLAN	
			010.3830.6550	1,136.69
			STR18001 R/W SMBMI KAPLAN	
			027.8490.6550	1,135.95
			STR18001 R/W EDA KAPLAN	
			030.8495.6550	4,001.40
			Total :	**7,409.99**
1001937617	9/7/2021	000004 PUBLIC EMPLOYEE RETIREMENT SYS	PERS HEALTH-SEP	
			PERS HEALTH-SEP	
			001.1150	9,233.40
			PERS HEALTH-SEP	
			004.1150	1,584.15
			PERS HEALTH-SEP	
			006.1150	468.58
			PERS HEALTH-SEP	
			010.1150	1,065.27
			PERS HEALTH-SEP	
			012.1150	180.22
			PERS HEALTH-SEP	
			016.1150	180.22
			PERS HEALTH-SEP	
			041.1150	309.09
			PERS HEALTH-SEP	
			070.1150	290.46
			PERS HEALTH-SEP	
			001.1450.3511	47.71
			PERS HEALTH-SEP	
			041.9500.3515	2,200.00
			Total :	**15,559.10**

41 Vouchers for bank code : wfb

Bank total : **157,279.21**

41 Vouchers in this report

Total vouchers : **157,279.21**

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

REVIEWED BY: Carlos Zamano, Public Works Director/City Engineer CZ

PREPARED BY: Matt Bennett, Assistant Publics Works Director MB.

SUBJECT: Drainage Easement Acceptance; "San Carlo" Apartments Project; Northwest corner of Greenspot Road & Webster Street (SPR 20-001 & DRA 020-006)

RECOMMENDATION: That the City Council (1) accept the Grant of Easement for Drainage purposes from San Carlo Apartment Homes, LLC, and (2) direct the City Clerk to record the Grant of Easement.

FISCAL IMPACT: The easement is being granted at no cost to the City.

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

BACKGROUND: Under SPR 20-001/DRA 020-006, approved by the Planning Commission on September 1st, 2020, San Carlo Apartment Homes, LLC is in the process of constructing a 200-unit, multi-family residential apartment complex at the northwest corner of Greenspot Road and Webster Street. The Conditions of Approval for this project requires the construction of a city-maintained storm drain pipe within Calhoun Road adjacent westerly to the westerly property line of this project. Due to the portion of Calhoun Road being constructed by this project as a private street to be maintained by an HOA, a 20' wide drainage easement is required to be dedicated to the City along the storm drain pipe alignment within Calhoun Road. The Grant of Easement is ready for City Council acceptance.

Attachments: 1) Vicinity Map
2) Site Map
3) Grant of Easement
4) Drainage Easement Legal Description & Plat

L:/Engineering Back_up/DRA 20-006/3033.11 San Carlo Calhoun SD Easmnt staff report.dox

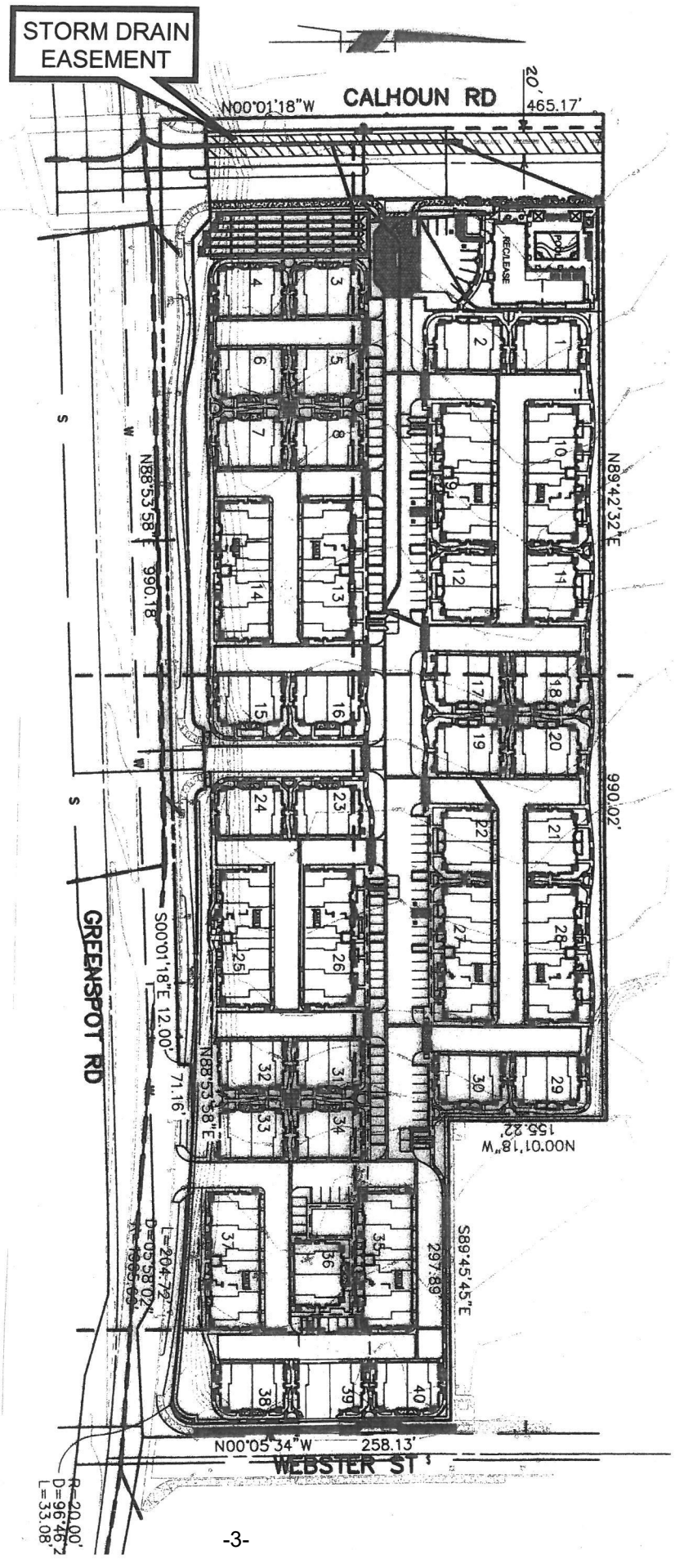
Approved _____	Motion _____	Second _____	Agenda Item No. 4
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

D Hugh
City Clerk

City Manager



VICINITY MAP



100 50 0 100

SCALE: 1"=100'

SITE MAP

RECORDING REQUESTED BY:
BETTY HUGHES

WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF HIGHLAND
27215 BASE LINE
HIGHLAND, CA 92346

APN: 1201-361-26

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT OF EASEMENT
(DRAINAGE)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SAN CARLO APARTMENT HOMES, LLC, A California Limited Liability Company,

Hereby GRANT(S) to the City of Highland, a Municipal Corporation, an easement for drainage purposes upon, under, over, and across the real property in the City of Highland, County of San Bernardino, State of California, described as:

SEE EXHIBITS "A" AND "B" ATTACHED HERETO AND MADE A PART HEREOF

DATED: July 21, 2021

San Carlo ~~Apartment~~ Homes, LLC

~~Larry R.~~ Haupert, Managing Member

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF ~~SAN BERNARDINO~~ ORANGE)

On July 21, 2021, before me, Judy A Beil, Notary Public, personally appeared Larry R Haupert, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Judy A Beil
Signature

JUDY A. BEIL
Notary Public - California
Orange County
Commission # 2348848
My Comm. Expires Feb 24, 2025

(This Area for Official Notary Seal)

L:\Engineering_Backup\030173033-SPR 020-001-Greenspot Apts - NWC Grnspt Rd & Wbstr St\3033 11 Rexco San Carlo SD GOE.docx

EXHIBIT "A"

PUBLIC STORM DRAIN EASEMENT

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, SAID PORTION BEING DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SOUTH 89°42'32" EAST, 16.25 FEET, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE EASTERLY ALONG SAID NORTH LINE, SOUTH 89°42'32" EAST, 20.00 FEET;

THENCE SOUTH 00°01'18" EAST, 385.77 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF GREENSPOT ROAD, PER INSTRUMENT NUMBER 2012-0508491, RECORDED NOVEMBER 29, 2012, O.R.;

THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 86°54'30" WEST, 20.03 FEET;

THENCE NORTH 00°01'18" WEST, 386.95 FEET TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 0.18 ACRES, MORE OR LESS.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Prepared by:

4/7/21

Frank A. Artiga, PLS 8716 Date

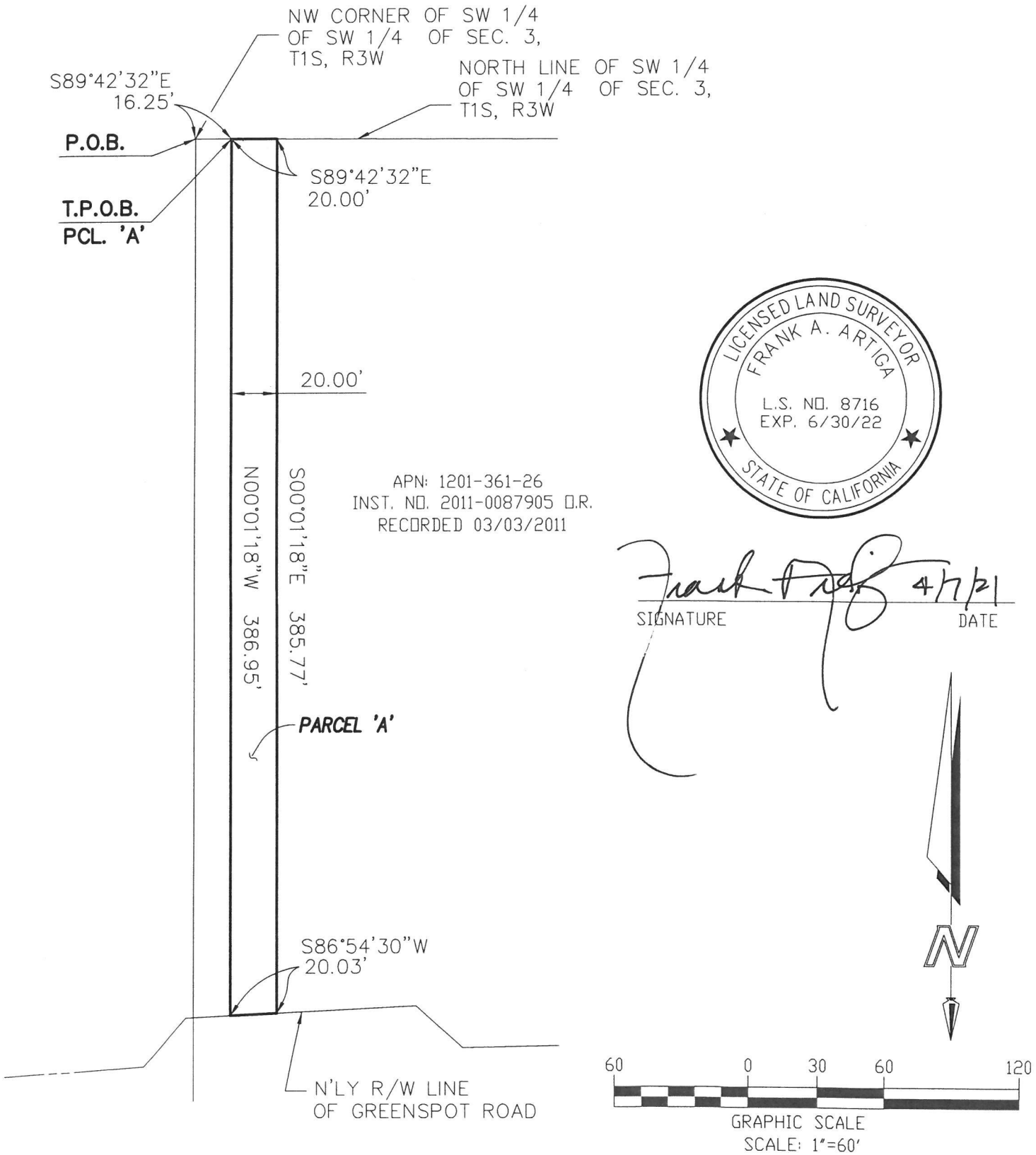


MAP TO ACCOMPANY LEGAL DESCRIPTION

SHEET 1 OF 1

EXHIBIT 'B'

DEDICATION OF PUBLIC STORM DRAIN



LEGEND

T.P.O.B. TRUE POINT OF BEGINNING

P.O.B. POINT OF BEGINNING

——— PARCEL BOUNDARY

PREPARE DATE: APRIL 7, 2021

AREA

PARCEL 'A' = 0.18 AC. MORE OR LESS

ACS CONSULTING, INC.

PO BOX 2252
TEMECULA CA 92593
951-757-5178

IN FAVOR OF
CITY OF HIGHLAND

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

REVIEWED BY: Carlos Zamano, Public Works Director/City Engineer CZ

PREPARED BY: Jay Tuttle IV, Assistant Engineer JT

SUBJECT: Easement Acceptance/Lomeli (7497 Golondrina Drive)

RECOMMENDATION: That the City Council (1) accept Grant of Easement for Road and Drainage purposes from Marisol Morris, and (2) direct the City Clerk to record the Grant of Easement.

FISCAL IMPACT: None

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

BACKGROUND: The Conditions of Approval for a new single-family residence project (DRA-019-014) located at 7497 Golondrina Drive, requires dedication of additional public Right-of-Way to the City, via Grant-of-Easement, as follows: 10' of additional Right-of-Way, from 20' to 30' from street centerline, across the project frontage on the east side of Golondrina Drive, to accommodate the construction of future curb & gutter, drive approach and sidewalk. The Road and Drainage Grant of Easement from the property owners, Gustavo Lomeli, and Susana Lomeli, is ready for City Council acceptance.

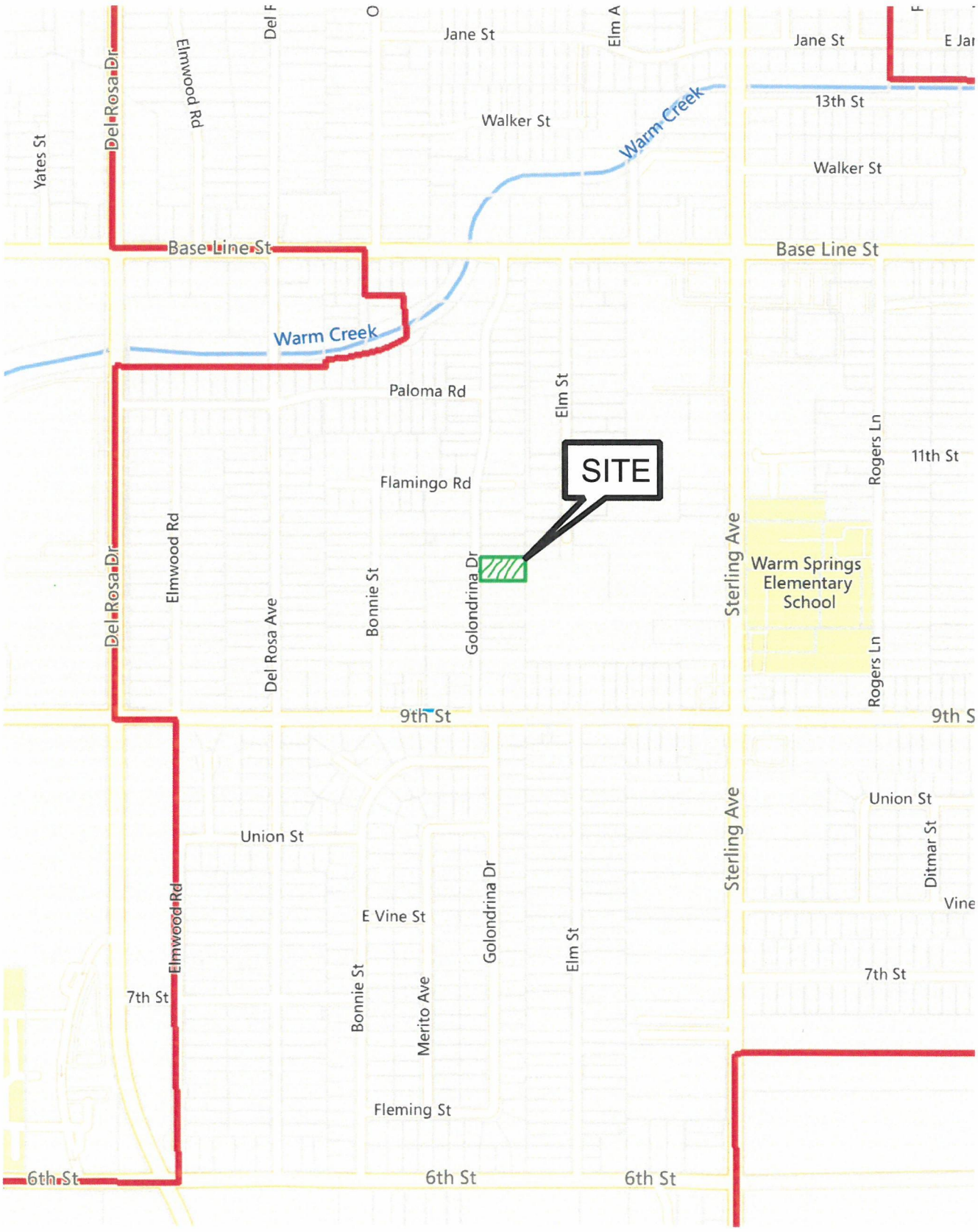
Attachments: (1) Vicinity Map
(2) Assessor's Parcel Map
(3) Grant of Easement Deed
(4) Right-of-Way Dedication Legal Description & Plat

L:\Engineering_Back-up\03017303400\3034 11 7497 Golondrina ROW Ded staff report.doc

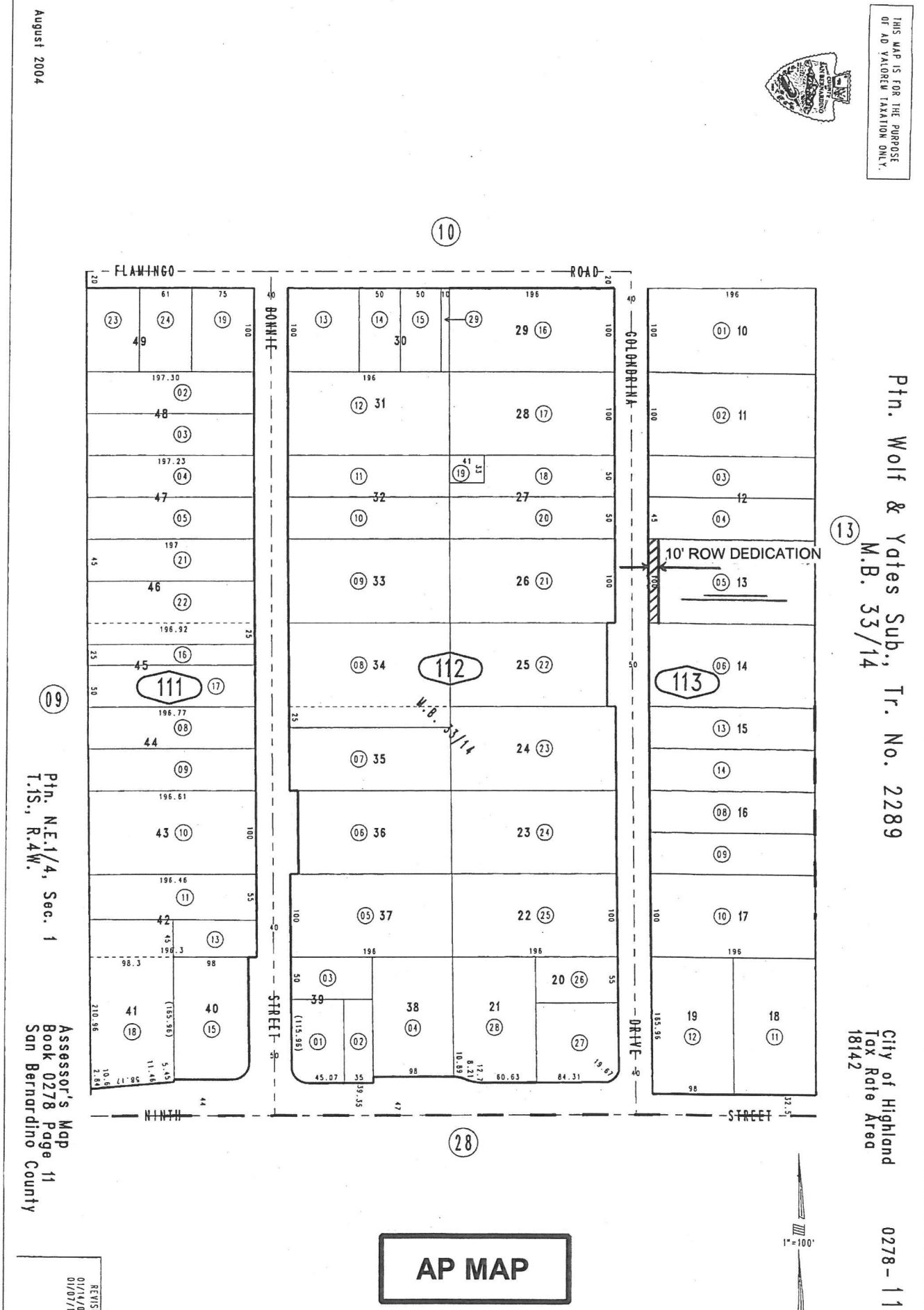
Approved _____	Motion _____	Second _____	Agenda Item No. 5
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

D Hugh
City Clerk

City Manager



VICINITY MAP


THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.
August 2004
Ptn. Wolf & Yates Sub., Tr. No. 2289
M.B. 33/14
City of Highland
Tax Rate Area
18142
0278-11
Ptn. N.E.1/4, Sec. 1
T.1S., R.4W.
Assessor's Map
Book 0278 Page 11
San Bernardino County
FLAMINGO ROAD
BONITE STREET
COLONDRINA DRIVE
NINTH STREET
10' ROW DEDICATION
M.B. 33/14
10
13
09
28
111
112
113
1"=100'
REVISED
01/14/09 KC
01/07/10 LH
AP MAP

RECORDING REQUESTED BY:
BETTY HUGHES

WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF HIGHLAND
27215 BASE LINE
HIGHLAND, CA 92346

APN: 0278-113-05

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT OF EASEMENT
(ROAD AND DRAINAGE)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

GUSTAVO LOMELI AND SUSANA LOMELI, HUSBAND AND WIFE AS JOINT TENANTS

Hereby GRANT(S) to the City of Highland, a Municipal Corporation, an easement for roads, drainage, and public utility purposes upon, under, over, and across the real property in the City of Highland, County of San Bernardino, State of California, described as:

SEE EXHIBITS "A" AND "B" ATTACHED HERETO AND MADE A PART HEREOF

DATED: 8/25/21

GUSTAVO LOMELI

DATED: 8/25/21

Susana Lomeli
SUSANA LOMELI

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

On August 25, 2021, before me, Lisa A. Del Rio, Notary Public, personally appeared Gustavo Lomeli and Susana Lomeli, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lisa A. Del Rio
Signature

LISA A. DEL RIO
Notary Public - California
San Bernardino County
Commission # 2306637
My Comm. Expires Sep 24, 2023

(This Area for Official Notary Seal)

EXHIBIT "A"

LEGAL DESCRIPTION

The west 10.00 feet of Lot 13 of Tract No. 2289, Wolf and Yates Subdivision, in the City of Highland, County of San Bernardino, State of California, as per by Map recorded in Book 33, page 14 of Maps, in the Office of the County Recorder of said County..

Containing 1,000 square feet.

Affecting: APN 0278-113-05

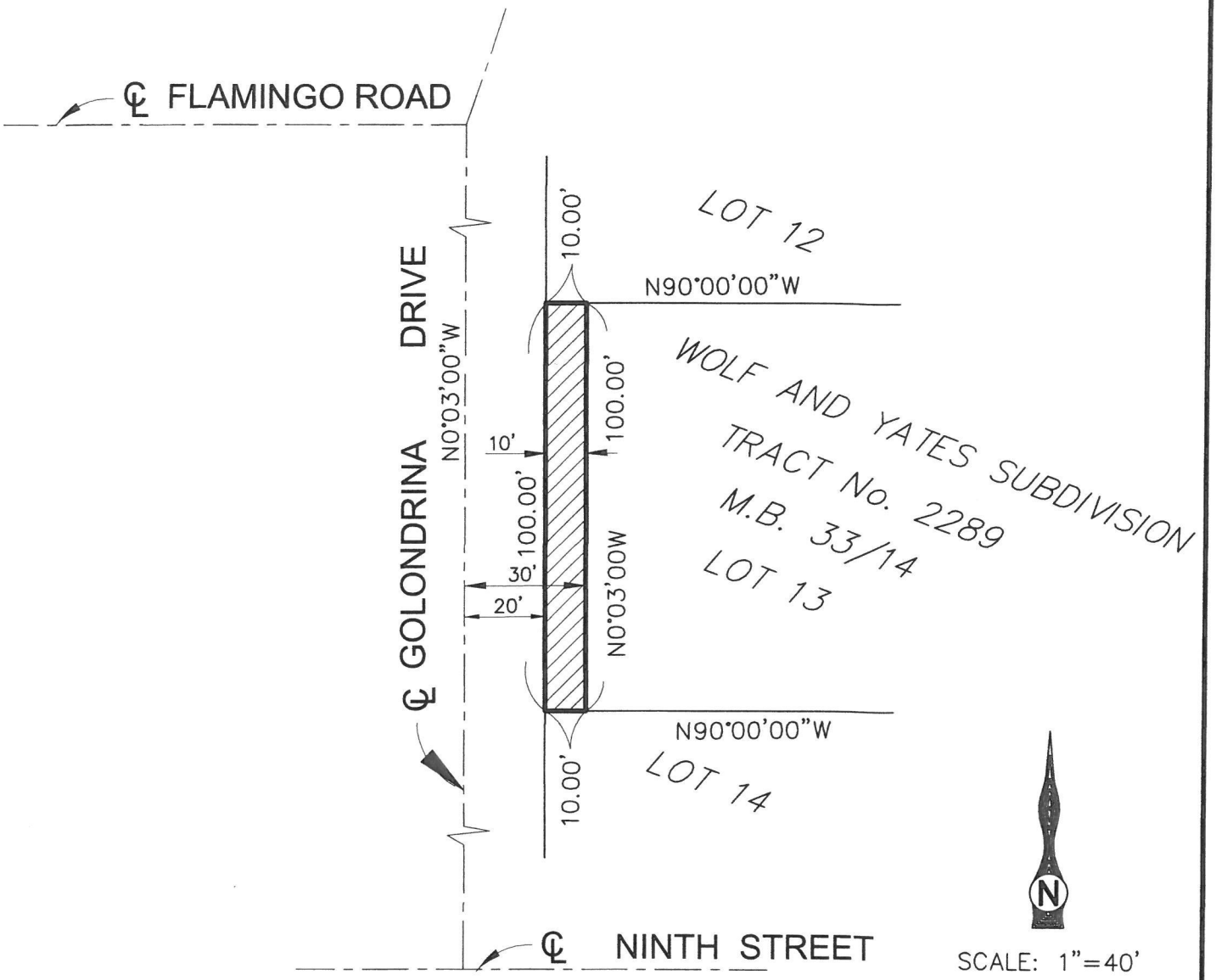
See (EXHIBIT "B") for a plat depicting the above described property.

This real property has been described by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Ronald A. Musser, L.S. 4230, Exp. 6-30-22

LICENSED LAND SURVEYOR
RONALD A. MUSSER
L.S. 4230
Exp. 6-30-22
STATE OF CALIFORNIA

8/17/21
Date



LEGEND

EXISTING RIGHT-OF-WAY

PROPOSED RIGHT-OF-WAY

RIGHT-OF-WAY TO BE ACQUIRED (1,000 SF)

TKE ENGINEERING, INC.
2305 CHICAGO AVENUE
RIVERSIDE, CA 92507
(951) 680-0440

RONALD A. MUSSER L.S. No. 4230
EXPIRES: 6-30-22

LICENSED LAND SURVEYOR
RONALD A. MUSSER
No. 4230
Exp.6-30-22
STATE OF CALIFORNIA

EXHIBIT 'B'

EASEMENT DEED

0278-113-05

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph Hughes, City Manager

REVIEWED BY: Carlos Zamano, Public Works Director/City Engineer CZ

PREPARED BY: Jim Richardson, Public Works Manager JR

SUBJECT: Bid Award – YMCA Dance Room Sport Floor Replacement

RECOMMENDATION: Staff recommends that the City Council:

1) Approve the bid for floor replacement at the YMCA dance room to the responsive low bidder, Hoover Co. Floor Covering Contractors in the amount of $20,205.00, and

2) Authorize staff to implement the alternate addition of Drytex Moisture Barrier solution if required due to moisture levels in the floor system in the amount of $4,240.

FISCAL IMPACT: The YMCA dance room sports floor replacement cost of $24,445 will be paid from current budget funds.

PUBLIC NOTICE: Notices of the City Council agenda were posted at the three locations per Resolution No. 2011-047 and on the City's website.

BACKGROUND: The YMCA Athletic Center dance room sports floor has worn beyond its safe use and requires replacement. The area of dance room is 1,144 square feet. Floor replacement of this room was approved by the City Council in the current two-year budget under Development Impact Fees. The small project was offered for informal bidding in July of 2021. During the bid process City staff reached out to many local floor companies as well as others out of the area to seek sport flooring installers. However, only two bids were received on August 11, 2021, to the City. The lack of interest may be due to the fact that sport flooring is considered a specialty product within the flooring industry.

Approved _____	Motion _____	Second _____	Agenda Item No. 6
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

B Hughes
City Clerk

City Manager

Following are the bid results:

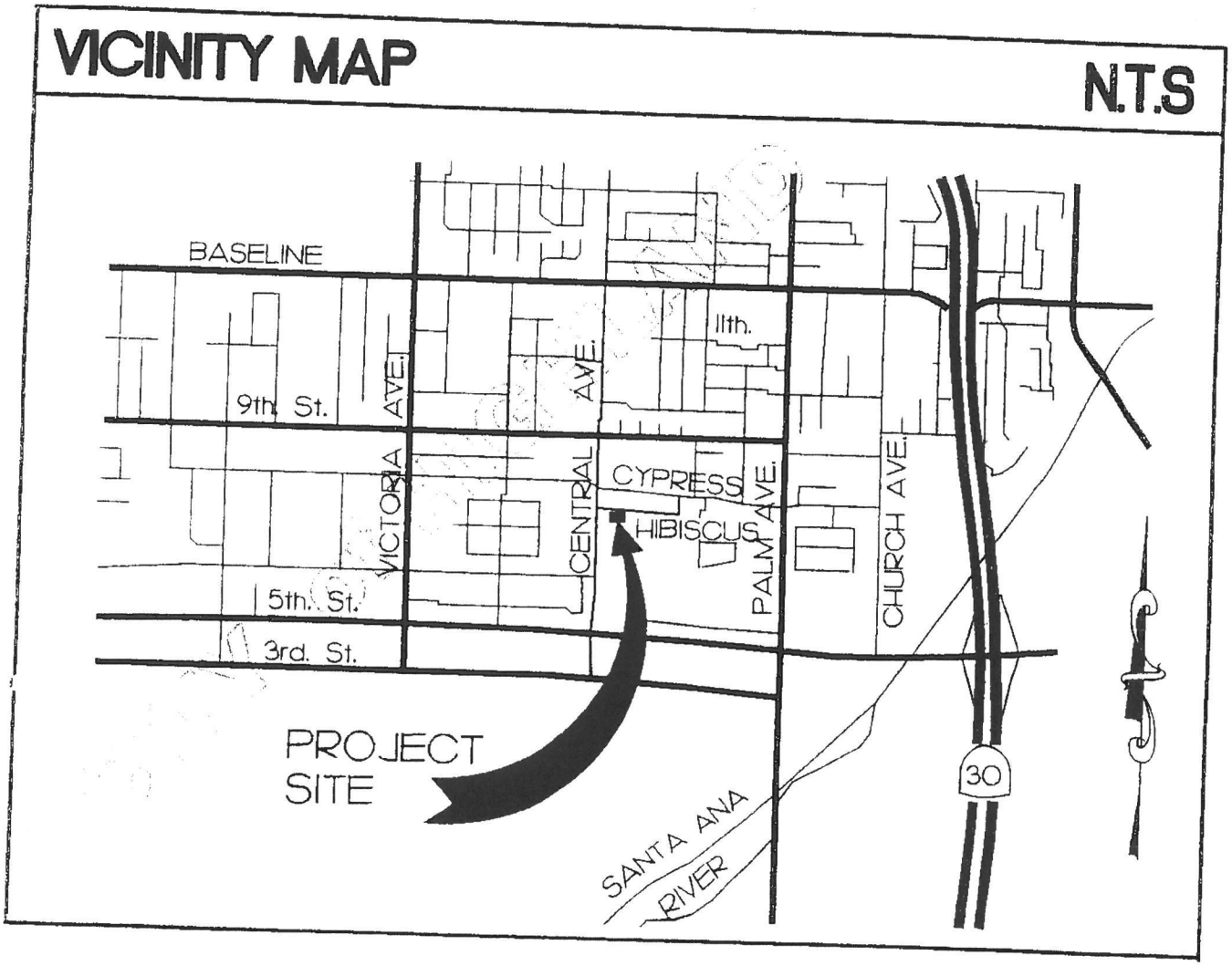
Contractor Name	Bid	Add Alternate (Moisture Barrier)
Hoover Co. Floor Covering Contractors	$20,205	$4,240
W2W Sport Consultants and Craftsmen	$20,711	$11,303

Staff has reviewed and is satisfied with Hoover Co. Floor Covering Contractor's bid documents.

Attachments: 1) Vicinity Map

VICINITY MAP

N.T.S



STAFF REPORT

TO THE CITY COUNCIL

MEETING DATE: September 14, 2021

FROM: Joseph Hughes, City Manager

REVIEWED BY: Carlos Zamano, Public Works Director/City Engineer CZ

PREPARED BY: David Kinzle, Consultant Project Manager

SUBJECT: Resolution adopting Chapter 10 of the California Department of Transportation Local Assistance Procedure Manual, entitled "Consultant Selection"

RECOMMENDATION: That the City Council adopt Resolution No. 2021-____ adopting Chapter 10 of the California Department of Transportation (Caltrans) Local Assistance Procedures Manual, entitled "Consultant Selection", as the process by which the City retains Architectural and Engineering consultant services related to federal and state funded transportation projects.

FISCAL IMPACT: There is no fiscal impact associated with this item.

PUBLIC NOTICE: Notices of Council Meeting agenda were posted at the three locations required by resolution and on the City website.

BACKGROUND: The City manages many capital improvement projects every year, some of which are funded with federal and/or state grants. The federal government has granted Caltrans oversight authority of these federal funds, which are administered by Caltrans Office of Local Assistance. As the administering agency of federal and state funds, Caltrans has created the Local Assistance Procedures Manual (Manual) which guides, directs, and outlines all the requirements that cities across the State of California are required to adhere to when receiving federal or state funds on transportation projects. The Manual undergoes frequent updates to incorporate changes in federal law and procedures.

The most recent major update to the Manual requires the City to specifically adopt Chapter 10 of this Manual for the selection of architectural and engineering consultants. While the City has always followed the process and procedures outlined in the most current version of the Manual, Caltrans now requires City Council adoption to insure City staff are fully aware of the current federal requirements.

Chapter 10 of the Manual sets forth requirements to be included in City Requests for Proposals (RFPs) and subsequent consultant proposals, including but not limited to, having a clearly defined scope of work,

Approved _____	Motion _____	Second _____	Agenda Item No. 7
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

D Hughes
City Clerk

City Manager

staff performing an independent cost analysis of what the consultant contract may cost prior to receiving proposals, procedures for evaluating and scoring of proposals, and certain financial documents required to be submitted at the time proposals are received.

Staff recommends adoption of this resolution to remain eligible to use federal and state funds for consultant services for projects administered through Caltrans Office of Local Assistance.

M:\STAFF REPORTS\LAPM CH 10 ADOPTION STF REPORT.DOC

RESOLUTION NO. 2021-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA ADOPTING CHAPTER 10 OF THE CALIFORNIA DEPARMENT OF TRANSPORTATION (CALTRANS) LOCAL ASSISTANCE PROCEDURES MANUAL, ENTITLED "CONSULTANT SELECTION", AS THE PROCESS BY WHICH THE CITY RETAINS ARCHITECTURAL AND ENGINEERING CONSULTANT SERVICES RELATED TO FEDERAL AND STATE FUNDED TRANSPORTATION PROJECTS

WHEREAS, the City of Highland receives transportation funds from Federal and State governments through Caltrans Office of Local Assistance; and

WHEREAS, Caltrans recently updated Chapter 10 of the Local Assistance Procedures Manual (LAPM), entitled "Consultant Selection"; and

WHEREAS, Chapter 10 of the LAPM now requires that all cities and counties in California receiving federal or state funding for consultant services adopt the outlined policies and procedures in order to receive federal or state reimbursements;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Highland hereby adopts Chapter 10 of the Local Assistance Procedures Manual, entitled "Consultant Selection", as the process and procedures to be followed when requesting proposals and awarding contracts for federal and state funded transportation projects.

PASSED, APPROVED AND ADOPTED this 14th day of September, 2021.

_____

Penny Lilburn, Mayor

ATTEST:

_____

Betty Hughes, MMC, City Clerk

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

REVIEWED BY: Lawrence A. Mainez, Community Development Director

PREPARED BY: Kim Stater, Assistant Community Development Director

SUBJECT: 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 seniors.

RECOMMENDATION: Staff recommends the City Council approve the Contract and authorize execution by the Community Development Director.

FISCAL IMPACT: The City of Highland participates as a 'Joint-Applicant' with the County of San Bernardino to receive CDBG funding from the Federal Department of Housing and Urban Development (HUD). In Fiscal Year 2021-2022, Highland will receive an allocation of $427,078.

On February 9, 2021, the City Council held a public hearing to prioritize eligible projects. The Highland Senior Center was allocated $25,000. The County, through the CDBG Program, will reimburse all City funds used to support the approved Senior Center program.

PUBLIC NOTICE: The City Council Agenda was posted at three locations per City Council Resolution and on the City's website.

BACKGROUND: HUD requires that the City enter a contract with the Senior Center prior to disbursement of funds. The purpose of the contract is to address the scope of service and terms and conditions including records, reporting, program income, and other prescribed items.

Attachment: Subrecipient Contract between the City of Highland and Highland Senior Center

Approved _____	Motion _____	Second _____	Agenda Item No. 8
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

City Clerk

City Manager

SUBRECIPIENT CONTRACT

This Contract is made and entered into, by and between the City of Highland, hereinafter referred to as "CITY", and Highland District Council on Aging, Inc., a non-profit organization, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, CITY has entered into a Contract with the County of San Bernardino Department of Community Development and Housing, hereinafter referred to as "CDH", to execute the CITY's Community Development Block Grant (CDBG) program under the Housing and Community Development Act of 1974, as amended, hereinafter referred to as the "ACT"; and,

WHEREAS, CONTRACTOR desires to participate in the CITY's CDBG program and is qualified by reason of experience, preparation, organization, staffing, and facilities to provide senior services; and,

WHEREAS, on February 9, 2021, the Highland City Council held Public Hearing to allocate the City's Community Development Block Grant Funds for Fiscal Year 2021-2022. During the hearings, the City allocated $25,000 of CDBG funds to provide life enrichment programs to senior citizens of low- and moderate-income in the City of Highland.

NOW THEREFORE, in consideration of the mutual covenants herein set forth and the mutual benefits to be derived therefrom, the parties agree as follows:

1. SCOPE OF SERVICES

A full description of the services provided in this Contract is contained in Exhibit 1, PROJECT/ACTIVITY DESCRIPTION.

All beneficiaries of the program services shall be low- and moderate-income persons or households, as defined in Section 20, BENEFICIARY QUALIFICATION.

2. TIME OF PERFORMANCE

Said services of CONTRACTOR shall commence July 1, 2021 and shall be completed no later than June 30, 2022.

3. COMPENSATION AND METHOD OF PAYMENT

For performance of such services, CITY shall provide CDBG funds not to exceed $25,000. This payment shall constitute full and complete compensation for CONTRACTOR's services under this Contract. For the purpose of this Contract, CITY shall disburse compensation and monitor CONTRACTOR's performance in satisfying the scope of work obligations under the terms of this Contract.

Disbursement of payments to CONTRACTOR shall be made by monthly reimbursements, contingent upon CITY's receipt of a monthly summary statement for each previous month's expenditures which conforms to the BUDGET SUMMARY. Monthly expenditure reports shall be documented with "audit ready" supportive evidence of each expenditure and proof of payment, in accordance with United States of America Department of Housing and Urban Development, hereinafter referred to as "HUD" regulations. Reimbursements shall be limited to the total approved, properly documented expenditures. Monthly reimbursements shall be evenly amortized over the remaining term of this Contract unless otherwise approved by CDH. All

reimbursement requests must be submitted no later than 30 days after the expiration of this Contract. Requests received after said 30-day period shall be considered non-compliant and not eligible for reimbursement under the terms of this Contract. CONTRACTOR shall submit a final request for reimbursement for the program year no later than July 31, 2021. Any balance remaining on this project after that date will be reprogrammed.

CONTRACTOR must submit said monthly expenditure reports by the 10th day of every calendar month regardless of expenditure amount. After receipt by CITY of each properly documented expenditure report, CITY will draw a warrant in favor of CONTRACTOR for the approved expenditure amount. Submittal of an expenditure report after the 10th day of the month, in which payment is requested, will cause unavoidable delays in payment processing.

4. BUDGET SECTION

Variances not exceeding 15% of originally approved budget cost categories identified in Exhibit 2, BUDGET SUMMARY, may be made without the prior approval of the CDH Director or his or her designee. Such variances shall under no circumstances result in a change to the total contract amount.

5. USE OF FUNDS

Funds allocated pursuant to this Contract shall be used exclusively for costs included in CONTRACTOR's program budget. Contract funds shall not be used as security or to guarantee payments for any non-program obligations, or as loans for non-program activities.

6. BUDGET MODIFICATIONS

The City's Community Development Director may grant budget modifications to this Contract for the movement of funds within the budget categories identified in Exhibit 2, BUDGET SUMMARY, when such modifications:

a. Exceed 15% of the originally approved amount of one or more budget cost categories and does not exceed $10,000 per budget cost category;
b. Are specifically requested by CONTRACTOR;
c. Do not alter the total amount of compensation pursuant to this Contract;
d. Will not change the project goals or scope of services;
e. Are in the best interests of CITY and CONTRACTOR in performing said services; and,
f. Related to salaries, are in accordance with applicable salary ordinances or laws.

7. CHANGES IN GRANT ALLOCATION

CITY reserves the right to reduce the grant allocation when CITY's fiscal monitoring indicates that CONTRACTOR's rate of expenditure will result in unspent funds at the end of the program year. Changes in the grant allocation will be made after consultation with CONTRACTOR. Such changes shall be incorporated into this Contract by written amendments.

8. REVENUE DISCLOSURE REQUIREMENT

By its execution of this Contract, CONTRACTOR certifies that it has previously filed with CITY, a written statement listing all revenue received, or expected to be received, by CONTRACTOR from federal, state, or county sources, or other governmental or private agencies, and applied or expected to offset in whole or in part any of the costs incurred by CONTRACTOR in conducting current or prospective projects or business activities, including, but not necessarily limited to, the project or business activity which is the subject of this Contract. Such statement shall reflect the name and a description of such project or business activity, the dollar amount of funding provided, or to be provided, by each and every agency to each such project or business activity,

and the full name and address of each such agency. During the term of this Contract, CONTRACTOR shall prepare and file a similar written statement each time it receives funding from any agency, which is in addition to that revenue disclosed in CONTRACTOR's initial revenue disclosure statement hereunder. Such statement shall be filed with CITY within 15 calendar days following receipt of such additional funding. CONTRACTOR shall make available for inspection and audit to CITY representatives, upon request, at any time during the duration of this Contract and during a period of five years thereafter, all of its books and records relating to the operation by it of each project or business activity which is funded in whole or in part with governmental monies, whether or not such monies are received through CITY. All such books and records shall be maintained by CONTRACTOR at a location in San Bernardino County. Failure of CONTRACTOR to comply with the requirements of this section of the Contract shall constitute a material breach of Contract upon which CITY may cancel, terminate, or suspend this Contract.

9. JOINT FUNDING

For programs in which there are sources of funds in addition to CDBG funds, CONTRACTOR shall provide proof of such funding. CITY shall not pay for any services provided by CONTRACTOR, which are funded by other sources. All restrictions and/or requirements provided in this Contract relative to accounting, budgeting, and reporting applies to the total program regardless of funding sources.

10. PROGRAM INCOME

Program income represents net income directly generated from the use of CDBG funds by CONTRACTOR as a result of the activity funded under the terms of this Contract. When such income is generated by an activity only partially assisted with CDBG funds, the income shall be prorated to reflect the percentage of CDBG funds used. CONTRACTOR shall retain the use of program income by returning program income to CITY and requesting project budget increases for activities authorized under this Contract. Program income shall be returned to CITY within 30 days after: a) disposition or sale of real or personal property occurs or; b) cumulative program income reaches increments of $1,000; or c) the end of each fiscal year. CONTRACTOR shall include in the reports required by Section 21, PROGRAM REPORTING AND RETENTION OF RECORDS, all sources and amounts of program income on a monthly and year-to-date basis.

Program income returned by CITY to CONTRACTOR shall be spent by CONTRACTOR on only those costs authorized under this Contract. All provisions of this Contract shall apply to said use of program income. CONTRACTOR shall account for the receipt and use of program income in such a way that program income is spent on authorized activities before additional CDBG funds are spent.

Any program income on-hand, when this Contract expires or received after such expiration, shall be paid to CITY.

11. FISCAL LIMITATIONS

While not presently anticipated, HUD may, in the future, place programmatic or fiscal limitation(s) on CITY CDBG funds. Accordingly, CITY reserves the right to revise this Contract in order to take account of actions affecting HUD program funding. In the event of funding reduction, CITY may reduce the budget of this Contract as a whole or as to cost category, may limit the rate of CONTRACTOR's authority to commit and spend funds, or may restrict CONTRACTOR's use of both its uncommitted and its unspent funds. Where HUD has directed or requested CITY to implement a reduction in funding, in whole or as to cost category, with respect to funding for this Contract, CDH may act for CITY in implementing and effecting such a reduction and in revising the Contract for such purpose. Where CITY has reasonable grounds to question the fiscal accountability, financial soundness, or compliance with this Contract of CONTRACTOR, CITY

may act to suspend the operation of this Contract for up to 60 days upon three days notice to CONTRACTOR of its intention to so act, pending an audit or other resolution of such questions. In no event, however, shall any revision made by CITY affect expenditures and legally binding commitments made by CONTRACTOR before it receives notice of such revision, provided that such amounts have been committed in good faith and are otherwise allowable and that such commitments are consistent with HUD cash withdrawal guidelines.

12. NON-EXPENDABLE PROPERTY

A record shall be maintained for each item of non-expendable property acquired for this program with CDBG funds. This record shall be provided to CITY upon request. Non-expendable property shall include tangible personal property, including but not limited to office equipment, and real property and any interest in such real property, including any mortgage or other encumbrance of real property as well as any funds derived from the sale or disposal of non-expendable property. Any utilization of funds derived from the sale or disposition of non-expendable property must have prior approval of CITY and otherwise comply with all applicable laws and regulations. Upon termination of this Contract, CITY reserves the right to determine the final disposition of said non-expendable property acquired for this program with CDBG funds, including funds derived therefrom. Said disposition may include CITY taking possession of and title to said non-expendable property. Non-expendable personal property means tangible personal property having a useful life of more than one year and an acquisition cost of $1,000 or more per unit.

13. EXPENDABLE PERSONAL PROPERTY

Expendable personal property refers to all tangible personal property other than non-expendable personal property. All purchases of expendable personal property with a unit value of $1,000 or more per unit must have the prior written approval of the CDH Director, or his designee.

14. PURCHASE OR LEASE OF NON-EXPENDABLE PROPERTY OR EQUIPMENT

CONTRACTOR shall obtain at least three comparable price quotes and receive CDH approval of the item(s) selected prior to purchasing or leasing any non-expendable personal property or equipment over $1,000 in unit value and having a life expectancy of more than one year. Such property shall be properly identified and inventoried and shall be charged at its actual price deducting all cash discounts, rebates, and allowances received by CONTRACTOR. This inventory shall be provided to CITY upon request.

CONTRACTOR shall obtain written approval from CITY prior to selling or disposing of any non-expendable property or equipment. Any proceeds generated from the sale of such property or equipment shall be subject to the provisions of Section 10, PROGRAM INCOME.

15. ACQUISITION OF SUPPLIES AND EQUIPMENT

CONTRACTOR may purchase from a related agency/organization only if: (a) prior authorization is obtained in writing from CITY, (b) charges do not exceed the authorized amount and minimum written specifications are met, (c) a community related benefit is derived from such CONTRACTOR related acquisition, and (d) no conflict of interest for private gain accrues to CONTRACTOR or its employees, agents or officers. CONTRACTOR shall adhere to all applicable procurement standards of 24 CFR Part 84 in the acquisition of supplies and equipment. CONTRACTOR shall submit documentation of the cost and price analysis required in 24 CFR 84.45 for approval prior to procuring non-expendable property or equipment.

CITY reserves the right to disallow any purchase from any vendor of supplies, equipment, non-expendable property or expendable property which is purchased in whole or in part with funds provided by this Contract. CONTRACTOR may seek prior approval of CITY for any such

expenditures and prior approval, which is granted shall be binding on CITY unless such expenditure violates federal law or regulations or is disallowed by HUD.

16. PURCHASE AND INVOICE DEADLINES

Purchase of equipment or property must be completed before the last three months of the initial performance period and all equipment bills shall be paid before the last two months of this period. No expendable or non-expendable property or equipment shall be purchased during the final three months of the initial performance period unless approved by CITY in writing. Invoices for all obligations incurred under this Contract must be submitted to CITY within sixty (60) days after the initial performance period termination date or they may not be honored. Exceptions to the preceding limitations require prior written approval by CDH.

17. TRAVEL AND CONFERENCE RESTRICTIONS

CONTRACTOR certifies and agrees that travel and conference expenses for persons other than employees of CONTRACTOR, will not be paid by funds provided through this Contract. No travel expenses for out-of-state travel shall be included in this Contract unless specifically listed in the BUDGET SUMMARY, Exhibit 2, which is attached and incorporated herein. CONTRACTOR further agrees that any travel expense incurred by CONTRACTOR, which is not listed in the BUDGET SUMMARY shall not be paid by funds provided through this Contract unless prior written approval of the CDH Director has been obtained.

18. USE OF FUNDS FOR ENTERTAINMENT, GIFTS, OR FUND RAISING ACTIVITIES

CONTRACTOR certifies and agrees that it will not use funds provided through this Contract to pay for entertainment, gifts, or fund raising activities.

19. MONITORING

CITY Community Development Director or his designee will conduct periodic program monitoring reviews. These reviews will focus on the extent to which the planned program has been implemented and measurable goals achieved, effectiveness of program management, and impact of the program. Authorized representatives of CITY, CDH and HUD shall have the right of access to all activities and facilities operated by CONTRACTOR under this Contract. Facilities include all files, records, and other documents related to the performance of this Contract. Activities include attendance at staff, board of directors, advisory committee and advisory board meetings and observation of on-going program functions. CONTRACTOR will permit on-site inspection by CITY, CDH and HUD representatives, and ensure that its employees and board members furnish such information, as in the judgment of CITY and HUD representatives, may be relevant to the question of compliance with contractual conditions and HUD directives, or the effectiveness, legality, and achievements of the program.

20. BENEFICIARY QUALIFICATION

Persons qualifying for program services on the basis of income, hereinafter referred to as BENEFICIARIES, shall have an annual household gross income equal to or less than the U.S. Department of Housing and Urban Development (HUD) Section 8 (of the United States Housing Act of 1937) Income Limits. HUD Section 8 Income Limits for the Riverside-San Bernardino-Ontario, CA MSA, define the maximum annual household gross income for low- and moderate-income households. CONTRACTOR is responsible for obtaining from CITY the said current applicable HUD Section 8 Income Limits for each year of the Contract term identified in Section 2, TIME OF PERFORMANCE.

Under CDBG regulations, the following clientele categories are presumed to be low- and moderate-income persons and can qualify for service regardless of income: abused children;

battered spouses; elderly persons (60 and older); severely disabled adults, homeless persons; illiterate adults; persons living with AIDS, and migrant farm workers. CONTRACTOR shall document the household income of all BENEFICIARIES, by obtaining completed copies of the "BENEFICIARY QUALIFICATION STATEMENT", Exhibit 3(a). A Spanish language version of the BENEFICIARY QUALIFICATION STATEMENT, Exhibit 3(b), 2 pages, is attached for convenience, but the CITY cannot guarantee the accuracy of the translation and the CITY cannot be held responsible for any errors. CONTRACTOR shall retain these forms for five (5) years after conclusion of this Contract.

21. PROGRAM REPORTING AND RETENTION OF RECORDS

CONTRACTOR agrees to prepare and submit financial, program progress, and other reports as required by HUD, COUNTY, or CITY directives. CONTRACTOR shall maintain such program, property, personnel, financial, statistical and other records, supporting documents, and accounts as are considered necessary by HUD, COUNTY, or CITY to assure proper accounting for all Contract funds. Said records, documents and accounts are to be retained by CONTRACTOR for a minimum of five (5) years. The retention period starts from the date the CITY submits its annual performance and evaluation report, as prescribed in 24 CFR 91.520, in which the service under the terms of this contract is reported on for the final time. Said CITY submission will follow CONTRACTOR's final submission to CITY of reports identified under this paragraph. Records and accounts subject to litigation or audit must be maintained for five (5) years or until the issue is resolved, whichever is longer. Records that pertain to real estate transactions must be maintained for five (5) years or the number of years there is an outstanding obligation, whichever is longer. The starting date for retention of records on CDBG-purchased equipment begins at the end of the equipment's use, when it is disposed of or transferred. The retention period for records relating to program income begins on the last date of CITY's fiscal year in which the income is earned. All CONTRACTOR's records, with the exception of confidential client information, shall be made available to representatives of CITY and the appropriate federal agencies. CONTRACTOR is required to submit data necessary to complete the Annual Grantee Performance Report in accordance with HUD regulations in the format and at the time designated by the CDH Director or his designee. By the 10th day of each month, CONTRACTOR shall submit a completed MONTHLY PROGRAM PROGRESS REPORT, for the month being reported, and in addition, CONTRACTOR will complete the COMMUNITY BENEFIT REPORT, to report the amount of funds expended, which benefit the residents of the communities that funded this project. CONTRACTOR shall also provide the DIRECT BENEFIT REPORT, as necessary for completion of the Annual Grantee Performance Report.

22. ACCOUNTING

CONTRACTOR must establish and maintain on a current basis an adequate accounting system in accordance with HUD directives and Generally Accepted Accounting Principles.

23. AUDITS

CONTRACTOR is required to arrange for an independent financial audit performed within the direction of Generally Accepted Auditing Standards and Government Auditing Standards. Said audit shall be conducted for the term of this Contract. When CONTRACTOR receives $500,000 or more in federal funds from all funding sources within a fiscal year, the required audit must be performed in compliance with OMB Circular A-133, Subpart B Section 200(a) Audit Requirements.

CONTRACTOR shall submit a copy of the audit report to CITY within nine months after the end of the audit period. Within 30 days of the submittal of said audit report, CONTRACTOR shall provide to CITY a written response to any concerns or findings identified in said audit report. The response must examine each concern or finding and explain a proposed resolution, including a

schedule for correcting any deficiency. All actions to correct said conditions or findings shall be taken within six months after receipt of the audit report.

CITY, COUNTY, or any state or federal agency, may make additional audits or reviews, as necessary, to carry out the responsibilities of CONTRACTOR under city, county, state or federal laws and regulations. CONTRACTOR agrees to cooperate fully with all persons conducting said additional audits or reviews. CITY and its authorized representatives shall, at all times, have access for the purpose of audit or inspection, to any and all books, documents, papers, records, property, and premises of CONTRACTOR. If indications of misappropriation or misapplication of the funds of this Contract cause CITY to require an additional audit, the cost of the audit will be encumbered and deducted from this Contract budget.

Should CITY subsequently determine that the additional audit was not warranted, the amount encumbered will be restored to the Contract budget. CONTRACTOR shall reimburse all misappropriation or misapplication of funds to CITY. In the event CITY uses the judicial system to recover misappropriated or misapplied funds, CONTRACTOR shall reimburse CITY legal fees and court costs in addition to awards.

24. ASSIGNMENT

This Contract is not assignable by CONTRACTOR without the express written consent of CITY. Any attempt by CONTRACTOR to assign any performance of the terms of this Contract shall be null and void and shall constitute a material breach of this Contract.

25. TERMINATION AND TERMINATION COSTS

This Contract may be terminated in whole or in part at any time by either party upon giving a 30-day notice in writing to the other party. Agreement must be reached by both parties as to reasons and conditions for termination in compliance with the provisions of federal regulations at 24 CFR Part 84.61, Termination for Convenience. CITY is hereby empowered to give said notice subject to ratification by the Highland City Council.

CITY may immediately terminate this Contract upon the termination, suspension, discontinuation or substantial reduction in CDBG funding for the Contract activity or if for any reason the timely completion of the work under this Contract is rendered improbable, infeasible or impossible. If CONTRACTOR materially fails to comply with any term of this Contract, CITY may take one or more of the actions provided under federal regulation at 24 CFR Part 84.62, Enforcement, which includes temporarily withholding cash, disallowing non-compliant costs, wholly or partly suspending or terminating the award, withholding further awards, and other remedies that are legally available. In such an event, CONTRACTOR shall be compensated for all services rendered and all necessarily incurred costs performed in good faith in accordance with the terms of this Contract that have been previously reimbursed, to the date of said termination to the extent that CDBG funds are available from HUD.

26. REVERSION OF ASSETS

Upon Contract termination, CONTRACTOR shall transfer to CITY all CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of CDBG funds.

All real property acquired or improved in whole or in part with CDBG funds under this Contract must continue in the use that provides the service benefits and national objectives for which it was funded, or it must be disposed of in a manner resulting in a reimbursement to CITY in the amount of the current fair market value of the property less any portion thereof attributable to expenditures of non-CDBG funds for the acquisition or improvement of the property.

27. INDEPENDENT CONTRACTOR

All parties hereto in the performance of this Contract will be acting in independent capacities and not as agents, employees, partners, joint venturers, or associates of one another. The employees or agents of one party shall not be deemed or construed to be the agents or employees of the other party for any purpose whatsoever.

28. CONTRACT COMPLIANCE

CONTRACTOR shall make every effort to ensure that all projects funded wholly or in part by CDBG funds shall provide equal employment and career advancement opportunities for minorities and women. In addition, CONTRACTOR shall make every effort to employ residents of the area and shall keep a record of the positions that have been created directly or as a result of this program.

CONTRACTOR shall comply with Executive Orders 11246, as amended by Executive Orders 11375, 11478, 12086, and 12107, (Equal Employment Opportunity), Executive Orders 11625, 12138, 12432, 12250, and Executive Order 13279 (Equal Protection of the Laws for Faith-Based and Community Organizations), Title VII of the Civil Rights Act of 1964, the California Fair Housing and Employment Act, and other applicable federal, state, county, and city laws, regulations and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted.

29. DISCRIMINATION

No person shall, on the grounds of race, sex, creed, color, religion, or national origin, be excluded from participating in, be refused the benefits of, or otherwise be subjected to discrimination in any activities, programs, or employment supported by this Contract.

30. RELIGIOUS PROSELYTIZING OR POLITICAL ACTIVITIES

CONTRACTOR agrees that it will not engage in inherently religious activities, such as worship, religious instruction or proselytizing, as part of the activities funded under this Contract. Further, CONTRACTOR agrees that it will not perform or permit political activities in connection with the performance of this Contract. Funds made available under this Contract will be used exclusively for performance of the work required under this Contract and no funds made available under this Contract shall be used to promote any religious or political activities. If CONTRACTOR conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under this Contract, and participation must be voluntary for the beneficiaries of the CDBG-funded program services.

31. CONFLICT OF INTEREST

CONTRACTOR shall comply with all applicable federal and state laws, regulations and policies governing Conflict of Interest, including state Conflict of Interest regulations found in California Government Code Sections 1090, 1126, 87100 et seq., federal Conflict of Interest regulations found in 24 CFR 570.611, 85.36, and 84.42, and any other applicable policies, rules and regulations related to Conflict of Interest.

Any person who is an employee, agent, consultant, officer, elected or appointed official of CONTRACTOR, who exercises any functions or responsibilities with respect to CDBG-funded activities identified in this Contract and who is in a position to participate in a decision making process or gain inside information with regard to activities identified in this Contract, may not obtain a financial interest or benefit from the CDBG-assisted activities identified in this Contract or any related contract, subcontract, or agreement, either for themselves, an immediate family member or business partner, during his/her tenure. CONTRACTOR shall maintain written

standards of conduct governing the performance of their employees engaged in the award and administration of contracts.

32. INTENTIONALLY OMITTED

33. HUD HOLD HARMLESS

CONTRACTOR shall indemnify, defend and hold harmless CITY against any liability, claims, losses, demands, and actions incurred by CITY as a result of the determination by HUD or its successor that activities undertaken by CONTRACTOR under the program(s) fail to comply with any laws, regulations or policies applicable thereto or that any funds billed by and disbursed to CONTRACTOR under this Contract were improperly expended.

34. INDEMNIFICATION

CONTRACTOR agrees to indemnify, defend (with counsel reasonably approved by CITY and hold harmless the CITY and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this contract from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by the CITY on account of any claim except where such indemnification is prohibited by law. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. CONTRACTOR's indemnification obligation applies to the CITY 's "active" as well as "passive" negligence but does not apply to the CITY 's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782. This provision shall survive the termination of this Contract.

35. INSURANCE REQUIREMENTS

CONTRACTOR agrees to provide insurance set forth in accordance with the requirements herein. If CONTRACTOR uses existing coverage to comply with these requirements and that coverage does not meet the specified requirements, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so. The type(s) of insurance required is determined by the scope of the contract services.

Without in anyway affecting the indemnity herein provided and in addition thereto, CONTRACTOR shall secure and maintain throughout the contract term the following types of insurance with limits as shown:

- Workers' Compensation/Employers Liability - A program of Workers' Compensation insurance or a state-approved, self-insurance program in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability with $250,000 limits covering all persons including volunteers providing services on behalf of CONTRACTOR and all risks to such persons under this contract.

  If CONTRACTOR has no employees, it may certify or warrant to the CITY that is does not currently have any employees or individuals who are defined as "employees" under the Labor Code and the requirement for Workers' Compensation coverage will be waived by the CITY 's Director of Administrative Services.

  With respect to contractors that are non-profit corporations organized under California or federal law, volunteers for such entities are required to be covered by Workers' Compensation insurance.

- Commercial/General Liability Insurance - CONTRACTOR shall carry General Liability Insurance covering all operations performed by or on behalf of CONTRACTOR providing

coverage for bodily injury and property damage with a combined single limit of not less than one million dollars ($1,000,000), per occurrence. The policy coverage shall include:

(a) Premises operations and mobile equipment.
(b) Products and completed operations.
(c) Broad form property damage (including completed operations).
(d) Personal injury.
(e) Contractual liability.
(f) $2,000,000 general aggregate limit.

- Automobile Liability Insurance - Primary insurance coverage shall be written on ISO Business Auto coverage form for all owned, hired and non-owned automobiles or symbol 1 (any auto). The policy shall have a combined single limit of not less than one million dollars ($1,000,000) for bodily injury and property damage, per occurrence.

  If CONTRACTOR is transporting one or more non-employee passengers in performance of contract services, the automobile liability policy shall have a combined single limit of two million dollars ($2,000,000) for bodily injury and property damage per occurrence.

  If CONTRACTOR owns no autos, a non-owned auto endorsement to the General Liability policy described above is acceptable.

- Umbrella Liability Insurance - An umbrella (over primary) or excess policy may be used to comply with limits or other primary coverage requirements. When used, the umbrella policy shall apply to bodily injury/property damage, personal injury/advertising injury and shall include a "dropdown" provision providing primary coverage for any liability not covered by the primary policy. The coverage shall also apply to automobile liability.

- Additional Insured - All policies, except for the Workers' Compensation, Errors and Omissions and Professional Liability policies, shall contain endorsements naming the CITY and its officers, employees, agents and volunteers as additional insureds with respect to liabilities arising out of the performance of services hereunder. The additional insured endorsements shall not limit the scope of coverage for the CITY to vicarious liability but shall allow coverage for the CITY to the full extent provided by the policy. Such additional insured coverage shall be at least as broad as Additional Insured (Form B) endorsement form ISO, CG 2010.11 85.

- Waiver of Subrogation Rights - CONTRACTOR shall require the carriers of required coverages to waive all rights of subrogation against the CITY, its officers, employees, agents, volunteers, contractors and subcontractors. All general or auto, liability insurance coverage provided shall not prohibit CONTRACTOR and CONTRACTOR's employees or agents from waiving the right of subrogation prior to a loss or claim. CONTRACTOR hereby waives all rights of subrogation against the CITY.

- Policies Primary and Non-Contributory - All policies required herein are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by the CITY.

- Severability of Interests - CONTRACTOR agrees to ensure that coverage provided to meet these requirements is applicable separately to each insured and there will be no cross liability exclusions that preclude coverage for suits between CONTRACTOR and the CITY or between the CITY and any other insured or additional insured under the policy.

- Acceptability of Insurance Carrier - Unless otherwise approved by Risk Management, insurance shall be written by insurers authorized to do business in the State of California and with a minimum "Best" Insurance Guide Rating of "A-VII".

- Deductibles and Self-Insured Retention - Any and all deductibles or self-insured retentions in excess of $10,000 shall be declared to and approved by Risk Management.

- Failure to Procure Coverage - In the event that any policy of insurance required under this contract does not comply with the requirements, is not procured, or is canceled and not replaced, the CITY has the right but not the obligation or duty to cancel the contract or obtain insurance if it deems necessary and any premiums paid by the CITY will be promptly reimbursed by CONTRACTOR or CITY payments to CONTRACTOR will be reduced to pay for CITY -purchased insurance.

36. PROOF OF COVERAGE

CONTRACTOR shall furnish Certificates of Insurance to the CITY Department administering the contract evidencing the insurance coverage, including endorsements, as required, prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to the Department, and CONTRACTOR shall maintain such insurance from the time CONTRACTOR commences performance of services hereunder until the completion of such services. Within fifteen (15) days of the commencement of this contract, CONTRACTOR shall furnish a copy of the Declaration page for all applicable policies and will provide complete certified copies of the policies and endorsements immediately upon request.

CONTRACTOR shall complete and submit INSURANCE INVENTORY, along with the above required insurance documents.

37. INSURANCE REVIEW

Insurance requirements are subject to periodic review by the CITY. The Director of Administrative Services or designee is authorized, but not required, to reduce, waive or suspend any insurance requirements whenever CITY determines that any of the required insurance is not available, is unreasonably priced, or is not needed to protect the interests of the CITY.

In addition, if the Director of Administrative Services determines that heretofore unreasonably priced or unavailable types of insurance coverage or coverage limits become reasonably priced or available, the Director or designee is authorized, but not required, to change the above insurance requirements to require additional types of insurance coverage or higher coverage limits, provided that any such change is reasonable in light of past claims against the CITY, inflation, or any other item reasonably related to the CITY 's risk.

Any change requiring additional types of insurance coverage or higher coverage limits must be made by amendment to this contract. CONTRACTOR agrees to execute any such amendment within thirty (30) days of receipt.

Any failure, actual or alleged, on the part of the CITY to monitor or enforce compliance with any of the insurance and indemnification requirements will not be deemed as a waiver of any rights on the part of the CITY.

38. Intentionally Omitted

39. COMPLIANCE WITH LAWS

All parties agree to be bound by applicable federal, state, and local laws, ordinances, regulations, and directives as they pertain to the performance of this Contract. This Contract is subject to and incorporates the terms of the ACT; 24 Code of Federal Regulations, Part 570 and Part 84; and U.S. Office of Management and Budget Circulars A-122, and A-133.

40. SUSPENSION AND DEBARMENT

By entering this Contract, CONTRACTOR certifies that CONTRACTOR, including its principals, is not suspended or debarred from participating in federally funded contracts and sub-awards.

41. AMENDMENTS: VARIATIONS

This writing with attachments, embodies the whole of this Contract of the parties hereto. There are no oral agreements contained herein. Except as herein provided, additions or variations of the terms of this Contract shall not be valid unless made in the form of a written amendment to this Contract formally approved and executed by both parties.

42. NOTICES

All notices shall be served in writing. The notices shall be sent to the following addresses:

City of Highland
27215 Base Line
Highland, CA 92346
Attn: Community Dev. Dir.

Highland District Council on Aging, Inc.
P.O. Box 948
Highland, CA 92346
Attn: Board President

43. COUNTERPART EXECUTION

This Contract may be executed in counterparts. When executed, each counterpart shall be deemed an original irrespective of date of execution. Said counterparts shall together constitute one and the same Contract.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed by the City of Highland, as of the day and year written below.

CITY OF HIGHLAND

By: _____
Lawrence A. Mainez, Community Dev. Dir.

Dated: _____

HIGHLAND DISTRICT COUNCIL ON AGING, INC.

By: Diane Harvey 8/30/21
, Board President

Dated: _____

Federal ID Number or Social Security Number: 95-3374790

APPROVED AS TO LEGAL FORM

By: _____
Maricela Marroquin
City Attorney

ATTACHMENT A- REQUEST TO INITIATE PROJECT/ACTIVITY

PROJECT/CASE NUMBER: HIGH-21-1-02A/1219
DATE OF ORIGINAL ISSUE: **7/1/2021**
CFDA No: 14.218
ORIGINAL: X
REVISION No.:
TARGET AREA: City of Highland
DATE OF REVISION:
WBSE CODE: 50.60.0008.09

Pursuant to the terms of the Delegate Agency Agreement originally executed on 7/8/2014, (and most current renewal date 7/1/2021) between Community Development and Housing (CDH), and the **City of Highland**, CDH hereby requests that the following project/activity be initiated. There will be no changes in Project/Activity Title, Activity Budget (Attachment A) or in the Activity Description (Attachment B) without written approval of the Director of Community Development and Housing/Supervising CDH Analyst.

PROJECT/ACTIVITY TITLE: Highland- Senior Service Program - Highland District Council on Aging
ACTIVITY LOCATION: 3102 East Highland Ave. Patton Ca. 92369

TOTAL PROJECT FUNDING:	$25,000
CITY CDBG ALLOCATION RELEASED:	$25,000
CITY CDBG FUNDS PROJECTED TO BE EXPENDED AS OF **6/30/2021**:	$0 *
BALANCE OF FUNDS AVAILABLE:	$25,000

DATE OF RELEASE OF FUNDS : 7/1/2021

SCHEDULE OF CDBG ALLOCATION:

Year 1-41	Year 42	Year 43	Year 44	Year 45	Year 46	Year 47	TOTAL OF
	B16UC060503	B17UC060503	B18UC060503	B19UC060503	B20UC060503	B21UC060503	
(75-2015)	(2016-17)	(2017-18)	(2018-19)	(2019-20)	(2020-21)	(2021-22)	47 YEARS
$0	$0	$0	$0	$0	$0	$25,000	$0

MAINTENANCE AND OPERATION BUDGET/AGREEMENT: N/A

OTHER PERTINENT INFORMATION: City certifies all requests for reimbursement from CDH contain proof of payment, all supporting documentation for costs incurred and a Monthly Program Progress Report. *

ACCEPTANCE OF REQUEST TO INITIATE PROJECT/ACTIVITY

I hereby acknowledge the receipt of the Request to Initiate the above Project/Activity and agree to implement the activity described in Attachment B (Project/Activity Description) in accordance with the above Allocation and Balance of Funds Available subject to necessary approvals of the Board of Supervisors. The proposed budget for this project is as follows:

CONSULTANT SERVICES:	$0	SPACE RENT:	$0
CONTRACT SERVICES:	$25,000	RENT/LEASE OR PURCHASE OF	
PERSONNEL EXPENSES:	$0	EQUIPMENT:	$0
CONSUMABLE SUPPLIES:	$0	OTHER:	$0

TOTAL CITY CDBG ALLOCATION AVAILABLE: $25,000

IMPLEMENTING CITY: **CITY OF HIGHLAND** DATE: 8/18/21

SIGNATURE: Tammie Wallace TITLE: COMM. DEV. DIRECTOR

COUNTY OF SAN BERNARDINO

Gary Hallen, Director of Community Development and Housing/ DATE
Bryan Anderson, Supervising Community Development and Housing Analyst

BCA

ATTACHMENT B - PROJECT/ACTIVITY DESCRIPTION

PROJECT/CASE NUMBER : HIGH-21-1-02A/1219
DATE OF ORIGINAL ISSUE: 7/1/2021
CFDA No. : 14.218
ORIGINAL: X
REVISION No.:
TARGET AREA : City of Highland
DATE OF REVISION:
PROJECT/ACTIVITY TITLE: Highland- Senior Service Program - Highland District Council on Aging
ACTIVITY LOCATION: 3102 East Highland Ave. Patton Ca. 92369
TIME OF PERFORMANCE: July 1, 2021 through June 30, 2022

SUSPENSION AND DEBARMENT: By entering this Contract, the City of Highland certifies that the Highland District Council on Aging, including its principals, is not suspended or debarred from participating in federally funded contracts and sub-awards. The City may research the agency's status online at the System for Award Management (SAM) website https://sam.gov/content/home

ACTIVITY DESCRIPTION: The City of Highland will contract with Highland District Council on Aging to provide various services. Such program will include: recreational and educational activities. The program will be provided at 3102 East Highland Avenue, Patton CA. San Bernardino County Department of Community Development and Housing, herein after referred to as CDH, will reimburse the City of Highland in the amount not to exceed the "CDBG Allocation Released" on the Attachment A for the services necessary to implement this program. Federal, state, county and city rules and regulations will apply.

The Highland District Council on Aging shall sign a contract with the City of Highland addressing the scope of service and the terms and conditions. The contract shall remain in effect during the period that the services are provided for which CDBG funds will be requested for reimbursement. The contract with The Highland District Council on Aging shall comply with requirements listed in 24 CFR 570.503 including: Agreements with Subrecipients; Statement of Work; Records and Reports; Program Income; Uniform Administrative Requirements; Other Program Requirements; Conditions for Religious Organizations; Suspension and Termination; Reversion of Assets; and Exhibits 3(a) & 3(b) 1 of 2 and 2 of 2.

In addition, The Highland District Council on Aging shall comply with all applicable regulations listed in the City-County Delegate Agency Agreement, No. 14-414, Attachment C, Section IV. City shall maintain monthly program reports and records on the services provided. CDBG funds cannot be used for entertainment, gifts or fund-raising activities. Reimbursement expenditures must be appropriately documented. City shall comply with conflict of interest provisions and shall not exclude any person from funded programs on the grounds of race, sex, creed, color, religion or national origin.

CDBG funds cannot be used to replace other local or state monies to fund essential services typically offered by the City. The City shall certify the eligible use of CDBG funds on Certification of CDBG Funded New or Expanded Service, Exhibit 5. This program is available to low- and moderate-income persons and requires documentation that at least 51% of the persons served are from income qualifying households. In order to document that 51% of the persons served are from income qualifying households, a Beneficiary Qualification Statement, Exhibit 3(a), must be completed for each person that participates in the program. A Spanish version of the Beneficiary Qualification Statement, Exhibit 3(b), can be completed for Spanish speakers who prefer it, however, the County cannot guarantee the accuracy of the translation and CDH cannot be held responsible for any errors. The Beneficiary Qualification Statement will then be used to complete and submit the Monthly Program Progress/Direct Benefit Report, Exhibit 4, to CDH. The Monthly Program Progress/Direct Benefit Reports must be submitted to CDH for each month that CDBG reimbursement is requested. It is anticipated that a monthly average of approximately 29 persons will participate in the various programs. A "Unit of Service" is defined as each person attending an outreach and/or program activity, in a given month. The number of clients times the total number of program activities per month will reflect the total units of service which results in the measurable outcome. The measurable outcome will be recorded on Part I: Monthly Program Progress Report, Exhibit 4, and the number of unduplicated first-time clients (persons) who participated in the program during the fiscal year will be recorded on Part II: Direct Benefit Report, Exhibit 4.

The City of Highland understands that reimbursements received from the County for which no measurable outcome is achieved may subsequently be required to be repaid by the City (using non-federal funds) to County. Measurable outcomes are defined as providing benefits to low- to moderate-income individuals, families, organizations, and communities and are derived from the project or program. Examples The City of Highland will submit a final request for reimbursement for the program year no later than July 15, 2022. Note: After July 31, 2022, any balance remaining in this project will be reprogrammed.

IMPLEMENTING CITY: CITY OF HIGHLAND
DATE: 8/18/21

SIGNATURE: Jasmine Wang
TITLE: COMM. DEV. DIRECTOR

COUNTY OF SAN BERNARDINO

Gary Hallen, Director of Community Development and Housing/
Bryan Anderson, Supervising Community Development and Housing Analyst

DATE

COUNTY OF SAN BERNARDINO COMMUNITY DEVELOPMENT AND HOUSING

Project/ Activity Title:	PROJECT/CASE NUMBER :
Highland- Senior Service Program - Highland District Council on Aging	HIGH-21-1-02A/1219
Name/Address of Contract Agency:	**Date of Issue:**
Highland- Senior Service Program 3102 East Highland Avenue, Patton CA 92389	X Original: Beginning 7/1/2021 ____ Amendment No.:

PROJECT/ACTIVITY DESCRIPTION

SERVICES :

This program is available to low and moderate income persons and requires documentation that at least 51% of the persons receiving services are from income qualifying households, a Beneficiary Qualification Statement, Exhibit 3(a), must be completed for each person that participates in the program. A Spanish version of the Beneficiary Qualification Statement will then be used to complete and submit the Monthly Program Progress/direct Benefit Report, Exhibit 4, to the County Community Development and Housing Department. Then Monthly Program Progress/Direct Benefit Reports must be submitted to the County for each month that CDBG reimbursement is requested. It is anticipated that a monthly average of approximately 29 persons will benefit from this program. A Unit of Service is defined as each person attending or receiving a benefit, in a given month. The number of clients times the total number of services received per month will reflect that total units of service which results in the measurable outcome. The measurable outcome will be recorded on Part I: Monthly Program Progress Report, Exhibit 4, and the number of unduplicated first-time clients.

UNITS OF SERVICE:

The units of service must be reported on Part I: Monthly Program Report, Exhibit 4. A unit of service is defined as one (1) adult or youth from a low to moderate income household participating in one (1) program activity.

TIME OF PERFORMANCE: July 1, 2021 through June 30, 2022

PROGRAM PARTICIPANT PERFORMANCE STANDARDS:

CDBG Activity:CDBG Activity: Provide various programs to about 29 low to moderate income seniors. The scope of the project is presented in the attached Exhibits 1 through 4.

Measurable Outcome:CDBG funds will be used for provide senior programs to about 29 low to moderate income seniors.

In addition to units of service, Highland District Council on Aging will report unduplicated client counts on the Monthly Program Progress/Direct Benefit Report, Exhibit 4.

OPERATIONS:

Services will be provided at the 3102 East Highland Avenue, Patton CA 92369

COUNTY OF SAN BERNARDINO COMMUNITY DEVELOPMENT AND HOUSING

Project/ Activity Title:	PROJECT/CASE NUMBER :
Highland- Senior Service Program - Highland District Council on Aging	HIGH-21-1-02A/1219

Name/Address of Contract Agency:	Date of Issue:
Highland- Senior Service Program 3102 East Highland Avenue, Patton CA 92389	X Original: Beginning 7/1/2021 ____ Amendment No.:

BUDGET SUMMARY

A. Budget Items	Projected Expenses
Personnel	$17,000
Consultant/Contract Services (Auditing, Accounting or Payroll Services)	$0
Travel	$0
Space Rent	$8,000
Consumable Supplies	$0
Rental, Lease, or Purchase of Equipment	$0
Insurance	$0
Other (Utilities, Land-line Phones, Cellular Phones, Internet Service, Postal Services, Security Clearances, Approved Subsidies/Scholarships, Administrative and Indirect Costs)	$0
Total Budget:	$25,000

B. Sources of Funding	Amount of Revenue
1.	
2.	
3.	
4.	
5. *CDBG Share	$25,000
Total Sources of Funding:	$25,000

*Project Allocation: **$25,000** (Allocated dollars can only be expended in the categories listed under subsection A of Budget Summary above.)

Time of Performance: July 1, 2021 through June 30, 2022

Special Instructions or Restrictions:
For programs with multiple funding sources, administrative and indirect costs charged to this grant must be determined using the City's approved Cost Allocation Plan.

The current standard Internal Revenue Service mileage allowance will be used for reimbursement of authorized costs associated with vehicle operation under this contract.

City will submit a final request for reimbursement for the program year no later than July 15, 2022. After July 31, 2022, any balance remaining in this project will be reprogrammed.

COUNTY OF SAN BERNARDINO COMMUNITY DEVELOPMENT AND HOUSING

Project/ Activity Title:	PROJECT/CASE NUMBER :	
Highland- Senior Service Program - Highland District Council on Aging	HIGH-21-1-02A/1219	
Name/Address of Contract Agency:	Date of Issue:	
Highland- Senior Service Program 3102 East Highland Avenue, Patton CA 92389	X Original: Beginning ____ Amendment No.:	7/1/2021

BENEFICIARY QUALIFICATION STATEMENT

This form has the purpose of providing information needed to qualify the use of federal Community Development Block Grant (CDBG) funds for the project/activity described above. This statement must be completed and signed by the person (or legal guardian of the person) requesting to receive benefits from the described project/activity. **Only one statement per person, per fiscal year is required (Fiscal Year begins July 1 and ends June 30).**

Please answer each of the following questions.

1. This question helps you determine the size of your household. For this question a household is a group of related or unrelated persons occupying the same house with at least one member being the head of the household. Renters, roomers, or borders cannot be included as household members.

How many persons are in your household? _____

2. This question asks if you are from a low- and moderate-income household. For this question, a list of the EXTREMELY LOW-INCOME, VERY LOW-INCOME and LOW-INCOME categories* are presented below. Please add up the combined gross annual income of all persons in your household from all sources of income. **In the blanks provided, write (yes) or (no) if your combined gross annual income is equal to or less than the, EXTREMELY LOW-INCOME, VERY LOW-INCOME, or LOW-INCOME amount for the number of persons in your household.**

	YES/NO
EXTREMELY LOW-INCOME	_____
VERY LOW-INCOME	_____
LOW-INCOME	_____

	Number of Persons in Your Household							
	1	2	3	4	5	6	7	8
EXTREMELY LOW-INCOME LIMIT ($)	16,600	19,000	21,960	26,500	31,040	35,580	40,120	44,660
VERY LOW-INCOME LIMIT ($)	27,650	31,600	35,550	39,500	42,700	45,850	49,000	52,150
LOW-INCOME LIMIT ($)	44,250	50,600	56,900	63,200	68,300	73,350	78,400	83,450

*FY 2021 Income Limits Summary, released 4/1/2021.
Source: https://www.huduser.gov/portal/datasets/il/il2021/2021summary.odn

COUNTY OF SAN BERNARDINO COMMUNITY DEVELOPMENT AND HOUSING

Project/ Activity Title:	PROJECT/CASE NUMBER :
Highland- Senior Service Program - Highland District Council on Aging	HIGH-21-1-02A/1219
Name/Address of Contract Agency:	**Date of Issue:**
Highland- Senior Service Program 3102 East Highland Avenue, Patton CA 92389	X Original: Beginning 7/1/2021 ____ Amendment No.:

3. Please indicate how you identify yourself by checking only one of the following choices:

	Hispanic	Non-Hispanic
White	☐	☐
Black/African American	☐	☐
American Indian/Alaskan Native	☐	☐
Asian	☐	☐
Native Hawaiian/Other Pacific Islander	☐	☐
American Indian/Alaskan Native & White	☐	☐
Asian & White	☐	☐
Black/African American & White	☐	☐
American Indian/Alaskan Native & Black/African American	☐	☐
Balance/Other	☐	☐

4. Please check whether you belong to a Female Headed Household: ☐ YES ☐ NO

5. Please describe the condition that would qualify you as being considered in one of the following presumed low- and moderate-income categories: abused child, battered spouse, elderly person, homeless person, disabled adult, illiterate person, or migrant farm worker:
(Description) _____

ACKNOWLEDGMENT AND DISCLAIMER

I CERTIFY UNDER PENALTY OF PERJURY THAT INCOME AND HOUSEHOLD STATEMENTS MADE ON THIS FORM ARE TRUE.

NAME : _____ DATE : _____

ADDRESS : _____ CITY : _____ ZIP : _____

SIGNATURE : _____ PHONE : _____

The information you provide on this form is for Community Development Block Grant (CDBG) program purposes only and will be kept confidential.

COUNTY OF SAN BERNARDINO COMMUNITY DEVELOPMENT AND HOUSING

Project/ Activity Title:	PROJECT/CASE NUMBER :
Highland- Senior Service Program - Highland District Council on Aging	HIGH-21-1-02A/1219
Name/Address of Contract Agency:	**Date of Issue:**
Highland- Senior Service Program 3102 East Highland Avenue, Patton CA 92389	X Original: Beginning 7/1/2021 ___ Amendment No.:

ARACIÓN DE LA CALIFICACIÓN DEL BENEFICIARIO

Esta forma tiene el propósito de proporcionar la información necesaria para calificar el uso de los fondos federales del bloque del desarrollo de la comunidad (CDBG) para el proyecto/actividad descrito arriba. Esta declaración se debe llenar y firmar por la persona (o la tutela legal de la persona) que solicita para recibir beneficios del proyecto/actividad descrito. Solamente una declaración por persona, por año se requiere.

Conteste por favor a cada una de las preguntas siguientes.

1. Esta pregunta le ayuda a determinar el tamaño de su casa. En esta pregunta un hogar es un grupo de personas relacionadas o sin relación que ocupan la misma casa por lo menos con un miembro que es la cabeza de la casa. Los inquilinos no se pueden incluir como miembros de la casa.

¿Cuántas personas viven en su casa? _____

2. Esta pregunta explica si usted es de un hogar de ingresos bajos y moderados. Para esta pregunta, la lista de categorías de INGRESOS-ESTREMADO BAJOS, INGRESO-BAJOS *se presenta abajo. Sume por favor para arriba los ingresos brutos anuales combinados de todas las personas en su hogar y de todas las fuentes de los ingresos. En el espacio en blanco, escriba (sí) o (no) si su ingreso anual grueso combinado es igual o menos que la cantidad de INGRESOS-ESTREMADO BAJOS, INGRESOS-MUY BAJOS, INGRESO-BAJOS para el número de personas en su casa.

	Sí/No
INGRESOS-ESTREMADO BAJOS	_____
INGRESOS-MUY BAJOS	_____
INGRESO-BAJOS	_____

	Numero de Personas en su Hogar							
	1	2	3	4	5	6	7	8
INGRESOS-ESTREMADO BAJOS ($)	16,600	19,000	21,960	26,500	31,040	35,580	40,120	44,660
INGRESOS-MUY BAJOS ($)	27,650	31,600	35,550	39,500	42,700	45,850	49,000	52,150
INGRESO-BAJOS ($)	44,250	50,600	56,900	63,200	68,300	73,350	78,400	83,450

* Tomado de FY 2021 Resumen Limites de Ingresos: https://www.huduser.gov/portal/datasets/il/il2021/2021summary.odn

COUNTY OF SAN BERNARDINO COMMUNITY DEVELOPMENT AND HOUSING

Project/ Activity Title:	PROJECT/CASE NUMBER :
Highland- Senior Service Program - Highland District Council on Aging	HIGH-21-1-02A/1219
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Highland- Senior Service Program 3102 East Highland Avenue, Patton CA 92389	X Original: Beginning 7/1/2021 ___ Amendment No.:

3. Indique por favor cómo se identifica usted, marcando solamente una de las opciones siguientes:

	Hispano	No-Hispano
Blanco	☐	☐
Negro/Afro Americano	☐	☐
Indio Americano/Nativo de Alaska	☐	☐
Asiático	☐	☐
Nativo Hawaiano/Otra Isla del Pacífico	☐	☐
Indio Americano/Nativo de Alaska & Blanco	☐	☐
Asiático & Blanco	☐	☐
Negro/Afro Americano & Blanco	☐	☐
Indio Americano/Nativo de Alaska & Negro/Afro Americano	☐	☐
Balance/Otro	☐	☐

4. Marque por favor si usted pertenece a un hogar encabezado femenino: ☐ Sí ☐ No

5. Por favor describa la condición de que se calificaría como siendo considerado en una de las siguientes categorías de ingresos bajos y moderados presunta: niño abusado, maltratado cónyuge, persona de edad avanzada, personas sin hogar, adultos discapacitados, personas analfabetas, o trabajador agrícola (Description) _____

RECONOCIMIENTO Y NEGACIÓN

CERTIFICO BAJO PENA DE PERJURIO QUE LAS DECLARACIONES HECHAS EN ESTA FORMA, ACERCA DE LOS INGRESOS Y DE LAS CUENTAS DE LA CASA SON VERDADERAS.

NOMBRE: _____ FECHA _____

DOMICILIO: _____ CIUDAD : _____ CODIGO : _____

FIRMA : _____ TELEFONO : _____

La información que usted proporciona en esta forma es para los propósitos del programa de fondos del bloque del desarrollo de la comunidad (CDBG) solamente y será mantenida confidencial.

COUNTY OF SAN BERNARDINO COMMUNITY DEVELOPMENT AND HOUSING

Project/ Activity Title:	PROJECT/CASE NUMBER :
Highland- Senior Service Program - Highland District Council on Aging	HIGH-21-1-02A/1219
Name/Address of Contract Agency:	**Date of Issue:**
Highland- Senior Service Program 3102 East Highland Avenue, Patton CA 92389	X Original: Beginning 7/1/2021 ___ Amendment No.:

MONTHLY PROGRAM PROGRESS AND DIRECT BENEFIT REPORT For the Month of , 20

PART I: MONTHLY PROGRAM PROGRESS REPORT

A. Units of Service Provided and Description

In the space provided under each type of service listed below, summarize what your program has accomplished during this month. Include location, number of persons served, services/benefits provided, and a description of the clients served. Also report the number of "Units of Service" provided, as defined in the Project/Activity Description (Exhibit 1 of the agreement). Attach additional pages if needed.

Type of Service:	Anticipated Units of Service			
1. Various program	Goal/Mo.:	29	Actual/Mo.:	
2.	Goal/Mo.:		Actual/Mo.:	

B. Monthly Beneficiary Count (may include individual persons or households previously counted during this grant/program year) Total number of beneficiaries (clients/participants) served this month (**choose 1 category only**):

Number of Persons _____ **OR** Number of Households _____

PART II: DIRECT BENEFIT REPORT

Direct Benefit Statistics (Unduplicated first-time client counts since start of contract; taken from Beneficiary Qualification Statement forms)

Enter the number of first-time program beneficiaries directly assisted this month **(check 1 box)**

Count only as: ☐ **Individual Persons** **or** ☐ **Households**

Extremely Low-Income: _____ + Very Low-Income: _____ + Low-Income: _____ **= All Beneficiaries:** ☐

Racial Identity Categories	Hispanic (a)	Non-Hispanic (b)		Hispanic (c)	Non-Hispanic (d)
White	___	___	American Indian/Alaskan Native & White	___	___
Black/African American	___	___	Asian & White	___	___
American Indian/Alaskan Native	___	___	Black/African American & White	___	___
Asian	___	___	Amer. Indian/Alaskan Native & African Amer.	___	___
Native Hawaiian/Other Pacific Islander	___	___	Balance/Other	___	___

Total of Racial Identity Categories: Add columns (a)+(b)+(c)+(d) from above. Match to "All Beneficiaries" total above: ☐

Female Headed Households : _____

Signed : _____ Title : _____ Date : _____

Printed Name: _____ Telephone No./Ext. _____

Exhibit 4 Page 1 of 1

COUNTY OF SAN BERNARDINO COMMUNITY DEVELOPMENT AND HOUSING

Project/ Activity Title:	PROJECT/CASE NUMBER :
Highland- Senior Service Program - Highland District Council on Aging	HIGH-21-1-02A/1219
Name/Address of Contract Agency:	**Date of Issue:**
Highland- Senior Service Program 3102 East Highland Avenue, Patton CA 9238	X Original: Beginning 7/1/2021 ____ Amendment No.:

CERTIFICATION OF CDBG FUNDED NEW OR EXPANDED SERVICE

The City of Highland certifies that the public service project described in these Attachments A & B and associated Exhibits is either:

☐ **A New Public Service**
A new public service is defined as a new service to your community which has not been previously funded through city funds.

OR

☒ **An Expanded Service**
An expanded public service is defined as a quantifiable increase in the level of an existing service which has been provided by the grantee or another entity on its behalf through State or local government funds in the 12 months preceding the CDBG contract year.

Describe the expansion of the public service:

☒ This expanded public service will result in an increase of 3% above the level which has been previously provided by or on behalf of the City of Highland

OR

☐ This expanded public service will increase the scope of the service by adding (describe added or expanded activities) to a public service which has been previously provided by or on behalf of the City of...

The City of Highland... certifies that the implementing organization:

☒ Is a unit of local government (incorporated city, township, County department or district, community services district, school district, etc.), or a private non-profit entity incorporated in the State of California with "active" status; and,

☒ Is conferred tax-exempt status by the Internal Revenue Service, pursuant to Section 501(c)(3) of the Internal Revenue Code; and,

☒ Is **not** suspended or debarred from participating in federally funded contracts and sub awards.

☒ Is registered in the System for Awards management (SAM).

SIGNATURE: Lawrence Mainez DATE: 8/18/21

NAME: LAWRENCE MAINEZ TITLE: COMM. DEV. DIRECTOR

Exhibit 5 Page 1 of 1

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

REVIEWED BY: Lawrence A. Mainez, Community Development Director
Maricela Marroquin, City Attorney

PREPARED BY: Kim Stater, Assistant Community Development Director

SUBJECT: Status Report in Conformance with Government Code Section 65858(d) for Interim Ordinance No. 449, on Measures Taken to Alleviate the Conditions that Led to the Adoption of a Moratorium on the Approval of Land Use Entitlements for New Fueling Service Stations and the Expansion of the Number of Fueling Pumps at Existing Stations.

RECOMMENDATION: That the City Council Issue this Status Report for Interim Ordinance No. 449 related to the moratorium on the Approval of Land Use Entitlements for New Fueling Service Stations and the Expansion of Existing Stations.

FISCAL IMPACT: There is no fiscal impact related to this action other than staff and attorney time to prepare the staff report and interim ordinance, and staff time to study the matter.

PUBLIC NOTICE: The agenda was posted at the City's three (3) designated posting locations as required by Resolution and on the City's Website.

ENVIRONMENTAL REVIEW: When adopting the Interim Ordinance on August 24, 2021, the Council made findings that there was no possibility that its adoption would have significant effect on the environment, because the ordinance established a temporary moratorium on approvals of applications for service station uses in order to protect the public health, safety and general welfare, and will thereby serve to avoid potentially significant impacts during the term of the moratorium. The ordinance was not subject to the California

Approved _____	Motion _____	Second _____	Agenda Item No. 9
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

City Clerk

City Manager

Environmental Quality Act review pursuant to Title 14, Chapter 3, Section 15063(b)(3) of the Code of Regulations. The current proposed action is to receive and file a status report. No additional CEQA review is necessary.

BACKGROUND: On August 10, 2021, the Council directed staff to prepare an Interim Urgency Ordinance for the Council's consideration to halt the approval of additional land use permits for new fueling service stations in order to consider short and long-term impacts to the City's commercial and residential land use composition, and economic development goals to preserve the City's health, safety and general welfare. On August 24, 2021, the City Council adopted Interim Ordinance No. 449 establishing the moratorium (Attachment 1 – Interim Ordinance). The Council directed staff to allow entitlement processing for service station projects which had undergone the "Pre-Application" process in addition to those which had already formally filed a Conditional Use Permit or Design Review Application.

Government Code Section 65858 allows the City to adopt an interim zoning ordinance on an urgency basis in order to "protect the public safety, health, and welfare." An interim zoning ordinance prohibits a use or uses that may be in conflict with the general plan or zoning code pending additional study by staff and preparation of a permanent ordinance. Interim ordinances are effective for 45 days, at which time they may be renewed by the City Council pursuant to Government Code Section 65858(a).

The interim ordinance and moratorium are intended to allow an opportunity to study the impacts related to fueling service station establishment and expansion and prepare a permanent ordinance, which must be noticed and approved by the Planning Commission and City Council at public hearings.

STATUS REPORT:

Actions Taken Since Adoption of Ordinance No. 449 on August 24, 2021

In accordance with Government Code Section 65858(d), the City Council is required to publish a report describing the measures taken to alleviate the condition which led to the adopt of the ordinance at least ten (10) days prior to the expiration of that interim ordinance or any proposed extension. The 10-day report does not modify or extend the City's existing moratorium. Rather, issuance of the 10-day report satisfies a statutory step in the process to permit the City Council to consider that potential extension at its next meeting on September 28, 2020.

The following actions have been taken to date.

1. Service Station Review Ad Hoc Committee Meeting. On August 24, 2021, the City Council appointed two members to the Ad Hoc Committee. On August 30, 2021, the Committee met to discuss impacts related to service stations; the number of existing stations, proposed new stations, expansions, clustering of locations, public safety, design standards and future fuel technology. The Committee directed staff to continue work and analysis on the issue and present findings to the Committee prior to presenting the Final Draft Ordinance to the Planning Commission.

2. GIS Mapping. Planning staff updated a map of all existing and proposed stations to determine the extent of overconcentration/clustering along certain street segments, intersections and important gateways of the City. This map provides an analysis of the physical placement and resulting visual impacts related to the proliferation of stations. The City intends to maintain a healthy mix of uses along its commercial corridors inclusive of a variety of retail, dining, entertainment and services. The map is attached (Attachment 2 – Service Station Inventory Map). Special care will be given to analyze uses along the Base Line corridor, Greenspot/5th Street corridor, and in the General Plan Community Policy Areas of the Town Center, Base Line, 5th Street, and the Golden Triangle Policy Area.

3. Analysis of Impacts. Staff continues to gather data that will help determine short and long-term impacts related to service stations and necessary responses to preserve the health, safety, and welfare of the community. Service stations are often regarded as having a high number of calls for police services. The Highland Sheriff's Office is working to collect the call data for each station in the City including the number and type of calls. Service stations are also considered susceptible for the release of hazardous materials and contaminant exposure to vulnerable populations. Staff continues to engage with the appropriate state and local agencies that keep the data regarding these hazards and will provide that information at the September 24th meeting. Staff began analysis of the City's existing development standards as currently established in the Municipal Code. A thorough review of these standards and consideration of more modern and objective standards is being made. This review will analyze the need for non-petroleum based fueling options at all new stations (i.e. electric vehicle charging stations).

Next Steps

An interim ordinance is only effective for 45 days. After the initial 45-day period, the interim ordinance may be extended after notice and a public hearing, for an additional 10 months and 15 days [GC 65858(a)]. Staff anticipates returning to the City Council on September 28, 2021, to request an extension of the interim ordinance.

Attachments:
1. Interim Ordinance No. 449
2. Service Station Inventory Map

ATTACHMENT 1

Interim Ordinance No. 449

URGENCY ORDINANCE NO. 449

AN INTERIM URGENCY ORDINANCE OF THE CITY OF HIGHLAND, CALIFORNIA, ESTABLISHING A MORATORIUM ON THE APPROVAL OF APPLICATIONS FOR LAND USE ENTITLEMENTS FOR NEW SERVICE STATION USES OR THE EXPANSION IN THE NUMBER OF PUMPS OF EXISTING SERVICE STATION USES IN THE CITY OF HIGHLAND

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

Section 1. Purpose, Findings, and Intent.

A. Service stations are currently permitted within the City's Commercial and Employment Districts subject to approval of a land use entitlement permit and conformance with development standards established in Highland Municipal Code Section 16.44.200 (Service stations).

B. There are currently thirteen (13) service stations in Highland and an additional two (2) stations with approved Conditional Use Permits which have not yet applied for building permits.

C. A disproportionate amount of the City's existing and entitled service stations are concentrated along two corridors, Base Line and Greenspot Road/5th Street. Five stations are located along the Base Line corridor. Five (5) existing stations, and one (1) entitled station are located along Greenspot Road/5th Street corridor.

D. On January 13, 2021, the City also received a Design Review Application to expand an existing station on Base Line with the addition of a car wash at the southwest corner of Base Line and the 210 Freeway. This project is scheduled for Public Hearing by the Planning Commission on September 21, 2021.

E. The City received a Pre-Application for a service station at the northeast corner of 5th Street and Palm Avenue to include gasoline, high-speed diesel fueling, electric vehicle charging stations, a quick service restaurant, convenience market, and car wash. Staff provided comments on the preliminary plan, a formal entitlement application has not yet been received.

F. The existing location and concentration of service stations in the City mean that drivers need only drive several minutes in order to reach most existing service stations in the City. Applications for additional service stations continue to be submitted to the City despite the already high concentration of service stations in the City and declining demand.

G. Vehicle technology is rapidly evolving such that reliance on gas is steadily declining. On September 23, 2020, Governor Newsom issued Execute Order N-79-20 to require that, by 2035, all new cars and passenger trucks sold in California be zero-emission vehicles. The order also directs the state to take more actions to address oil extraction and move the state further away from its reliance on climate change-causing fossil fuels. Additional measures will be taken to eliminate harmful emissions from the transportation sector.

H. The declining demand for gasoline may increase competition amongst existing service stations such that closures may occur over time. Due to their propensity to become brownfield sites, service stations require remediation for potential ground contamination prior to redevelopment. Closed sites may be abandoned and left unused for long periods of time and the removal of contaminants may present health risks for neighboring communities and sensitive receptors. This could result in blight and dangerous conditions throughout the City, threatening public health, safety and welfare. The City wishes to assess the appropriate concentration and locations of service stations given declining demand.

I. The City Council finds and determines that there is an immediate threat to the public health, safety, or welfare, and that new and expanded service station uses within the City, under the City's current regulations, constitutes a threat to the public health, safety or welfare. As described in this Section 1, the staff report accompanying this Interim Urgency Ordinance, and other evidence in the record, such continued service station development in the City could threaten the health, safety and welfare of the community through negative impacts that include, but are not limited to, police service, contaminant exposure, and police protection services. To preserve the public health, safety, and welfare, the City Council finds that it is necessary that this Interim Urgency be adopted to prevent such harm.

J. The City Council finds that time provided by the moratorium will allow for a comprehensive analysis on how to manage and reduce the impact of additional service stations in the City. The City will be able to analyze their potential impacts on the public health such as the potential for contaminant exposure near sensitive receptors, impacts on public safety related to the provision of public safety to service stations, impacts on the public welfare due to the disproportionate concentration of service stations in certain residential areas of the City and potential for blight in connection with the declining demand for gas. These studies will help the Council and City's Planning Division determine how best to prevent impacts to public health, safety and welfare, and evaluate the General Plan, Development Code, and Zoning map and develop appropriate regulations and/or appropriate zones to achieve positive outcomes for the City's residents, business community, property owners and developers.

K. All legal prerequisites to the adoption of this Ordinance have occurred.

Section 2. Moratorium Enacted. In accordance with Government Code Section 65858(a), and pursuant to the findings stated herein, the City Council hereby: (1) declares that the findings and determinations in Section 1 are true and correct; (2) finds that there exists a current and immediate threat to the public health, safety, and welfare requiring this interim urgency ordinance; (3) finds that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety as set forth herein; and (4) declares and imposes a temporary moratorium with interim regulations for the immediate preservation of the public health, safety, and welfare as set forth below:

A. This Ordinance shall expire, and its standards and requirements shall terminate, 45 days after the date of adoption of this Ordinance, unless extended by the City Council at a regularly noticed public hearing, pursuant to Government Code Section 65858.

B. Notwithstanding any other ordinance or provision of the Highland Municipal Code or any Specific Plan, after August 24, 2021, no preliminary application shall be accepted for processing or approving a new service station, or for expanding additional fueling pumps at existing service stations.

C. Nothing contained in this Interim Urgency Ordinance shall preclude the improvement, renovation, or demolition of an existing service station, provided that such development otherwise conforms to applicable law and does not result in an increase to the number of gas pumping facilities.

D. For the purposes of this Interim Urgency Ordinance, the term "service station" shall be limited to a retail business selling gasoline or other motor vehicle fuels derived from fossil fuels.

Section 3. Special Conditional Use Permit.

A. Notwithstanding any other provision of this Interim Urgency Ordinance, the City may accept, process and approve applications for special conditional use permits for development or use of property otherwise subject to this Interim Ordinance, if the City Council finds, after receipt of a recommendation from the Planning Commission, that an owner of property subject to the moratorium imposed by this Interim Urgency Ordinance will be deprived of all economically viable use of his or her land unless the property owner is allowed to develop or use the property for a service station, or that the law of California or of the United States otherwise requires the City to approve an application for a permit or an entitlement for the development or use. The special conditional use permit provided by the Section shall be an available entitlement process and permit for a property owner affected by the moratorium whether or not a conditional use permit would otherwise be required by the Highland Municipal Code. A special conditional use permit submitted pursuant to this Section shall be processed in accordance with the Highland Municipal Code, except that the City Council shall serve as the final decision-making body, which shall make the additional findings required by this Section prior to approving the special conditional use permit.

Section 4. CEQA. The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption of this Interim Urgency Ordinance may have a significant effect on the environment, because the Interim Urgency Ordinance will establish a temporary moratorium on approvals of applications for service station uses in the City in order to protect the public health, safety and general welfare, and will thereby serve to avoid potentially significant adverse environmental impacts during the term of the moratorium. It is therefore not subject to the California Environmental Quality Act review pursuant to Title 14, Chapter 3, Section 15061(b)(3) of the California Code of Regulations.

Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 6. Savings Clause Neither the adoption of this Ordinance nor the repeal or amendment by this Ordinance of any ordinance or part or portion of any ordinance previously in effect in the City, or within the territory comprising the City, shall in any manner affect the prosecution for the violation of any ordinance, which violation was committed prior to the effective date of this Ordinance, nor be construed as a waiver of any license, fee or penalty or the penal provisions applicable to any violation of such ordinances.

PASSED, APPROVED AND ADOPTED this 24th day of August, 2021.

Penny Lilburn
Mayor

ATTEST:

Betty Hughes, MMC
City Clerk

Maricela Marroquin
City Attorney

STATE OF CALIFORNIA)

COUNTY OF SAN BERNARDINO)

CITY OF HIGHLAND)

I, BETTY HUGHES, MMC, City Clerk of the City of Highland, California, do hereby certify that Urgency Ordinance No. 449 had its first reading on August 24, 2021, and was duly and regularly adopted as an Urgency Ordinance by the City Council of the City of Highland at a regular meeting of said Council thereof, held on the 24th day of August, 2021, by the following vote:

AYES: Chavez, Lilburn, McCallon, Solano, Timmer

NOES: None

ABSTAIN: None

ABSENT: None

Betty Hughes

BETTY HUGHES, MMC
CITY CLERK

STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO } SS
CITY OF HIGHLAND }

I, Betty Hughes, MMC, City Clerk of the City of Highland, California, do hereby certify that the foregoing Ordinance is an original copy of Urgency Ordinance Number 449 on file in the office of the City Clerk, introduced at a meeting held on the 24th day of August, 2021, and passed, approved and adopted by the City Council of the City of Highland at a regular meeting held on the 24th day of August, 2021:

AYES:	Chavez, Lilburn, McCallon, Solano, Timmer
NOES:	None
ABSENT:	None
ABSTAIN:	None

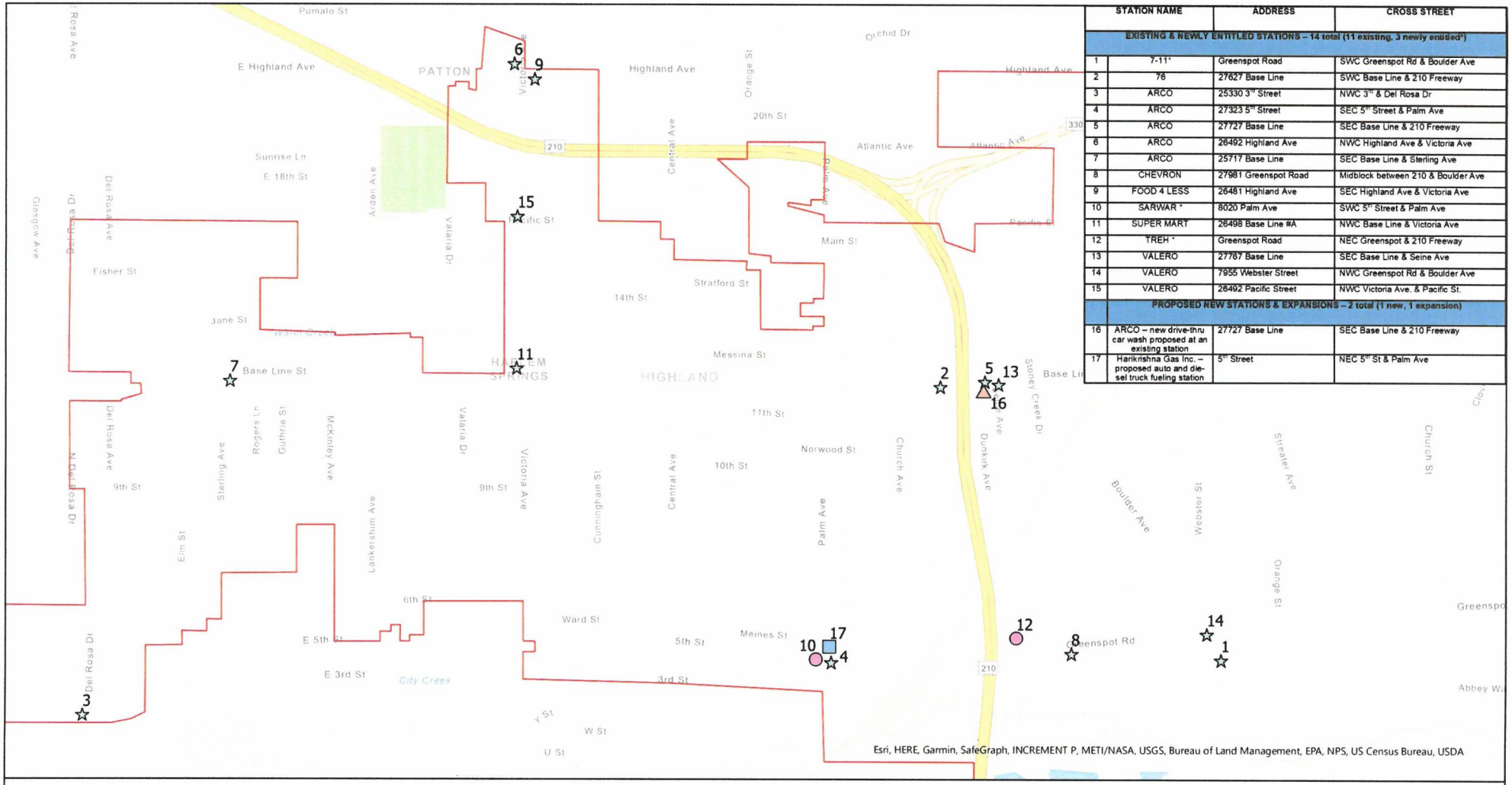
and do hereby further certify that Urgency Ordinance Number 449 has been published.

Betty Hughes, MMC
City Clerk

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ATTACHMENT 2

Service Station Inventory Map



	STATION NAME	ADDRESS	CROSS STREET
	EXISTING & NEWLY ENTITLED STATIONS – 14 total (11 existing, 3 newly entitled*)		
1	7-11*	Greenspot Road	SWC Greenspot Rd & Boulder Ave
2	76	27627 Base Line	SWC Base Line & 210 Freeway
3	ARCO	25330 3rd Street	NWC 3rd & Del Rosa Dr
4	ARCO	27323 5th Street	SEC 5th Street & Palm Ave
5	ARCO	27727 Base Line	SEC Base Line & 210 Freeway
6	ARCO	26492 Highland Ave	NWC Highland Ave & Victoria Ave
7	ARCO	25717 Base Line	SEC Base Line & Sterling Ave
8	CHEVRON	27981 Greenspot Road	Midblock between 210 & Boulder Ave
9	FOOD 4 LESS	26481 Highland Ave	SEC Highland Ave & Victoria Ave
10	SARWAR *	8020 Palm Ave	SWC 5th Street & Palm Ave
11	SUPER MART	26498 Base Line #A	NWC Base Line & Victoria Ave
12	TREH *	Greenspot Road	NEC Greenspot & 210 Freeway
13	VALERO	27767 Base Line	SEC Base Line & Seine Ave
14	VALERO	7955 Webster Street	NWC Greenspot Rd & Boulder Ave
15	VALERO	26492 Pacific Street	NWC Victoria Ave. & Pacific St.
	PROPOSED NEW STATIONS & EXPANSIONS – 2 total (1 new, 1 expansion)		
16	ARCO – new drive-thru car wash proposed at an existing station	27727 Base Line	SEC Base Line & 210 Freeway
17	Harikrishna Gas Inc. – proposed auto and diesel truck fueling station	5th Street	NEC 5th St & Palm Ave

☆ Existing Station
○ Newly Entitled
△ Pending Application
□ Proposed
highland_boundary

Service Stations

N

Date Saved: 8/17/2021 11:56 AM

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph Hughes, City Manager

REVIEWED BY: Carlos Zamano, Public Works Director/City Engineer CZ

PREPARED BY: David Kinzle, Consultant Project Manager

SUBJECT: Measure I Capital Project Needs Analysis (2022/23 - 2026/27)

RECOMMENDATION: Approve the Five-Year Capital Project Needs Analysis (2022/23- 2026/27) for the Measure I Major Street and Freeway Interchange Programs

FISCAL IMPACT: The Capital Project Needs Analysis is a planning guide for the City's projected use of Measure I funds in the Major Street and Freeway Interchange Programs. Since Measure I Funds are restricted to roadway/traffic/transit type improvements, approval of the Analysis will not affect other City services.

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

BACKGROUND: The Measure I Strategy Plan requires each local jurisdiction to annually adopt a five-year Capital Project Needs Analysis (CPNA) to include arterial street projects and interchange projects that can be realistically funded with Measure I Arterial Sub-Program Funds or Valley Freeway Interchange Program Funds.

Each year, SBCTA allocates 6.777% of Measure I Arterial revenues to the City of Highland. SBCTA keeps the City's allocated Arterial funds until claimed by the City to pay for SBCTA's share of an arterial project that is listed in the SBCTA Nexus Study.

The City's allocated Arterial funds can also be used on a temporary basis as an internal loan to pay for the City's share of an interchange project. Under this arrangement, the City needs to eventually pay back the loan with Development Impact Fees so as to free up the allocated Arterial funds to pay for SBCTA's share of future City arterial projects.

Approved _____	Motion _____	Second _____	Agenda Item No. 10
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

B Hughes
City Clerk

City Manager

In the past 11 years (FY2010/11 thru FY2021/22), SBCTA allocated $13,089,395 Measure I Arterial funds to the City of Highland. Based on SBCTA estimates, an additional $8,737,871 will be allocated to the City in the next 5 years (FY2022/23 thru FY2026/27). Therefore, the total amount of Measure I Arterial funds that are available for programing in the City's CPNA is anticipated to be $21,342,982.

The proposed CPNA for FY 2022/23 - 2026/27 includes two freeway interchange projects:

1. SR-210/Base Line Interchange Project
2. SR-210/5th Street Interchange Project

The Base Line Interchange Project consists of the widening of Base Line between Buckeye Street and Seine Avenue including the freeway bridge, and widening of the westbound on and off-ramps, and the eastbound on-ramp. It is currently under construction. Since SBCTA is the lead agency on this project, it does not need to be included in the CPNA submittal by the City in accordance with the Valley Freeway Interchange Program.

The 5th Street Interchange Project is in the preliminary planning stage. It consists of widening of 5th Street/Greenspot Road between the City Creek Bridge and the westbound ramps and widening of all on and off-ramps. This project is not fully funded. The total estimated project is $15,827,000 with a funding breakdown as follows:

SBCTA	$5,590,000	(SBCTA Valley Freeway Interchange Program)
IVDA Agreement	2,529,000	
2007 RDA Bond Proceeds	750,000	
Caltrans	1,250,000	(Cooperative Agreement)
DIF Loan	3,805,330	(Future allocations of Measure I Arterial Program funds)
Shortfall	1,902,670	(Seek future grant opportunities)
	$15,827,000	

It should be noted that the estimated fair share costs from the cities of San Bernardino and Redlands are $121,000 and $450,000. City staff will seek separate cooperative agreements with these funding agency partners to help reduce the project shortfall. Thanks to Senator Alex Padilla this project is being considered among the list of Community Funding Projects to receive $3 million in FY 2022/2023 if approved by the Senate Transportation-HUD Appropriations Subcommittee. City staff will continue to go after future grant opportunities to eliminate need for another DIF Loan from SBCTA.

Attachments: 2022-2027 CPNA Resolution
2022-2027 Capital Project Needs Analysis SR-210 & 5th Street
2022-2027 CPNA Allocations
2022-2027 CPNA Arterial Revenue Estimate

M:\SBCTA (formerly SANBAG)\2022-2027 MSR I CPNA\8-27-21\2022-2027 CPNA staff report.doc

RESOLUTION NO. 2021-___

RESOLUTION OF THE COUNCIL OF THE CITY HIGHLAND, STATE OF CALIFORNIA, ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2022/2023 THROUGH 2026/2027.

WHEREAS, San Bernardino County voters approved passage of Measure I in November 2004, authorizing the San Bernardino County Transportation Authority to impose a one-half of one percent retail transactions and use tax applicable in the incorporated and unincorporated territory of the County of San Bernardino; and

WHEREAS, revenue from the tax can only be used for transportation improvement and traffic management programs authorized in the Expenditure Plan set forth in Ordinance No. 04-01 of the Authority; and

WHEREAS, the Strategic Plan requires each local jurisdiction applying for revenue from certain Measure I Programs to annually adopt and update a Five-Year Capital Project Needs Analysis; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Highland, State of California, that the Measure I Five-Year Capital Project Needs Analysis for Fiscal Years 2022/2023 through 2026/2027, attached to this resolution, is hereby adopted.

PASSED AND ADOPTED at a meeting of the Council of the City of Highland held on September 14, 2021.

_____
PENNY LILBURN, Mayor

ATTEST:

_____
Betty Hughes, MMC, City Clerk

Capital Project Needs Analysis

Agency: Highland
Program: Valley Freeway Interchange Program
Project Name: SR-210 & 5th Ave
Agency Project Name: SR-210/5th Street Interchange
Agency reported Total Project Cost: $15,827,000
Escalation Factor:%

Actual Prior Year Dollars and escalated costs in subsequent years (not in 1,000s)

Public Share: 55.90% | Dev. Share: 44.10%

		Funding	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	Future	Total
Nexus Total Project Cost (All phases): **3,300,000**	**PA&ED**	MI VFI	0	129,408	129,409	0	0	0	0	258,817
		DEV FEE	56,000	34,031	34,030	0	0	0	0	124,061
		DEV LOAN	0	68,061	68,061	0	0	0	0	136,122
		Total	56,000	231,500	231,500	0	0	0	0	**519,000**
Total Presented Funding: **15,827,000**	**PS&E**	MI VFI	0	0	143,633	746,824	0	0	0	890,457
		DEV FEE	0	0	37,809	196,392	0	0	0	234,201
		DEV LOAN	0	0	75,558	392,784	0	0	0	468,342
		Total	0	0	257,000	1,336,000	0	0	0	**1,593,000**
Total Measure I Request: **5,590,000**	**ROW**	MI VFI	0	0	0	55,900	0	0	0	55,900
		DEV FEE	0	0	0	14,700	0	0	0	14,700
		DEV LOAN	0	0	0	29,400	0	0	0	29,400
		Total	0	0	0	100,000	0	0	0	**100,000**
	CONST	MI VFI	0	0	0	0	2,192,413	2,192,413	0	4,384,826
		DEV FEE	0	0	0	0	1,078,019	1,078,019	0	2,156,038
		Other	0	0	0	0	0	1,250,000	0	1,250,000
		DEV LOAN	0	0	0	0	2,912,068	2,912,068	0	5,824,136
		Total	0	0	0	0	6,182,500	7,432,500	0	**13,615,000**
	Total		**56,000**	**231,500**	**488,500**	**1,436,000**	**6,182,500**	**7,432,500**	**0**	**15,827,000**

*Prior should identify any expenses incurred in prior years that have not yet been reimbursed by SBCTA including FY 20/21 expenses.

Project Comments: Project Comments

Last Update: 8/27/2021 3:31:54 PM

Reference: Measure I Policy 40006

Measure I Valley Major Street/Arterial Sub-Program
Summary of Allocations, Balances & Special Arrangements

Jurisdiction	SHARES	ALLOCATIONS	BALANCES		SPECIAL ARRANGEMENTS	
	Current Equitable Share*	FY10/11 thru FY21/22	Reimbursements FY10/11 thru 5/31/21	Allocation Balance	Approved Advances @ 5/31/21	Term Loan Collateral @ 5/31/21
Chino	7.591%	$13,725,132	$298,946	$13,426,186		
Chino Hills	2.194%	$3,043,718	$0	$3,043,718		
Colton	2.534%	$4,912,861	$377,632	$4,535,229		
Fontana	19.400%	$30,303,280	$6,615,447	$23,687,833		
Grand Terrace	1.389%	$2,692,962	$151,462	$2,541,500		
Highland	6.777%	$13,089,395	$484,284	$12,605,111		$9,198,079
Loma Linda	4.074%	$7,898,578	$2,591,019	$5,307,559		
Montclair	0.597%	$1,157,450	$1,913,734	-$756,285	$938,515	$182,230
Ontario	12.272%	$23,792,673	$10,058,185	$13,734,488	$6,383,764	$2,901,597
Rancho Cucamonga	5.044%	$8,060,841	$5,429,607	$2,631,234		
Redlands	4.854%	$9,410,824	$2,135,577	$7,275,247		$652,202
Rialto	3.831%	$7,057,028	$4,411,246	$2,645,782		
San Bernardino	7.857%	$15,232,972	$5,216,501	$10,016,470	$12,000,000	
Upland	2.743%	$5,318,065	$4,666,770	$651,295	$2,029,872	$521,559
Yucaipa	5.965%	$10,442,960	$11,134,493	-$691,533	$6,000,000	
County	12.878%	$24,967,572	$6,005,479	$18,962,093		
Totals	100.000%	$181,106,312	$61,490,383	$119,615,929	$27,352,151	$13,455,668

Measure I Valley Major Street/Arterial Sub-Program
Revenue Projections Fiscal Years 2022/2023 through 2026/2027

Jurisdiction	SHARES	CPNA REVENUE PROJECTIONS*					TOTALS		
	Current Equitable Share	FY22/23	FY23/24	FY24/25	FY25/26	FY26/27	Total Projected Revenue	Current Allocation Balance	Total Available through FY26/27
Chino	7.591%	$1,843,423	$1,784,366	$1,836,226	$1,890,881	$1,947,030	$9,301,926	$13,426,186	$22,728,112
Chino Hills	2.194%	$0	$0	$0	$0	$0	$0	$3,043,718	$3,043,718
Colton	2.534%	$649,623	$629,631	$647,187	$665,689	$684,697	$3,276,826	$4,535,229	$7,812,055
Fontana	19.400%	$2,992,441	$2,844,371	$2,974,396	$3,111,427	$3,252,204	$15,174,839	$23,687,833	$38,862,672
Grand Terrace	1.389%	$356,088	$345,129	$354,752	$364,894	$375,313	$1,796,177	$2,541,500	$4,337,676
Highland	6.777%	$1,732,229	$1,678,803	$1,725,719	$1,775,162	$1,825,958	$8,737,871	$12,605,111	$21,342,982
Loma Linda	4.074%	$1,044,422	$1,012,279	$1,040,505	$1,070,251	$1,100,811	$5,268,267	$5,307,559	$10,575,826
Montclair	0.597%	$153,049	$148,338	$152,475	$156,834	$161,312	$772,007	($756,285)	$15,722
Ontario	12.272%	$3,146,083	$3,049,261	$3,134,284	$3,223,888	$3,315,943	$15,869,459	$13,734,488	$29,603,946
Rancho Cucamonga	5.044%	$930,022	$891,524	$925,331	$960,959	$997,561	$4,705,398	$2,631,234	$7,336,632
Redlands	4.854%	$1,244,385	$1,206,088	$1,239,718	$1,275,159	$1,311,570	$6,276,919	$7,275,247	$13,552,167
Rialto	3.831%	$943,808	$913,894	$940,163	$967,847	$996,288	$4,762,000	$2,645,782	$7,407,783
San Bernardino	7.857%	$2,014,242	$1,952,252	$2,006,688	$2,064,055	$2,122,992	$10,160,230	$10,016,470	$20,176,700
Upland	2.743%	$703,203	$681,561	$700,566	$720,594	$741,169	$3,547,093	$651,295	$4,198,388
Yucaipa	5.965%	$1,413,159	$1,367,039	$1,407,539	$1,450,220	$1,494,069	$7,132,026	($691,533)	$6,440,493
County	12.878%	$3,301,439	$3,199,835	$3,289,057	$3,383,086	$3,479,686	$16,653,104	$18,962,093	$35,615,197
Totals	100.000%	**$22,467,615**	**$21,704,371**	**$22,374,604**	**$23,080,945**	**$23,806,604**	**$113,434,141**	**$119,615,929**	**$233,050,070**

* 15-year reconciliation of shares in effect until FY35/36, which reduces allocations to Chino Hills, Fontana, and Rancho Cucamonga to account for allocations to projects through the Project Advancement Agreement process.

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph Hughes, City Manager

REVIEWED BY: Carlos Zamano, Public Works Director/City Engineer CZ

PREPARED BY: Jennifer Cioffi, Senior Engineer/Project Manager

SUBJECT: 5th Street Storm Drain Connection to City Creek (Project str07004a)

RECOMMENDATION: It is recommended that the City Council:

1. Approve proposal from Engineering Resources of Southern California, Inc. (ERSC) to provide engineering design services for the 5th Street Storm Drain Connection to City Creek Project; and

2. Authorize the City Manager to approve contract amendments up to 10% of the contract amount.

FISCAL IMPACT: The proposed fee, not to exceed $26,365, will be funded 100% out of the 2007 RDA Bond Proceeds. The 10% contingency amount of $2,637 will be used to cover any additional services, if needed and requested by City Staff during the course of the services provided.

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

BACKGROUND: In 2013, a 72" storm drain was constructed in Greenspot Road/5th Street from east of SR-210 with intent to discharge via connection to City Creek near an existing catch basin. However, because clearances and permits were not secured from San Bernardino County at the time, construction was terminated near the south curb of 5th Street. The connection to City Creek was never completed. Project No. str07004a will complete the 72" storm drain from its current termination point to a connection and outlet into City Creek.

This project was originally authorized by the City's Finance/Personnel Subcommittee on May 28, 2019 and included two other storm drain projects (Carriage Hill Storm Drain and Sycamore Drive Storm Drain Projects) that was to be issued as a single bid/construction

Approved _____	Motion _____	Second _____	Agenda Item No. 11
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

B Hughes
City Clerk

City Manager

project. However, due to funding constraints and permitting requirements, all three projects were put on hold.

With the environmental permitting process with U.S. Fish and Wildlife Service (USFW) in the final stages for the 5th Street Storm Drain Connection to City Creek Project, staff requested an updated proposal from ERSC. ERSC submitted a proposal to provide design services for a not-to-exceed amount of $26,365. The scope of services includes review of the original 2013 construction documents and Habitat Conservation Plan (HCP); preparation of contract documents, plans, specifications and cost estimates using the 2013 construction documents as a basis of design; providing technical assistance during the bid advertisement and construction phases; and submittal of "As-Built" drawings (see attached ERSC proposal).

ERSC has an on-going contract with the City for various engineering support services. They have provided similar design services for numerous pavement improvement projects with an experienced team in their Redlands office.

Attachments:

1. Vicinity Map
2. ERSC Proposal



Source: ESRI Aerial Imagery.

NORTH

500 250 0 500

Feet

Michael Brandman Associates

Local Vicinity Map
Aerial Base

07060015 • 02/2014 | 3_local_aerial.mxd

5TH STREET • GREENSPOT ROAD IMPROVEMENT PROJECT
HABITAT CONSERVATION PLAN

Engineering Resources of Southern California

03017.2015

September 1, 2021

Carlos Zamano, P.E.
Public Works Director/City Engineer
City of Highland
27215 Base Line
Highland, CA 92346

SUBJECT: 5th STREET STORM DRAIN CONNECTION TO CITY CREEK – 2ND UPDATED AND REVISED PROPOSAL

Dear Carlos:

In response to the City's emailed request, ***Engineering Resources of Southern California, Inc. (ERSC)*** hereby submits our updated and revised proposal concerning the subject project. It is our understanding that the project will be issued as a single bid/construction project, unlike City's previous intent, which would have included another two drain projects. Additionally, City has requested that an expansion of bid assistance and construction phase services be included. Revision addresses these changes in scope and update of the fee amount.

Our understanding of the subject project is that a 72" storm drain was constructed in 2013 in Greenspot Road and 5th Street from east of State Highway 210 with intent to discharge via connection to City Creek near an existing catch basin with a 24" outlet. However, clearances and permits were not secured from San Bernardino County at the time and construction was terminated near the south curb of 5th Street and the storm drain bulkheaded. The construction of 2013 was accomplished utilizing plans prepared by Associated Engineers, a subsidiary of Parsons & Brinkerhoff (PB).

Proposed project, then, is to prepare documents needed for completion of the 72" storm drain from its current termination to a connection and outlet into City Creek. Also required is to implement a Habitat Conservation Plan (HCP) as developed for the project. This includes SBKR exclusion fencing, salvage and replacement of topsoil to disturbed area, hydroseeding of the disturbed area, regular irrigation, and maintenance for three years.

Critical element for the construction would be the issuance of a permit from San Bernardino County Flood Control District (FCD) to allow the connection to City Creek. It is our understanding that with completion of the HCP, the FCD will, upon proper plans submittal, issue the needed permit.

Services, proposed then, for preparation of the documents necessary for bidding and construction of the completion of the 5th Street Storm Drain will include the following:

1. Receive and review plans prepared by PB and consult with the City regarding need and approach to utilize the plans for any design changes necessary, bid solicitation and construction. Also, review the HCP report and plan for tasks required to be included in the construction documents.

2. Prepare plans, specifications, and estimates, that is PS&E, for the project. For this, we propose to utilize the Autocad file of the plans prepared by PB and approved and signed by the City. Effort anticipated regarding the physical connection to City Creek would include only review and the making of necessary annotations to the plans indicating the limit(s) of the work required for the connection to City Creek, corrections and clarifications, and limited additional items of work related to the termination of the storm drain construction - bulkhead removal and surface drain inlet conversion, for example.

   Additionally, specification document will include tasks described in the HCP regarding construction. It is assumed a separate contract and contractor will be retained for the three-year maintenance responsibility and for monitoring the effort.

3. Prepare plans in suitable form and number, coordinate and assist the City in preparation and submittal(s) to the FCD in order to secure issuance of the permit for construction. ERSC services and fee excludes any preparation or submittal for any regulatory agency permit(s), such as from the Corps of Engineers, California Department of Fish and Wildlife, U S Department of Fish and Wildlife Service, and the California State Water Resources Quality Control Board. If such services are necessary, a separate proposal would be prepared.

4. Make changes to the PB plans necessitated by the desires of the City or Flood Control permit requirements; changes limited to carry out the original design scope.

5. Incorporate project needs into a master project specification including methods, materials, FCD requirements and separate bid schedule.

6. Prepare specification with bid items required for the drain extension to City Creek and outlet structure per PB design and plan(s), and for the contractor to implement habitat protection and restoration per the HCP.

7. Prepare cost estimate for the work involving the extension and connection to City Creek and habitat restoration.

8. Prepare submittals for City review, make revisions and finalize PS&E for City approval and bid authorization.

9. Conduct bid period assistance which will consist of placement of advertisements in trade journals, with pdf copies, responding to questions during the bid period and preparation of addenda as required (no charge if due to omissions or conflicts in design).

10. Assist the City in the construction stage which will include preparation of agenda and attendance at a preconstruction meeting and issue a summary of meeting minutes to all attendees.

11. During the construction period ERSC's Project Manager will answer questions regarding specifications and the design drawings (RFI's) and will assist the City in issuance of contract change orders as required.

12. Incorporate 'As-Built' notations supplied by the contractor

D. PROJECT TEAM

Project team will consist of John Egan P. E., Principal Engineer and Project Manager, Ben Booth, P. E., Assistant Project Manager/Design Engineer and other technical and administrative staff.

Mr. Booth will direct the design/plan revisions required, prepare the quantity cost estimates and specifications, will be the primary staff member responsible for interaction with the City. Mr. Egan will oversee preparation of the plans, specifications and cost estimate and conduct quality control/assurance reviews.

Required for the proposed services by ***ERSC*** will be an AutoCAD® drawing file of the PB plans of the connection to City Creek and a copy of the PB specification in Word®.

ERSC proposes to complete the services of Task Nos. 1 through 12 on a time and materials basis with an estimated maximum of $26,365. Note that the estimate includes time spent in the previous year in planning and coordinating with the City for the project. Fee derivation is shown on the accompanying spreadsheet.

We thank the City for the invitation to provide assistance in completion of the storm drain project in 5th Street to City Creek. Should there be any questions concerning our proposal, please do not hesitate to contact the undersigned. We look forward to working with the City on this interesting assignment.

Very truly yours,

John G Egan

John G. Egan, P.E.
Principal Engineer

JGE:jge

cc. Jennifer Cioffi, P. E.
Ben Booth, P. E.
Matt Brudin, P. E.
Alondra Munoz
Enc.

ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC.

9/1/2021

DESIGN COST ESTIMATE - CITY OF HIGHLAND- *REVISED*
5th St. to City Creek Storm Drain Connection-str07004
JOB NUMBER: 03-017.2015

TASK NO.	TASK DESCRIPTION	STAFF CLASSIFICATION						ERSC LABOR	DIRECT EXP's	SUBS.	SUB TASK TOTAL	TASK TOTAL	PHASE TOTAL
		PM/SE $ 165.00	E III $ 110.00	E II $ 95.00	EA III $ 95.00		AA II $ 70.00						
	PRELIMINARY ENGINEERING												**$ 6,840**
	Planning											$ 2,970	
	Project/Plan Review	6	2					$ 1,210			$ 1,210		
	HCP Report Review		4					$ 440			$ 440		
	Coord/Review Mtgs		4					$ 440			$ 440		
	Project Planning/Approach	4	2					$ 880			$ 880		
	Preliminary Design											$ 3,210	
	Storm Drain Plan Annotations(4 shts.)	3	6		8			$ 1,915			$ 1,915		
	Prelim Bid Schedule & Estimate	3	6				2	$ 1,295			$ 1,295		
	Coord/Mtgs/Proj Mgmnt											$ 660	
	Prelim Schedule/Team Mtgs		2					$ 220			$ 220		
	City		4					$ 440			$ 440		
	Utility Agencies							$ 0			$ 0		
	Prelim. Phase Hours/Totals	16	30	0	8	0	2	$ 6,840	$ 0	$ 0	$ 6,840	$ 6,840	$ 6,840
	FINAL DESIGN-REVISIONS												**$ 19,525**
	Plans-Preparation/Annotations											$ 7,890	
	Cover Sheet		1		4			$ 490			$ 490		
	Revise Gen'l & Const Notes Sheet	1	1		4			$ 655			$ 655		
	Storm Drain P&P (1 shts)	1	2		4			$ 765			$ 765		
	Storm Drain Detail Sht(s)		2		2			$ 410			$ 410		
	FCD Permit Plan Submittal	1	6				4	$ 1,105			$ 1,105		
	& Plan Revisions/Resubmittal	1	24		16		2	$ 4,465			$ 4,465		
	Specifications											$ 2,980	
	S D Features	2	12				6	$ 2,070			$ 2,070		
	HCP Requirements	2	4				2	$ 910			$ 910		
	Engineer's Estimate	2	8					$ 1,210			$ 1,210	$ 1,210	
	QA/QC Check & Review	4						$ 660			$ 660	$ 660	
	Bid Support												
	Advertise Project		1				2	$ 250			$ 250	$ 1,590	
	Bid Document Preparation							$ 0			$ 0		
	Pre-Bid Meeting							$ 0			$ 0		
	Questions/Addendum	1	4				2	$ 745			$ 745		
	Bid Review/Tabulation, Ref Chk	1	2				3	$ 595			$ 595		
	& award ltr recommendation												
	Construction Phase Services											$ 3,655	
	Pre-construction Mtg	4	8				4	$ 1,820			$ 1,820		
	Respond to RFI's; Prep CCO's	1	6				4	$ 1,105			$ 1,105		
	Coordination w/City re Construction		6				1	$ 730			$ 730		
	Coordination/Mtgs/Proj Mgmnt											$ 1,540	
	Project Management & Mtgs	4	8					$ 1,540			$ 1,540		
	Phase Hours/Totals	25	95	0	30	0	30	$ 19,525	$ -	$ -	$ 19,525	$ 19,525	$ 19,525
	Project Hours and Totals	**41**	**125**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 26,365**

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph Hughes, City Manager

PREPARED BY: Betty Hughes, MMC, City Clerk

SUBJECT:
1) Request from the City of Rancho Cucamonga to join their coalition and advocate for a Fair and Equitable Distribution of the Bradley Burns 1% Local Sales Tax;
2) Designation of Voting Delegate and Alternate for the Cal Cities Annual Conference; and
3) Consider the 2021 Resolutions to Determine the City's Position

RECOMMENDATION: That the City Council:
1) Direct staff accordingly for a letter of support for the City of Rancho Cucamonga's Resolution for Fair and Equitable Distribution of the Bradley Burns 1% Local Sales Tax;
2) Appoint a Voting Delegate and Alternate for the Annual Conference to be held September 22-24, 2021, in Sacramento; and
3) Consider the Two (2) Resolutions introduced by Cal Cities and Determine a City Position that the Voting Delegate Can Represent to Cal Cities

FISCAL IMPACT: None

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

BACKGROUND: Historically, the City Council has had a Voting Representative and Alternate to represent the City on issues of state-wide concern which are considered at the Cal Cities Annual Conference.

Approved _____ Motion _____ Second _____ Agenda Item No. 12

Denied _____ Ayes _____

Continued _____ Noes _____ File No. _____

Tabled _____ Abstain _____

Absent _____

City Clerk

City Manager

Attached is a letter from the City of Rancho Cucamonga requesting support to join their coalition and advocate for a sales tax allocation that is fair and equitable to benefit all communities. The City of Rancho Cucamonga has submitted to Cal Cities a resolution for consideration:

> "RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES ("CAL CITIES") CALLING ON THE STATE LEGISLATURE TO PASS LEGISLATION THAT PROVIDES FOR A FAIR AND EQUITABLE DISTRIBUTION OF THE BRADLEY BURNS 1% LOCAL SALES TAX FROM IN-STATE ONLINE PURCHASES, BASED ON DATA WHERE PRODUCTS ARE SHIPPED TO, AND THAT RIGHTFULLY TAKES INTO CONSIDERATION THE IMPACTS THAT FULFILLMENT CENTERS HAVE ON HOST CITIES BUT ALSO PROVIDES A FAIR SHARE TO CALIFORNIA CITIES THAT DO NOT AND/OR CANNOT HAVE A FULFILLMENT CENTER WITHIN THEIR JURISDICTION".

Also attached is the 2021 Annual Conference Resolutions packet. Cal Cities will consider two resolutions that were introduced by the deadline. Cal Cities is requesting each City Council to consider the resolutions and to determine a position so the voting delegate can represent the City's position. Listed below are the resolutions for consideration:

1. Online Sales Tax Equity
2. Security Railroad Property Maintenance

Letter from the City of Rancho Cucamonga

Mayor L. Dennis Michael | Mayor Pro Tem Lynne B. Kennedy
Council Members Ryan A. Hutchison, Kristine D. Scott, Sam Spagnolo
City Manager John R. Gillison

CITY OF RANCHO CUCAMONGA

10500 Civic Center Drive | Rancho Cucamonga, CA 91730 | 909.477.2700 | www.CityofRC.us

RECEIVED
AUG 19 2021
CITY OF HIGHLAND

August 9, 2021

Joseph Hughes, City Manager
City of Highland
27215 Baseline St
Highland, CA 92346-3113

RE: Support Online Sales Tax Resolution at Cal Cities Annual Conference

Dear Joseph Hughes,

We need your help today to pass an urgent resolution regarding local sales tax at the upcoming Cal Cities Annual Conference in Sacramento in September.

One look down any Main Street and you can see that online shopping has forever changed how residents and businesses in each of our cities purchase goods. It is time we work together to advocate for California sales tax reform that allocates the 1% local sales tax in a fair and equitable way. Although sales tax reform has been brought up many times in the past, this issue just went from "nice to have" to an urgent need that requires our collective action.

Recently, one of the world's largest online retailers changed the legal ownership of its fulfillment centers. Instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated. Previously much of the sales tax would have been allocated to the countywide pool based on point of delivery. Now, much of the tax is allocated to the jurisdiction in which the fulfillment center is located.

There are a handful of cities in our entire state who will experience a multi-million dollar windfall with this change. We understand and agree that cities who house fulfillment centers should see a significant share of sales tax revenue; they bear an infrastructure and environmental burden other cities don't. But we are not talking about nickels and dimes; in fact there are hundreds of millions of dollars at stake here. With so many Californians shopping on-line, all cities should continue to receive a sales tax benefit from their residents' online purchases regardless of who owns the fulfillment centers.

We ask you to work with us to elevate this issue and conversation by supporting our effort at the upcoming Cal Cities Annual Conference. The City of Rancho Cucamonga has submitted to Cal Cities the following Resolution for consideration:

Cal Cities calls on the state legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.

It's often said of cities, "If you're not at the table, you're on the menu." We believe that to be the case here. Cities must come together - both the cities who don't have fulfillment centers owned by the online retailer, and the fortunate few who do - to help create a solution to this issue rather than leave it in the hands of State politicians, who will decide to act when they realize that multi-millions of dollars are going to just a handful of cities leaving many of their constituents without.

Join our coalition today. Email us at City.Council@CityofRC.us to let us know you agree and want to help. We will provide issue updates and supply you with an issue fact sheet, and talking points for your Council members and Mayors who will attend the Cal Cities Conference.

Most importantly, we ask for your city delegate to vote YES on the resolution at the General Assembly on Friday, September 24th.

In a world that's changing before our eyes, where it seems that every year city budgets shrink and service delivery costs rise, we ask all cities to come together to advocate for a sales tax allocation that is fair and equitable to benefit all our communities.

Sincerely,

L. Dennis Michael
Mayor

Cal Cities 2021 Annual Conference

Resolution Packet

LEAGUE OF CALIFORNIA CITIES

RECEIVED
AUG 19 2021
CITY OF HIGHLAND

2020-2021 CAL CITIES OFFICERS

President
Cheryl Viegas Walker
Mayor, El Centro

First Vice President
Cindy Silva
Council Member, Walnut Creek

Second Vice President
Ali Taj
Council Member, Artesia

Immediate Past President
John F. Dunbar
Mayor, Yountville

Executive Director and CEO
Carolyn M. Coleman

August 6, 2021

TO: Mayors, City Managers and City Clerks

RE: Cal Cities 2021 Annual Conference Resolution Packet
Notice of Cal Cities Annual Meeting

Attached is the 2021 Resolutions Packet for the League of California Cities' 2021 Annual Conference & Expo being held September 22 - 24 in Sacramento. The conference announcement has been sent to all cities and we hope that you and your colleagues will be able to attend. More information about the conference is available on Cal Cities website at www.calcities.org. We look forward to welcoming city officials to the conference.

Resolutions: Two resolutions have been submitted for Cal Cities members to consider. The attached packet contains the proposed resolutions along with background materials provided by the sponsors, supporting letters from cities and city officials, and the Cal Cities staff analysis for the resolutions. The packet also includes detailed information on Cal Cities resolution process. The resolution packet also is posted on Cal Cities website, www.calcities.org/resolutions, for your convenience.

Voting Delegates: In order to vote during the General Assembly, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event the designated voting delegate is unable to serve in that capacity. If your city has not already done so, please complete the Voting Delegate form located on the Cal Cities website www.calcities.org/resolutions under the "voting delegates" section, *and email it to Darla Yacub at dyacub@calcities.org by Wednesday, September 15.* This will allow us time to establish voting delegate/alternate records prior to the conference. The Closing Luncheon and General Assembly will be held on Friday, September 24, at 12:30 p.m.

We encourage each city council to consider the resolution and to determine a city position so that your voting delegate can represent your city's position on the resolution. Should you have any questions regarding the attached material, please contact Meg Desmond at mdesmond@calcities.org or by phone at 916-837-6822.

LEAGUE OF CALIFORNIA CITIES

Annual Conference Resolutions Packet

2021 Annual Conference Resolutions

2021 ANNUAL CONFERENCE & EXPO
LEAGUE OF CALIFORNIA CITIES
SACRAMENTO SEPTEMBER 22-24

September 22 - 24, 2021

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League of California Cities (Cal Cities) bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, two resolutions have been introduced for consideration at the Annual Conference and referred to Cal Cities policy committees.

POLICY COMMITTEES: Three policy committees will meet virtually one week prior to the Annual Conference to consider and take action on the resolutions. The sponsors of the resolutions have been notified of the time and location of the meetings.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 23, to consider the reports of the policy committees regarding the resolutions. This committee includes one representative from each of Cal Cities regional divisions, functional departments, and standing policy committees, as well as other individuals appointed by the Cal Cities president. Please check in at the registration desk for room location.

CLOSING LUNCHEON AND GENERAL ASSEMBLY: This meeting will be held at 12:30 p.m. on Friday, September 24, at the SAFE Credit Union Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a petition resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Closing Luncheon & General Assembly. This year, that deadline is 12:30 p.m., Thursday, September 23. Resolutions can be viewed on Cal Cities Web site: www.cacities.org/resolutions.

Any questions concerning the resolutions procedures may be directed to Meg Desmond mdesmond@calcities.org.

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within Cal Cities. The principal means for deciding policy on the important issues facing cities is through Cal Cities seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop Cal Cities policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.

2. The issue is not of a purely local or regional concern.

3. The recommended policy should not simply restate existing Cal Cities policy.

4. The resolution should be directed at achieving one of the following objectives:

   (a) Focus public or media attention on an issue of major importance to cities.

   (b) Establish a new direction for Cal Cities policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.

   (c) Consider important issues not adequately addressed by the policy committees and board of directors.

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

1 - Policy Committee Recommendation to General Resolutions Committee
2 - General Resolutions Committee
3 - General Assembly

HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT POLICY COMMITTEE

		1	2	3
2	Securing Railroad Property Maintenance			

REVENUE & TAXATION POLICY COMMITTEE

		1	2	3
1	Online Sales Tax Equity			

TRANSPORTATION, COMMUNICATION & PUBLIC WORKS POLICY COMMITTEE

		1	2	3
2	Securing Railroad Property Maintenance			

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

ACTION FOOTNOTES

* Subject matter covered in another resolution

** Existing League policy

*** Local authority presently exists

KEY TO ACTIONS TAKEN

A	Approve
D	Disapprove
N	No Action
R	Refer to appropriate policy committee for study
a	Amend+
Aa	Approve as amended+
Aaa	Approve with additional amendment(s)+
Ra	Refer as amended to appropriate policy committee for study+
Raa	Additional amendments and refer+
Da	Amend (for clarity or brevity) and Disapprove+
Na	Amend (for clarity or brevity) and take No Action+
W	Withdrawn by Sponsor

Procedural Note:
The League of California Cities resolution process at the Annual Conference is guided by the Cal Cities Bylaws.

1. **RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES ("CAL CITIES") CALLING ON THE STATE LEGISLATURE TO PASS LEGISLATION THAT PROVIDES FOR A FAIR AND EQUITABLE DISTRIBUTION OF THE BRADLEY BURNS 1% LOCAL SALES TAX FROM IN-STATE ONLINE PURCHASES, BASED ON DATA WHERE PRODUCTS ARE SHIPPED TO, AND THAT RIGHTFULLY TAKES INTO CONSIDERATION THE IMPACTS THAT FULFILLMENT CENTERS HAVE ON HOST CITIES BUT ALSO PROVIDES A FAIR SHARE TO CALIFORNIA CITIES THAT DO NOT AND/OR CANNOT HAVE A FULFILLMENT CENTER WITHIN THEIR JURISDICTION**

Source: City of Rancho Cucamonga
Concurrence of five or more cities/city officials:
Cities: Town of Apple Valley; City of El Cerrito; City of La Canada Flintridge; City of La Verne; City of Lakewood; City of Moorpark; City of Placentia; City of Sacramento
Referred to: Revenue and Taxation Policy Committee

WHEREAS, the 2018 U.S. Supreme Court decision in *Wayfair v. South Dakota* clarified that states could charge and collect tax on purchases even if the seller does not have a physical presence in the state; and

WHEREAS, California cities and counties collect 1% in Bradley Burns sales and use tax from the purchase of tangible personal property and rely on this revenue to provide critical public services such as police and fire protection; and

WHEREAS, in terms of "siting" the place of sale and determining which jurisdiction receives the 1% Bradley Burns local taxes for online sales, the California Department of Tax and Fee Administration (CDTFA) determines "out-of-state" online retailers as those with no presence in California that ship property from outside the state and are therefore subject to use tax, not sales tax, which is collected in a countywide pool of the jurisdiction where the property is shipped from; and

WHEREAS, for online retailers that have a presence in California and have a stock of goods in the state from which it fulfills orders, CDTFA considers the place of sale ("situs") as the location from which the goods were shipped such as a fulfillment center; and

WHEREAS, in early 2021, one of the state's largest online retailers shifted its ownership structure so that it is now considered both an in-state and out-of-state retailer, resulting in the sales tax this retailer generates from in-state sales now being entirely allocated to the specific city where the warehouse fulfillment center is located as opposed to going into a countywide pool that is shared with all jurisdictions in that County, as was done previously; and

WHEREAS, this all-or-nothing change for the allocation of in-state sales tax has created winners and losers amongst cities as the online sales tax revenue from the retailer that was once spread amongst all cities in countywide pools is now concentrated in select cities that host a fulfillment center; and

WHEREAS, this has created a tremendous inequity amongst cities, in particular for cities that are built out, do not have space for siting a 1 million square foot fulfillment center, are not located along a major travel corridor, or otherwise not ideally suited to host a fulfillment center; and

WHEREAS, this inequity affects cities statewide, but in particular those with specific circumstances such as no/low property tax cities that are extremely reliant on sales tax revenue as well as cities struggling to meet their RHNA obligations that are being compelled by the State to rezone precious commercial parcels to residential; and

WHEREAS, the inequity produced by allocating in-state online sales tax revenue exclusively to cities with fulfillment centers is exasperated even more by, in addition to already reducing the amount of revenue going into the countywide pools, the cities with fulfillment centers are also receiving a larger share of the dwindling countywide pool as it is allocated based on cities' proportional share of sales tax collected; and

WHEREAS, while it is important to acknowledge that those cities that have fulfillment centers experience impacts from these activities and deserve equitable supplementary compensation, it should also be recognized that the neighboring cities whose residents are ordering product from that center now receive no revenue from the center's sales activity despite also experiencing the impacts created by the center, such as increased traffic and air pollution; and

WHEREAS, the COVID-19 pandemic greatly accelerated the public's shift towards online purchases, a trend that is unlikely to be reversed to pre-pandemic levels; and

NOW, THEREFORE, BE IT RESOLVED that Cal Cities calls on the State Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.

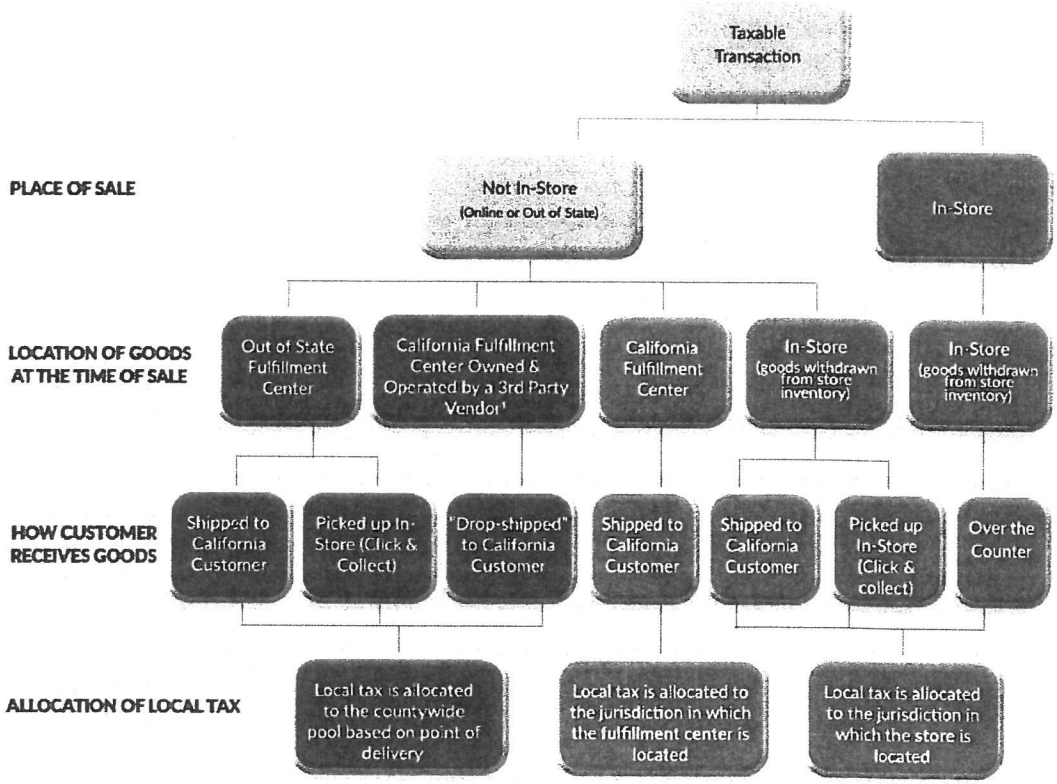
Background Information to Resolution

Source: City of Rancho Cucamonga

Background:
Sales tax is a major revenue source for most California cities. Commonly known as the local 1% Bradley-Burns tax, since the 1950's, cities have traditionally received 1 cent on every dollar of a sale made at the store, restaurant, car dealer, or other location within a jurisdiction's boundaries.

Over the years, however, this simple tax structure has evolved into a much more complex set of laws and allocation rules. Many of these rules relate to whether or not a given transaction is subject to sales tax, or to use tax – both have the same 1% value, but each applies in separate circumstances. The California Department of Tax and Fee Administration (CDTFA) is responsible for administering this system and issuing rules regarding how it is applied in our state.

The following chart created by HdL Companies, the leading provider of California sales tax consulting, illustrates the complex structure of how sales and use tax allocation is done in California, depending on where the transaction starts, where the goods are located, and how the customer receives the goods:



[1] *In this scenario the retailer does not own a stock of goods in California and sales orders are negotiated/processed out of state. An out of state company is not required to hold a seller's permit for an in-state third party warehouse if they do not own a stock of goods at the time of sale.*

With the exponential growth of online sales and the corresponding lack of growth, and even decline, of shopping at brick and mortar locations, cities are seeing much of their sales tax

growth coming from the countywide sales tax pools, since much of the sales tax is now funneled to the pools.

Recently, one of the world's largest online retailers changed the legal ownership of its fulfillment centers. Instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated. Following the chart above, previously much of the sales tax would have followed the green boxes on the chart and been allocated to the countywide pool based on point of delivery. Now, much of the tax is following the blue path through the chart and is allocated to the jurisdiction in which the fulfillment center is located. (It should be noted that some of the tax is still flowing to the pools, in those situations where the fulfillment center is shipping goods for another seller that is out of state.)

This change has created a situation where most cities in California – more than 90%, in fact – are experiencing a sales tax revenue loss that began in the fourth quarter of calendar year 2021. Many cities may not be aware of this impact, as the fluctuations in sales tax following the pandemic shutdowns have masked the issue. But this change will have long-term impacts on revenues for all California cities as all these revenues benefiting all cities have shifted to just a handful of cities and counties that are home to this retailer's fulfillment centers.

This has brought to light again the need to address the issues in how sales and use taxes are distributed in the 21st century. Many, if not most cities will never have the opportunity have a warehouse fulfillment center due to lack of space or not being situated along a major travel corridor. These policies especially favor retailers who may leverage current policy in order to negotiate favorable sales tax sharing agreements, providing more money back to the retailer at the expense of funding critical public services.

With that stated, it is important to note the many impacts to the jurisdictions home to the fulfillment centers. These centers do support the ecommerce most of us as individuals have come to rely on, including heavy wear and tear on streets – one truck is equal to about 8,000 cars when it comes to impact on pavement – and increased air pollution due to the truck traffic and idling diesel engines dropping off large loads. However, it is equally important that State policies acknowledge that entities without fulfillment centers also experience impacts from ecommerce and increased deliveries. Cities whose residents are ordering products that are delivered to their doorstep also experience impacts from traffic, air quality and compromised safety, as well as the negative impact on brick-and-mortar businesses struggling to compete with the sharp increase in online shopping. These cities are rightfully entitled to compensation in an equitable share of sales and use tax. We do not believe that online sales tax distribution between fulfillment center cities and other cities should be an all or nothing endeavor, and not necessarily a fifty-fifty split, either. But we need to find an equitable split that balances the impacts to each jurisdiction involved in the distribution of products purchased online.

Over the years, Cal Cities has had numerous discussions about the issues surrounding sales tax in the modern era, and how state law and policy should be revisited to address these issues. It is a heavy lift, as all of our cities are impacted a bit differently, making consensus difficult. We believe that by once again starting the conversation and moving toward the development of laws and policies that can result in seeing all cities benefit from the growth taxes generated through online sales, our state will be stronger.

It is for these reasons, that we should all aspire to develop an equitable sales tax distribution for online sales.

LETTERS OF CONCURRENCE

Resolution No. 1

July 19, 2021

Cheryl Viegas Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Walker:

The Town of Apple Valley strongly supports the City of Rancho Cucamonga's effort to submit a resolution for consideration by the General Assembly at Cal Cities 2021 Annual Conference in Sacramento.

Current policies by the California Department of Tax and Fees (CDTFA) require that the one percent Bradley Burns local tax revenue from in-state online retailers be allocated to the jurisdiction from which the package was shipped from, as opposed to going into a countywide pool as is the practice with out-of-state online retailers. Earlier this year, one of the largest online retailers shifted its ownership structure and now operates as an in-state online retailer as well as out-of-state online retailer. Whereas, all sales tax revenue generated by this retailer's sales previously went into a countywide pool and was distributed amongst the jurisdictions in the pool. Now the revenue from in-state sales goes entirely to the city where the fulfillment center is located, and the packages shipped from. Cities that do not have a fulfillment center now receive no revenue from this retailer's online in-state sales transactions, even when the packages are delivered to locations within the cities' borders and paid for by residents in those locations. Cities that border jurisdictions with fulfillment centers also experience its impacts such as increased truck traffic, air pollution and declining road conditions.

This all-or-nothing practice has created clear winners and losers amongst cities as the online sales tax revenue from large online retailers that was once spread amongst all cities in countywide pools is now concentrated in select cities fortunate enough to host a fulfillment center. This has created a growing inequity amongst California cities, which only benefits some and is particularly unfair to cities who have no chance of ever obtaining a fulfillment center, such as those that are built out or are not situated along major travel corridors. No/low property tax cities that rely on sales tax revenue are especially impacted as well as cities struggling to meet their RHNA allocations that are being pressured by Sacramento to rezone precious commercial parcels to residential.

The current online sales tax distribution policies are inherently unfair and exasperate the divide between the winners and losers. Ultimately, the real winners may be the retailers, who leverage these policies to negotiate favorable sales tax sharing agreements from a small group of select cities understandably wanting to host fulfillment centers. The current online sales tax distribution policies unfairly divide local agencies, exacerbate already difficult municipal finances, and in the end result in a net loss of local government sales tax proceeds that simply serve to make private sector businesses even more profitable at the expense of everyone's residents.

We can do better than this. And we should all aspire to develop an equitable sales tax distribution of online sales that addresses the concerns noted above.

For these reasons, the Town of Apple Valley concurs that the resolution should go before the General Assembly. If you have any questions regarding the Town's position in this matter, please do not hesitate to contact the Town Manager at 760-240-7000 x 7051.

Sincerely,

Curt Emick
Mayor

July 21, 2021

Cheryl Viegas Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Letter of Support for the City of Rancho Cucamonga's Resolution for Fair and Equitable Distribution of the Bradley Burns 1% Local Sales Tax

Dear President Walker:

The City of El Cerrito supports the City of Rancho Cucamonga's effort to submit a resolution for consideration by the General Assembly at the Cal Cities 2021 Annual Conference in Sacramento.

Current policies by the California Department of Tax and Fees (CDTFA) require that the 1 percent Bradley Burns local tax revenue from in-state online retailers be allocated to the jurisdiction from which the package was shipped from, as opposed to going into a countywide pool as is the practice with out-of-state online retailers. Earlier this year, one of the largest online retailers shifted its ownership structure and now operates as an in-state online retailer as well as out-of-state online retailer. Previously, all sales tax revenue generated by this retailer's sales went into a countywide pool and was distributed amongst the jurisdictions in the pool; now the revenue from in-state sales goes entirely to the city where the fulfillment center is located and the packages are shipped from. Cities that do not have a fulfillment center now receive no revenue from this retailer's online in-state sales transactions, even when the packages are delivered to locations within the cities' borders and paid for by residents in those locations. Cities that border jurisdictions with fulfillment centers also experience its impacts such as increased truck traffic, air pollution, and declining road conditions.

This all-or-nothing practice has created clear winners and losers amongst cities as the online sales tax revenue from large online retailers that was once spread amongst all cities in countywide pools is now concentrated in select cities fortunate enough to host a fulfillment center. This has created a growing inequity amongst California cities, which only benefits some and is particularly unfair to cities such as El Cerrito who have no chance of ever obtaining a fulfillment center as we are a built out, four square mile, small city. Additionally, cities not situated along major travel corridors and no/low property tax cities that rely on sales tax revenue are especially impacted, as well as cities struggling to build much needed affordable housing that may require rezoning commercial parcels in order to meet their RHNA allocations.

The current online sales tax distribution policies are inherently unfair and exasperate the divide between the winners and losers. Ultimately, the real winners may be the retailers, who leverage these policies to negotiate favorable sales tax sharing agreements from a small group of select cities understandably wanting to host fulfillment centers. The current online sales tax distribution policies serve to divide local agencies, exacerbate already difficult municipal finances, and in the end results in a net loss of local government sales tax proceeds that simply serve to make private sector businesses even more profitable at the expense of everyone's residents. We can do better, and we should all aspire to develop an equitable sales tax distribution of online sales that addresses the concerns noted above.

For these reasons, the City of El Cerrito concurs that the resolution should go before the General Assembly.

Sincerely,

Paul Fadelli, Mayor
City of El Cerrito

cc: El Cerrito City Council
City of Rancho Cucamonga

City Council
Terry Walker, Mayor
Keith Eich, Mayor Pro Tem
Jonathan C. Curtis
Michael T. Davitt
Richard B. Gunter III

CITY OF LA CAÑADA FLINTRIDGE

July 14, 2021

Ms. Cheryl Viegas Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Walker:

The City of La Cañada Flintridge strongly supports the City of Rancho Cucamonga's effort to introduce a resolution for consideration by the General Assembly at CalCITIES' 2021 Annual Conference in Sacramento.

Current policies by the California Department of Tax and Fees (CDTFA) require that the 1% Bradley Burns local tax revenue (sales tax) from in-state online retailers be allocated to the jurisdiction from which the package was shipped, as opposed to going into a countywide pool, as is the practice with out-of-state online retailers. Earlier this year, one of the largest online retailers shifted its ownership structure and now operates as an in-state online retailer as well as an out-of-state online retailer. Whereas all sales tax revenue generated by this retailer's sales previously went into a countywide pool and was distributed amongst the jurisdictions in the pool, now the revenue from in-state sales goes entirely to the jurisdiction where the fulfillment center is located and the packages shipped from. Cities that do not have a fulfillment center now receive no revenue from this retailer's online in-state transactions even though their packages are delivered to locations within those cities' borders and paid for by residents in those locations. Cities that abut jurisdictions with fulfillment centers experience fulfillment centers' impacts just as much, such as increased truck traffic, air pollution and declining road conditions.

This all-or-nothing practice has created clear winners and losers amongst cities as the online sales tax revenue from large online retailers, that was once spread amongst all cities in countywide pools, is now concentrated in select cities fortunate enough to host a fulfillment center. This benefits only those few hosting jurisdictions and is particularly unfair to cities who have no chance of ever hosting a fulfillment center, such as those that are built out or are not situated along major travel corridors. No/low property tax cities that rely heavily on sales tax revenue are especially impacted as well as cities struggling to meet their RHNA allocations that are being pressured by Sacramento to rezone precious commercial parcels to residential.

The current online sales tax distribution policies are inherently unfair and exasperate the divide between the winners and losers. Ultimately, the real winners may be the retailers who leverage these policies to negotiate favorable sales tax sharing agreements from a small group of select cities understandably eager to host fulfillment centers. The current online sales tax distribution policies unfairly divide local agencies, exacerbate already difficult municipal finances and, in the end, result in a net loss of local government sales tax proceeds that simply serve to make private

One Civic Center Drive, La Cañada Flintridge, CA 91011 • (818) 790-8880 • Fax (818) 790-7536
www.lcf.ca.gov

sector businesses even more profitable at the expense of cities' residents. We should all aspire to develop an equitable sales tax distribution of online sales that addresses the concerns noted above.

For these reasons, the City of La Cañada Flintridge concurs that the proposed resolution should go before the General Assembly.

Sincerely,

Terry M Walker

Terry Walker
Mayor

CITY OF LA VERNE
CITY HALL
3660 "D" Street, La Verne, California 91750-3599
www.cityoflaverne.org

July 19, 2021

Cheryl Viegas Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Walker:

The City of La Verne strongly supports the City of Rancho Cucamonga's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

Current policies by the California Department of Tax and Fees (CDTFA) require that the 1 percent Bradley Burns local tax revenue from in-state online retailers be allocated to the jurisdiction from which the package was shipped from, as opposed to going into a countywide pool as is the practice with out-of-state online retailers. Earlier this year, one of the largest online retailers shifted its ownership structure and now operates as an in-state online retailer as well as out-of-state online retailer. Whereas all sales tax revenue generated by this retailer's sales previously went into a countywide pool and was distributed amongst the jurisdictions in the pool, now the revenue from in-state sales goes entirely to the city where the fulfillment center is located, and the packages shipped from. Cities that do not have a fulfillment center now receive no revenue from this retailer's online in-state sales transactions, even when the packages are delivered to locations within the cities' borders and paid for by residents in those locations. Cities that border jurisdictions with fulfillment centers also experience its impacts such as increased truck traffic, air pollution, and declining road conditions.

This all-or-nothing practice has created clear winners and losers amongst cities as the online sales tax revenue from large online retailers that was once spread amongst all cities in countywide pools is now concentrated in select cities fortunate enough to host a fulfillment center. This has created a growing inequity amongst California cities, which only benefits some and is particularly unfair to cities which have no chance of ever obtaining a fulfillment center, such as those that are built out or are not situated along major travel corridors. No/low property tax cities that rely on sales tax revenue are

especially impacted as well as cities struggling to meet their RHNA allocations that are being pressured by Sacramento to rezone precious commercial parcels to residential.

The current online sales tax distribution policies are inherently unfair and exacerbate the divide between the winners and losers. Ultimately, the real winners may be the retailers, who leverage these policies to negotiate favorable sales tax sharing agreements from a small group of select cities understandably wanting to host fulfillment centers. The current online sales tax distribution policies unfairly divide local agencies, exacerbate already difficult municipal finances, and in the end, result in a net loss of local government sales tax proceeds that simply serve to make private sector businesses even more profitable at the expense of everyone's residents. We can do better than this. And we should all aspire to develop an equitable sales tax distribution of online sales that addresses the concerns noted above.

For these reasons, the City of La Verne concurs that the resolution should go before the General Assembly.

Sincerely,

Bob Russi
City Manager
City of La Verne

Steve Croft
Vice Mayor

Ariel Pe
Council Member

Vicki L. Stwalley
Council Member

Jodi Ludgero
Council Member

CITY OF LAKEWOOD
CALIFORNIA

Jeff Wood
Mayor

July 15, 2021

Cheryl Viegas Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Walker:

The City of Lakewood strongly supports the City of Rancho Cucamonga's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

Current policies by the California Department of Tax and Fees (CDTFA) require that the 1 percent Bradley Burns local tax revenue from in-state online retailers be allocated to the jurisdiction from which the package was shipped from, as opposed to going into a countywide pool as is the practice with out-of-state online retailers. Earlier this year, one of the largest online retailers shifted its ownership structure and now operates as an in-state online retailer as well as out-of-state online retailer. Whereas, all sales tax revenue generated by this retailer's sales previously went into a countywide pool and was distributed amongst the jurisdictions in the pool, now the revenue from in-state sales goes entirely to the city where the fulfillment center is located, and the packages shipped from. Cities that do not have a fulfillment center now receive no revenue from this retailer's online in-state sales transactions, even when the packages are delivered to locations within the cities' borders and paid for by residents in those locations. Cities that border jurisdictions with fulfillment centers also experience its impacts such as increased truck traffic, air pollution and declining road conditions.

This all-or-nothing practice has created clear winners and losers amongst cities as the online sales tax revenue from large online retailers that was once spread amongst all cities in countywide pools is now concentrated in select cities fortunate enough to host a fulfillment center. This has created a growing inequity amongst California cities, which only benefits some and is particularly unfair to cities that have no chance of ever obtaining a fulfillment center, such as those that are built out or are not situated along major travel corridors. No/low property tax cities that rely on sales tax revenue are especially impacted as well as cities struggling to meet their RHNA allocations that are being pressured by Sacramento to rezone precious commercial parcels to residential.

The current online sales tax distribution policies are inherently unfair and exasperate the divide between the winners and losers. Ultimately, the real winners may be the retailers, who leverage these policies to negotiate favorable sales tax sharing agreements from a small group of select cities understandably wanting to host fulfillment centers. The current online sales tax distribution policies unfairly divide local agencies, exacerbate already difficult municipal finances, and in the end result in a net loss of local government sales tax proceeds that simply serve to make private sector businesses even more profitable at the expense of everyone's residents. We can do better than this. And we should all aspire to develop an equitable sales tax distribution of online sales that addresses the concerns noted above.

For these reasons, the City of Lakewood concurs that the resolution should go before the General Assembly.

Sincerely,

Jeff Wood
Mayor

Lakewood
5050 Clark Avenue, Lakewood, CA 90712 • (562) 866-9771 • Fax (562) 866-0505 • www.lakewoodcity.org • Email: service1@lakewoodcity.org

CITY OF MOORPARK

799 Moorpark Avenue, Moorpark, California 93021
Main City Phone Number (805) 517-6200 | Fax (805) 532-2205 | moorpark@moorparkca.gov

July 14, 2021

TRANSMITTED ELECTRONICALLY

Cheryl Viegas-Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Walker:

The City of Moorpark strongly supports the City of Rancho Cucamonga's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

Current policies of the California Department of Tax and Fees (CDTFA) require that the one percent Bradley Burns local tax revenue from in-state online retailers be allocated to the jurisdiction from which the package was shipped, as opposed to going into a countywide pool as is the practice with out-of-state online retailers. Earlier this year, one of the largest online retailers shifted its ownership structure and now operates both as an in-state online retailer and as an out-of-state online retailer. Whereas all sales tax revenues generated by this retailer's sales previously went into countywide pools and were distributed amongst the jurisdictions in the pool, sales tax revenues from in-state sales now go entirely to the city where the fulfillment center is located and the package is shipped from. Cities that do not have a fulfillment center now receive no sales tax revenue from this retailer's online in-state sales transactions, even when the packages are delivered to locations within the cities' borders and paid for by residents in those locations. Cities that border jurisdictions with fulfillment centers also experience its impacts such as increased truck traffic, air pollution, and deteriorating road conditions.

This all-or-nothing practice has created clear winners and losers amongst cities as the online sales tax revenues from large online retailers that were once spread amongst all cities in countywide pools are now concentrated in select cities fortunate enough to host a fulfillment center. This has created a growing inequity amongst California cities, which only benefits some and is particularly unfair to cities who have no chance of ever obtaining a fulfillment center, such as those that are built out or are not situated along major travel corridors. No/low property tax cities that rely on sales tax revenue are especially impacted, as well as

JANICE S. PARVIN, Mayor | DR. ANTONIO CASTRO, Councilmember | CHRIS ENEGREN, Councilmember | DANIEL GROFF, Councilmember | DAVID POLLOCK, Councilmember

cities struggling to meet their RHNA allocations that are being pressured by Sacramento to rezone limited commercial properties for residential land uses.

The current online sales tax distribution policies are inherently unfair and exasperate the divide between the winners and losers. Ultimately, the real winners may be the retailers, who leverage these policies to negotiate favorable sales tax sharing agreements from a small group of select cities understandably wanting to host fulfillment centers. The current online sales tax distribution policies unfairly divide local agencies, exacerbate already difficult municipal finances, and ultimately result in a net loss of local government sales tax proceeds that simply serve to make private sector businesses more profitable at the expense of everyone's residents. We can do better than this, and we should all aspire to develop an equitable sales tax distribution of online sales that addresses the concerns noted above.

For these reasons, the City of Moorpark concurs that the resolution should go before the General Assembly at the 2021 Annual Conference in Sacramento.

Sincerely,

Janice S. Parvin
Mayor

cc: City Council
City Manager

The People are the City

Mayor
CRAIG S. GREEN

Mayor Pro Tem
CHAD P. WANKE

Councilmembers:
RHONDA SHADER
WARD L. SMITH
JEREMY B. YAMAGUCHI

City Clerk:
ROBERT S. MCKINNELL

City Treasurer
KEVIN A. LARSON

City Administrator
DAMIEN R. ARRULA

401 East Chapman Avenue – Placentia, California 92870

July 14, 2021

Cheryl Viegas Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Walker:

The City of Placentia strongly supports the City of Rancho Cucamonga's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

Current policies by the California Department of Tax and Fees (CDTFA) require that the 1 percent (1%) Bradley Burns local tax revenue from in-state online retailers be allocated to the jurisdiction from which the package was shipped from, as opposed to going into a countywide pool as is the practice with out-of-state online retailers. Earlier this year, one of the largest online retailers shifted its ownership structure and now operates as an in-state online retailer as well as out-of-state online retailer. Whereas, all sales tax revenue generated by this retailer's sales previously went into a countywide pool and was distributed amongst the jurisdictions in the pool, now the revenue from in-state sales goes entirely to the city where the fulfillment center is located, and the packages shipped from. Cities that do not have a fulfillment center now receive no revenue from this retailer's online in-state sales transactions, even when the packages are delivered to locations within the cities' borders and paid for by residents in those locations. Cities that border jurisdictions with fulfillment centers also experience its impacts such as increased truck traffic, air pollution and declining road conditions.

This all-or-nothing practice has created clear winners and losers amongst cities as the online sales tax revenue from large online retailers that was once spread amongst all cities in countywide pools is now concentrated in select cities fortunate enough to host a fulfillment center. This has created a growing inequity amongst California cities, which only benefits some and is particularly unfair to cities who have no chance of ever obtaining a fulfillment center, such as those that are built out or are not situated along major travel corridors. No/low property tax cities that rely on sales tax revenue are especially impacted as well as cities struggling to meet their RHNA allocations that are being pressured by Sacramento to rezone precious commercial parcels to residential.

The current online sales tax distribution policies are inherently unfair and exasperate the divide between the winners and losers. Ultimately, the real winners may be the retailers, who leverage these policies to negotiate favorable sales tax sharing agreements from a small group of select cities understandably wanting to host fulfillment centers. The

current online sales tax distribution policies unfairly divide local agencies, exacerbate already difficult municipal finances, and in the end result in a net loss of local government sales tax proceeds that simply serve to make private sector businesses even more profitable at the expense of everyone's residents. We can do better than this. And we should all aspire to develop an equitable sales tax distribution of online sales that addresses the concerns noted above.

For these reasons, the City of Placentia concurs that the resolution should go before the General Assembly. Should you have any questions regarding this letter, please contact me at (714) 993-8117 or via email at administration@placentia.org.

Sincerely,

Damien R. Arrula
City Administrator

SACRAMENTO
Office of the City Manager

Leyne Milstein
Assistant City Manager

City Hall
915 I Street, Fifth Floor
Sacramento, CA 95814-2604
916-808-5704

July 19, 2021

Cheryl Viegas Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Walker:

The City of Sacramento strongly supports the City of Rancho Cucamonga's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

Current policies by the California Department of Tax and Fees (CDTFA) require that the one percent Bradley Burns local tax revenue from in-state online retailers be allocated to the jurisdiction from which the package was shipped from, as opposed to going into a countywide pool as is the practice with out-of-state online retailers. Earlier this year, one of the largest online retailers shifted its ownership structure and now operates as an in-state online retailer as well as out-of-state online retailer. Whereas all sales tax revenue generated by this retailer's sales previously went into a countywide pool and was distributed amongst the jurisdictions in the pool, now the revenue from in-state sales goes entirely to the city where the fulfillment center is located, and the packages shipped from. Cities that do not have a fulfillment center now receive no revenue from this retailer's online in-state sales transactions, even when the packages are delivered to locations within the cities' borders and paid for by residents in those locations. Cities that border jurisdictions with fulfillment centers also experience its impacts such as increased truck traffic, air pollution and declining road conditions.

This all-or-nothing practice has created clear winners and losers amongst cities as the online sales tax revenue from large online retailers that was once spread amongst all cities in countywide pools is now concentrated in select cities fortunate enough to host a fulfillment center. This has created a growing inequity amongst California cities, which only benefits some and is particularly unfair to cities who have no chance of ever obtaining a fulfillment

Leyne Milstein
Assistant City Manager

City Hall
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center, such as those that are built out or are not situated along major travel corridors. No/low property tax cities that rely on sales tax revenue are especially impacted as well as cities struggling to meet their Regional Housing Needs Allocation (RHNA) that are being pressured by Sacramento to rezone precious commercial parcels to residential.

The current online sales tax distribution policies are inherently unfair and exasperate the divide between the winners and losers. Ultimately, the real winners may be the retailers, who leverage these policies to negotiate favorable sales tax sharing agreements from a small group of select cities understandably wanting to host fulfillment centers. The current online sales tax distribution policies unfairly divide local agencies, exacerbate already difficult municipal finances, and in the end, result in a net loss of local government sales tax proceeds that simply serve to make private sector businesses even more profitable at the expense of everyone's residents. We can do better than this. And we should all aspire to develop an equitable sales tax distribution of online sales that addresses the concerns noted above.

For these reasons, the City of Sacramento concurs that the resolution should go before the General Assembly.

Sincerely,

Leyne Milstein (Jul 19, 2021 14:48 PDT)

Leyne Milstein
Assistant City Manager

League of California Cities Staff Analysis on Resolution No. 1

Staff: Nicholas Romo, Legislative Affairs, Lobbyist

Committee: Revenue and Taxation

Summary:
This Resolution calls on the League of California Cities (Cal Cities) to request the Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.

Background:
The City of Rancho Cucamonga is sponsoring this resolution to *"address the issues in how sales and use taxes are distributed in the 21st century."*

The City notes that *"sales tax is a major revenue source for most California cities. Commonly known as the local 1% Bradley-Burns tax, since the 1950's, cities have traditionally received 1 cent on every dollar of a sale made at the store, restaurant, car dealer, or other location within a jurisdiction's boundaries. Over the years, however, this simple tax structure has evolved into a much more complex set of laws and allocation rules. Many of these rules relate to whether or not a given transaction is subject to sales tax, or to use tax – both have the same 1% value, but each applies in separate circumstances.*

Recently, one of the world's largest online retailers changed the legal ownership of its fulfillment centers. Instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated.

This change has created a situation where most cities in California – more than 90%, in fact – are experiencing a sales tax revenue loss that began in the fourth quarter of calendar year 2021. Many cities may not be aware of this impact, as the fluctuations in sales tax following the pandemic shutdowns have masked the issue. But this change will have long-term impacts on revenues for all California cities as all these revenues benefiting all cities have shifted to just a handful of cities and counties that are home to this retailer's fulfillment centers."

The City's resolution calls for action on an unspecified solution that *"rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction,"* which aims to acknowledge the actions taken by cities to alleviate poverty, catalyze economic development, and improve financial stability within their communities through existing tax sharing and zoning powers.

Ultimately, sponsoring cities believe *"that by once again starting the conversation and moving toward the development of laws and policies that can result in seeing all cities benefit from the growth taxes generated through online sales, our state will be stronger."*

Sales and Use Tax in California

The Bradley-Burns Uniform Sales Tax Act allows all local agencies to apply its own sales and use tax on the same base of tangible personal property (taxable goods). This tax rate currently is fixed at 1.25% of the sales price of taxable goods sold at retail locations in a local jurisdiction, or purchased outside the jurisdiction for use within the jurisdiction. Cities and counties use this 1% of the tax to support general operations, while the remaining 0.25% is used for county transportation purposes.

In California, all cities and counties impose Bradley-Burns sales taxes. California imposes the sales tax on every retailer engaged in business in this state that sells taxable goods. The law requires businesses to collect the appropriate tax from the purchaser and remit the amount to the California Department of Tax and Fee Administration (CDTFA). Sales tax applies whenever a retail sale is made, which is basically any sale other than one for resale in the regular course of business. Unless the person pays the sales tax to the retailer, they are liable for the use tax, which is imposed on any person consuming taxable goods in the state. The use tax rate is the same rate as the sales tax rate.

Generally, CDTFA distributes Bradley-Burns tax revenue based on where a sale took place, known as *a situs-based system*. A retailer's physical place of business—such as a retail store or restaurant—is generally the place of sale. "Sourcing" is the term used by tax practitioners to describe the rules used to determine the place of sale, and therefore, which tax rates are applied to a given purchase and which jurisdictions are entitled to the local and district taxes generated from a particular transaction.

California is primarily an origin-based sourcing state – meaning tax revenues go to the jurisdiction in which a transaction physically occurs if that can be determined. However, California also uses a form of destination sourcing for the local use tax and for district taxes (also known as "transactions and use taxes" or "add-on sale and use taxes"). That is, for cities with local add-on taxes, they receive their add-on rate amount from remote and online transactions.

Generally, allocations are based on the following rules:

- The sale is sourced to the place of business of the seller - whether the product is received by the purchaser at the seller's business location or not.
- If the retailer maintains inventory in California and has no other in state location, the source is the jurisdiction where the warehouse is situated. *This resolution is concerned with the growing amount of online retail activity being sourced to cities with warehouse/fulfillment center locations.*
- If the business' sales office is located in California but the merchandise is shipped from out of state, the tax from transactions under $500,000 is allocated

via the county pools. The tax from transactions over $500,000 is allocated to the jurisdiction where the merchandise is delivered.

- When a sale cannot be identified with a permanent place of business in the state, the sale is sourced to the allocation pool of the county where the merchandise was delivered and then distributed among all jurisdictions in that county in proportion to ratio of sales. *For many large online retailers, this has been the traditional path.*

Online Sales and Countywide Pools

While the growth of e-commerce has been occurring for more than two decades, led by some of the largest and most popular retailers in the world, the dramatic increase in online shopping during the COVID-19 pandemic has provided significant revenue to California cities as well as a clearer picture on which governments enjoy even greater benefits.

In the backdrop of booming internet sales has been the steady decline of brick-and-mortar retail and shopping malls. For cities with heavy reliance on in-person retail shopping, the value of the current allocation system has been diminished as their residents prefer to shop online or are incentivized to do so by retailers (during the COVID-19 pandemic, consumers have had no other option but to shop online for certain goods). All the while, the demands and costs of city services continue to grow for cities across the state.

As noted above, the allocation of sales tax revenue to local governments depends on the location of the transaction (or where the location is ultimately determined). For in-person retail, the sales tax goes to the city in which the product and store are located - a customer purchasing at a register. For online sales, the Bradley Burns sales tax generally goes to a location other than the one where the customer lives – either to the city or county where an in-state warehouse or fulfillment center is located, the location of in-state sales office (ex. headquarters) or shared as use tax proceeds amongst all local governments within a county based on their proportionate share of taxable sales.

Under current CDTFA regulations, a substantial portion of local use tax collections are allocated through a countywide pool to the local jurisdictions in the county where the property is put to its first functional use. The state and county pools constitute over 15% of local sales and use tax revenues. Under the pool system, the tax is reported by the taxpayer to the countywide pool of use and then distributed to each jurisdiction in that county on a pro-rata share of taxable sales. If the county of use cannot be identified, the revenues are distributed to the state pool for pro-rata distribution on a statewide basis.

Concentration of Online Sales Tax Revenue and Modernization

Sales tax modernization has been a policy goal of federal, state, and local government leaders for decades to meet the rapidly changing landscape of commercial activity and ensure that all communities can sustainably provide critical services.

For as long as remote and internet shopping has existed, policy makers have been concerned about their potential to disrupt sales and use tax allocation procedures that underpin the funding of local government services. The system was designed in the early twentieth century to ensure that customers were paying sales taxes to support local government services within the community where the transactions occurred whether they resided there or not. This structure provides benefit to and recoupment for the public resources necessary to ensure the health and safety of the community broadly.

City leaders have for as long been concerned about the loosening of the nexus between what their residents purchase and the revenues they receive. Growing online shopping, under existing sourcing rules, has led to a growing concentration of sales tax revenue being distributed to a smaller number of cities and counties. As more medium and large online retailers take title to fulfillment centers or determine specific sales locations in California as a result of tax sharing agreements in specific cities, online sales tax revenue will be ever more concentrated in a few cities at the control of these companies. Furthermore, local governments are already experiencing the declining power of the sales tax to support services as more money is being spent on non-taxable goods and services.

For more on sales and use tax sourcing please see Attachment A.

State Auditor Recommendations

In 2017, the California State Auditor issued a report titled, "The Bradley-Burns Tax and Local Transportation Funds, noting that:

"Retailers generally allocate Bradley Burns tax revenue based on the place of sale, which they identify according to their business structure. However, retailers that make sales over the Internet may allocate sales to various locations, including their warehouses, distribution center, or sales offices. This approach tends to concentrate Bradley Burns tax revenue into the warehouses' or sales offices' respective jurisdictions. Consequently, counties with a relatively large amount of industrial space may receive disproportionately larger amounts of Bradley Burns tax, and therefore Local Transportation Fund, revenue.

The State could make its distribution of Bradley Burns tax revenue derived from online sales more equitable if it based allocations of the tax on the destinations to which goods are shipped rather than on place of sale."

The Auditor's report makes the following recommendation:

"To ensure that Bradley-Burns tax revenue is more evenly distributed, the Legislature should amend the Bradley-Burns tax law to allocate revenues from Internet sales based on the destination of sold goods rather than their place of sale."

In acknowledgement of the growing attention from outside groups on this issue, Cal Cities has been engaged in its own study and convening of city officials to ensure pursued solutions account for the circumstances of all cities and local control is best protected. These efforts are explored in subsequent sections.

Cal Cities Revenue and Taxation Committee and City Manager Working Group
In 2015 and 2016, Cal Cities' Revenue and Taxation Policy Committee held extensive discussions on potential modernization of tax policy affecting cities, with a special emphasis on the sales tax. The issues had been identified by Cal Cities leadership as a strategic priority given concerns in the membership about the eroding sales tax base and the desire for Cal Cities to take a leadership role in addressing the associated issues. The policy committee ultimately adopted a series of policies that were approved by the Cal Cities board of directors. Among its changes were a recommended change to existing sales tax sourcing (determining where a sale occurs) rules, so that the point of sale (situs) is where the customer receives the product. The policy also clarifies that specific proposals in this area should be carefully reviewed so that the impacts of any changes are fully understood. See "Existing Cal Cities Policy" section below.

Cal Cities City Manager Sales Tax Working Group Recommendations
In the Fall of 2017, the Cal Cities City Managers Department convened a working group (Group) of city managers representing a diverse array of cities to review and consider options for addressing issues affecting the local sales tax.

The working group of city managers helped Cal Cities identify internal common ground on rapidly evolving e-commerce trends and their effects on the allocation of local sales and use tax revenue. After meeting extensively throughout 2018, the Group made several recommendations that were endorsed unanimously by Cal Cities' Revenue and Taxation Committee at its January, 2019 meeting and by the board of directors at its subsequent meeting.

The Group recommended the following actions in response to the evolving issues associated with e-commerce and sales and use tax:

Further Limiting Rebate Agreements: The consensus of the Group was that:

- Sales tax rebate agreements involving online retailers should be prohibited *going forward.* They are inappropriate because they have the effect of encouraging revenue to be shifted away from numerous communities and concentrated to the benefit of one.
- Any type of agreement that seeks to lure a retailer from one community to another within a market area should also be prohibited *going forward.* Existing law already prohibits such agreements for auto dealers and big box stores.

Shift Use Tax from Online Sales, including from the South Dakota v. Wayfair Decision Out of County Pools: The Group's recommendation is based first on the principle of "situs" and that revenue should be allocated to the jurisdiction where the use occurs. Each city and county in California imposed a Bradley Burns sales and use tax rate

under state law in the 1950s. The use tax on a transaction is the rate imposed where the purchaser resides (the destination). These use tax dollars, including new revenue from the South Dakota v. Wayfair decision, should be allocated to the destination jurisdiction whose Bradley Burns tax applies and not throughout the entire county.

- Shift of these revenues, from purchases from out of state retailers including transactions captured by the South Dakota v. Wayfair decision, out of county pools to full destination allocation on and after January 1, 2020.
- Allow more direct reporting of use taxes related to construction projects to jurisdiction where the construction activity is located by reducing existing regulatory threshold from $5 million to $100,000.

Request/Require CDTFA Analysis on Impacts of Sales Tax Destination Shifts: After discussion of numerous phase-in options for destination sourcing and allocation for sales taxes, the Group ultimately decided that a more complete analysis was needed to sufficiently determine impacts. Since the two companies most cities rely on for sales tax analysis, HdL and MuniServices, were constrained to modeling with transaction and use tax (district tax) data, concerns centered on the problem of making decisions without adequate information. Since the CDTFA administers the allocation of local sales and use taxes, it is in the best position to produce an analysis that examines:

- The impacts on individual agencies of a change in sourcing rules. This would likely be accomplished by developing a model to examine 100% destination sourcing with a report to the Legislature in early 2020.
- The model should also attempt to distinguish between business-to-consumer transactions versus business-to-business transactions.
- The model should analyze the current number and financial effects of city and county sales tax rebate agreements with online retailers and how destination sourcing might affect revenues under these agreements.

Conditions for considering a Constitutional Amendment that moves toward destination allocation: Absent better data on the impacts on individual agencies associated with a shift to destination allocation of sales taxes from CDTFA, the Group declined to prescribe if/how a transition to destination would be accomplished; the sentiment was that the issue was better revisited once better data was available. In anticipation that the data would reveal significant negative impacts on some agencies, the Group desired that any such shift should be accompanied by legislation broadening of the base of sales taxes, including as supported by existing Cal Cities policy including:

- Broadening the tax base on goods, which includes reviewing existing exemptions on certain goods and expanding to digital forms of goods that are otherwise taxed; and
- Expanding the sales tax base to services, such as those commonly taxed in other states.

This Resolution builds upon previous work that accounts for the impacts that distribution networks have on host cities and further calls on the organization to advocate for changes to sales tax distribution rules.

The Resolution places further demands on data collected by CDTFA to establish a "fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases." Such data is proposed to be collected by SB 792 (Glazer, 2021). More discussion on this topic can be found in the "Staff Comments" section.

Staff Comments:

Proposed Resolution Affixes Equity Based, Data Driven Approach to Existing Cal Cities Policy on Sales Tax Sourcing

The actions resulting from this resolution, if approved, would align with existing policy and efforts to-date to modernize sales tax rules. While not formalized in existing Cal Cities policy or recommendations, city managers and tax practitioners generally have favored proposals that establish a sharing of online sales tax revenues rather than a full destination shift. City leaders and practitioners across the state have acknowledged during Cal Cities Revenue and Taxation and City Manager's working group meetings that the hosting of fulfillment centers and ancillary infrastructure pose major burdens on local communities including detrimental health and safety impacts. This acknowledgement has moved mainstream proposals such as this one away from full revenue shifts towards an equity-based, data driven approach that favors revenue sharing. This Resolution would concretely affix this approach as Cal Cities policy.

More Data is Needed to Achieve Equity Based Approach

A major challenge is the lack of adequate data to model the results of shifting in-state online sale tax revenues. Local government tax consultants and state departments have limited data to model the effects of changes to sales tax distribution because their information is derived only from cities that have a local transactions and use tax (TUT). Tax experts are able to model proposed tax shifts using TUTs since they are allocated on a destination basis (where a purchaser receives the product; usually a home or business). However, more than half of all cities, including some larger cities, do not have a local TUT therefore modeling is constrained and incomplete.

Efforts to collect relevant sales tax information on the destination of products purchased online are ongoing. The most recent effort is encapsulated in SB 792 (Glazer, 2021), which would require retailers with online sales exceeding $50 million a year to report to CDTFA the gross receipts from online sales that resulted in a product being shipped or delivered in each city. The availability of this data would allow for a much more complete understanding of online consumer behavior and the impacts of future proposed changes to distribution. SB 792 (Glazer) is supported by Cal Cities following approval by the Revenue and Taxation Committee and board of directors.

Impact of Goods Movement Must Be Considered

As noted above, city leaders and practitioners across the state acknowledge that the hosting of fulfillment centers and goods movement infrastructure pose major burdens on local communities including detrimental health, safety, and infrastructure impacts. Not least of which is the issue of air pollution from diesel exhaust. According to California Environmental Protection Agency (Cal EPA):

"Children and those with existing respiratory disease, particularly asthma, appear to be especially susceptible to the harmful effects of exposure to airborne PM from diesel exhaust, resulting in increased asthma symptoms and attacks along with decreases in lung function (McCreanor et al., 2007; Wargo, 2002). People that live or work near heavily-traveled roadways, ports, railyards, bus yards, or trucking distribution centers may experience a high level of exposure (US EPA, 2002; Krivoshto et al., 2008). People that spend a significant amount of time near heavily-traveled roadways may also experience a high level of exposure. Studies of both men and women demonstrate cardiovascular effects of diesel PM exposure, including coronary vasoconstriction and premature death from cardiovascular disease (Krivoshto et al., 2008). A recent study of diesel exhaust inhalation by healthy non-smoking adults found an increase in blood pressure and other potential triggers of heart attack and stroke (Krishnan et al., 2013) Exposure to diesel PM, especially following periods of severe air pollution, can lead to increased hospital visits and admissions due to worsening asthma and emphysema-related symptoms (Krivoshto et al., 2008). Diesel exposure may also lead to reduced lung function in children living in close proximity to roadways (Brunekreef et al., 1997)."

The founded health impacts of the ubiquitous presence of medium and heavy-duty diesel trucks used to transport goods to and from fulfillment centers and warehouses require host cities to meet increased needs of their residents including the building and maintenance of buffer zones, parks, and open space. While pollution impacts may decline with the introduction of zero-emission vehicles, wide scale adoption by large distribution fleets is still in its infancy. Furthermore, the impacts of heavy road use necessitate increased spending on local streets and roads upgrades and maintenance. In addition, many cities have utilized the siting of warehouses, fulfillment centers, and other heavy industrial uses for goods movements as key components of local revenue generation and economic development strategies. These communities have also foregone other land uses in favor of siting sales offices and fulfillment networks.

All said, however, it is important to acknowledge that disadvantaged communities (DACs) whether measured along poverty, health, environmental or education indices exist in cities across the state. For one example, see: California Office of Environmental Health Hazard Assessment (OEHHA) CalEnviroScreen. City officials may consider how cities without fulfillment and warehouse center revenues are to fund efforts to combat social and economic issues, particularly in areas with low property tax and tourism-based revenues.

The Resolution aims to acknowledge these impacts broadly (this analysis does not provide an exhaustive review of related impacts) and requests Cal Cities to account for them in a revised distribution formula of the Bradley Burns 1% local sales tax from in-state online purchases. The Resolution does not prescribe the proportions.

Clarifying Amendments

Upon review of the Resolution, Cal Cities staff recommends technical amendments to provide greater clarity. *To review the proposed changes, please see Attachment B.*

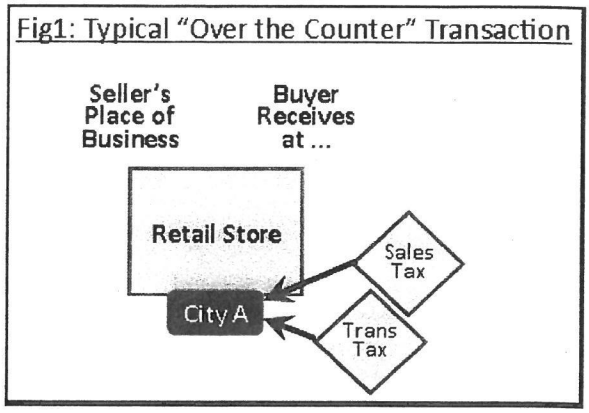
Fiscal Impact:
Significant but unknown. The Resolution on its own does not shift sales tax revenues. In anticipation and mitigation of impacts, the Resolution requests Cal Cities to utilize online sales tax data to identify a fair and equitable distribution formula that accounts for the broad impacts fulfillment centers involved in online retail have on the cities that host them. The Resolution does not prescribe the revenue distribution split nor does it prescribe the impacts, positive and negative, of distribution networks.

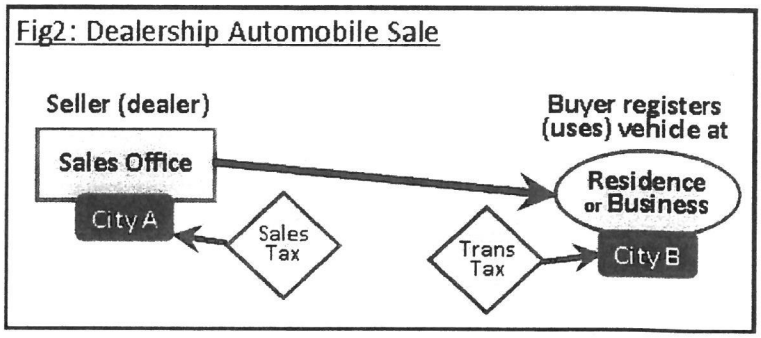
Existing Cal Cities Policy:

- Tax proceeds collected from internet sales should be allocated to the location where the product is received by the purchaser.
- Support as Cal Cities policy that point of sale (situs) is where the customer receives the product. Specific proposals in this area should be carefully reviewed so that the impacts of any changes are fully understood.
- Revenue from new regional or state taxes or from increased sales tax rates should be distributed in a way that reduces competition for situs-based revenue. (Revenue from the existing sales tax rate and base, including future growth from increased sales or the opening of new retail centers, should continue to be returned to the point of sale.)
- The existing situs-based sales tax under the Bradley Burns 1% baseline should be preserved and protected.
- Restrictions should be implemented and enforced to prohibit the enactment of agreements designed to circumvent the principle of situs-based sales and redirect or divert sales tax revenues from other communities, when the physical location of the affected businesses does not change. Sales tax rebate agreements involving online retailers are inappropriate because they have the effect of encouraging revenue to be shifted away from numerous communities and concentrated to the benefit of one. Any type of agreement that seeks to lure a retailer from one community to another within a market area should also be prohibited going forward.
- Support Cal Cities working with the state California Department of Tax and Fee Administration (CDTFA) to update the county pool allocation process to ensure that more revenues are allocated to the jurisdiction where the purchase or first use of a product occurs (usually where the product is delivered). Use Tax collections from online sales, including from the South Dakota v Wayfair Decision, should be shifted out of county pools and allocated to the destination jurisdiction whose Bradley Burns tax applies and not throughout the entire county.

Support:
The following letters of concurrence were received:
Town of Apple Valley
City of El Cerrito
City of La Canada Flintridge
City of La Verne
City of Lakewood

City of Moorpark
City of Placentia
City of Sacramento


Fig1: Typical "Over the Counter" Transaction
Seller's Place of Business
Buyer Receives at ...
Retail Store
City A
Sales Tax
Trans Tax


Fig2: Dealership Automobile Sale
Seller (dealer)
Sales Office
City A
Sales Tax
Buyer registers (uses) vehicle at
Residence or Business
Trans Tax
City B

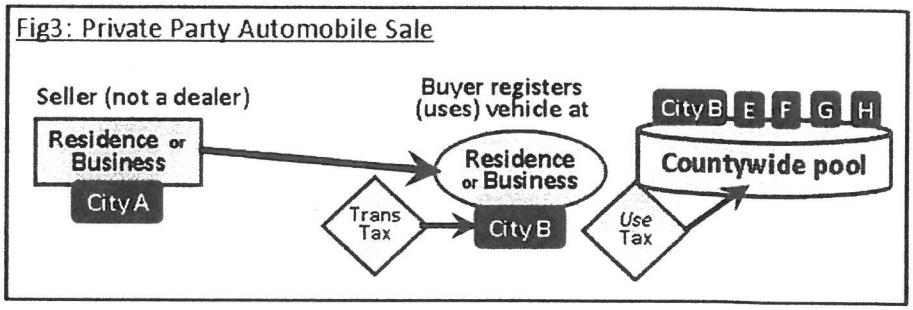
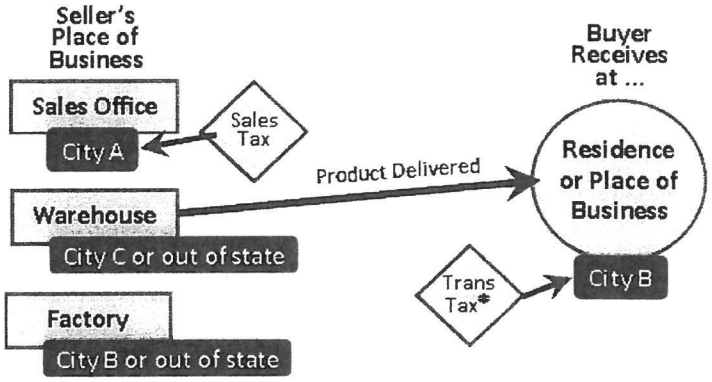
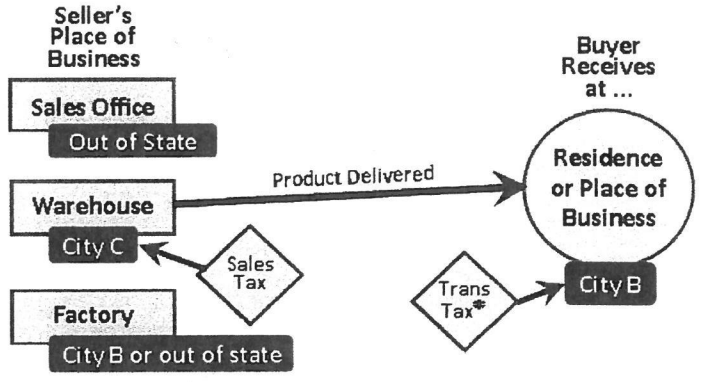

Fig3: Private Party Automobile Sale
Seller (not a dealer)
Residence or Business
City A
Trans Tax
Buyer registers (uses) vehicle at
Residence or Business
City B
City B E F G H
Countywide pool
Use Tax

Fig4: Remote (Online) Sale—In-State Business Office



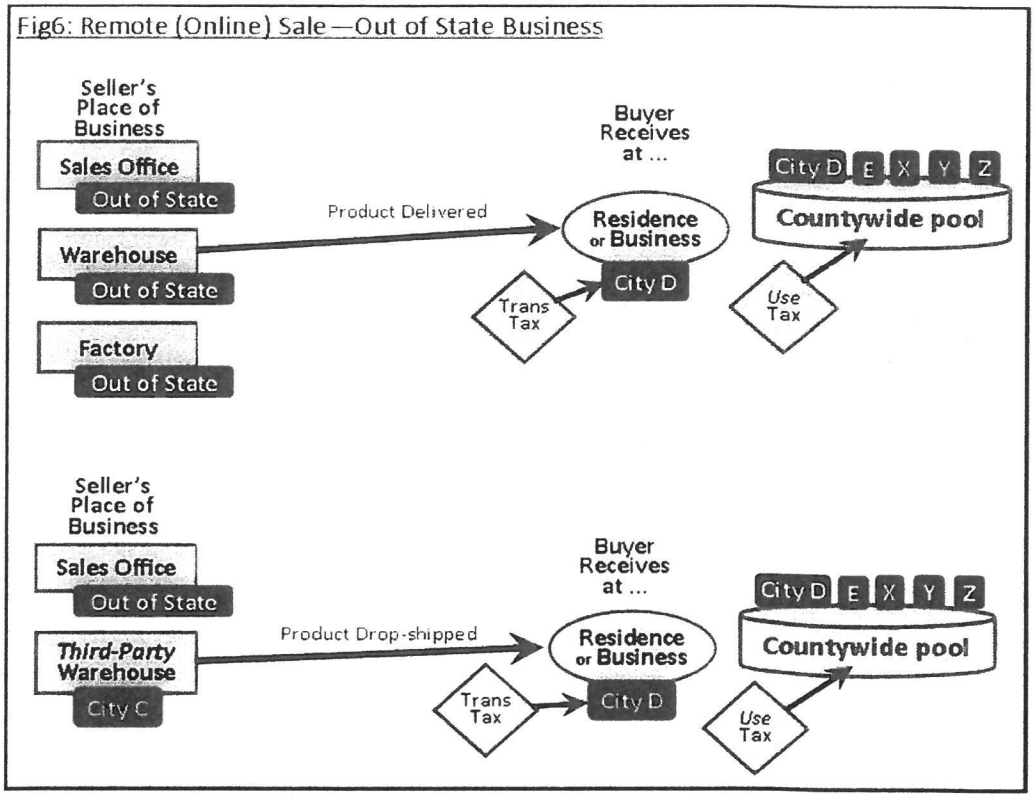
*If the seller is in the same Transactions and Use Tax "district" as the buyer, then the seller is responsible for collecting and remitting the tax. If the buyer is in a different district, the buyer is responsible.

Fig5: Remote (Online) Sale—In-State Warehouse, Out-of-State Sales Office



*If the seller is in the same Transactions and Use Tax "district" as the buyer, then the seller is responsible for collecting and remitting the tax. If the buyer is in a different district, the buyer is responsible.

Fig6: Remote (Online) Sale—Out of State Business



GUIDELINES FOR ALLOCATION OF LOCAL TAX - ONLINE AND IN-STORE			
Place of Sale	**Location of Goods at the Time of Sale**	**How Customer Receives Goods**	**Allocation of Tax**
Online - Order is placed or downloaded outside California	California Fulfillment Center	Shipped to California Customer	Local tax is allocated to the jurisdiction in which the fulfillment center is located
Online - Order is placed or downloaded in California	California Fulfillment Center	Shipped to California Customer	Per CDTFA Regulation 1802, local tax is allocated to the jurisdiction where the order is placed
Online	Out of State Fulfilment Center	Shipped to California Customer	Local tax is allocated to the countywide pool based on point of delivery
Online	Out of State Fulfilment Center	Picked Up In-Store (Click & Collect)	Local tax is allocated to the countywide pool based on point of delivery
Online	California Fulfillment Center Owned and Operated by Third Party Vendor	Drop-Shipped to California Customer	Local tax is allocated to the countywide pool based on point of delivery
Online	In-Store (Goods withdrawn from store inventory)	Shipped to California Customer	Local Tax is allocated to the jurisdiction where the store is located
Online	In-Store (Goods withdrawn from store inventory)	Picked Up In-Store (Click & Collect)	Local Tax is allocated to the jurisdiction where the store is located
In-Store	In-Store (Goods withdrawn from store inventory)	Over the Counter	Local Tax is allocated to the jurisdiction where the store is located

Courtesy of HdL Companies

CaliforniaCityFinance.com

Tax Incentive Programs, Sales Tax Sharing Agreements

In recent years, especially since Proposition 13 in 1978, local discretionary (general purpose revenues) have become more scarce. At the same time, options and procedures for increasing revenues have become more limited. One outcome of this in many areas has been a greater competition for sales and use tax revenues. This has brought a rise in arrangements to encourage certain land use development with rebates and incentives which exploit California's odd origin sales tax sourcing rules.

The typical arrangement is a sales tax sharing agreement in which a city provides tax rebates to a company that agrees to expand their operations in the jurisdiction of the city. Under such an arrangement, the company generally agrees to make a specified amount of capital investment and create a specific number of jobs over a period of years in exchange for specified tax breaks, often property tax abatement or some sort of tax credit. In some cases, this has simply taken the form of a sales office, while customers and warehouses and the related economic activity are disbursed elsewhere in the state. In some cases the development takes the form of warehouses, in which the sales inventory, owned by the company, is housed.[6]

Current sales tax incentive agreements in California rebate amounts ranging from 50% to 85% of sales tax revenues back to the corporations.

Today, experts familiar with the industry believe that between 20% to 30% of local Bradley-Burns sales taxes paid by California consumers is diverted from local general funds back to corporations; over $1 billion per year.

The Source of Origin Based Sourcing Problems

Where other than over-the-counter sales are concerned origin sourcing often causes a concentration of large amounts of tax revenue in one location, despite the fact that the economic activity and service impacts are also occurring in other locations.

The large amounts of revenue concentrated in a few locations by California's "warehouse rule" origin sourcing causes a concentration of revenue far in excess of the service costs associated with the development.

In order to lure jobs and tax revenues to their communities, some cities have entered into rebate agreements with corporations. This has grown to such a problem, that 20% to 30% of total local taxes paid statewide are being rebated back to corporations rather than funding public services.

Moving to Destination Sourcing: The Concept[7]

A change from origin sourcing rules to destination sourcing rules for the local tax component of California's sales tax would improve overall revenue collections and distribute these revenues more equitably among all of the areas involved in these transactions.

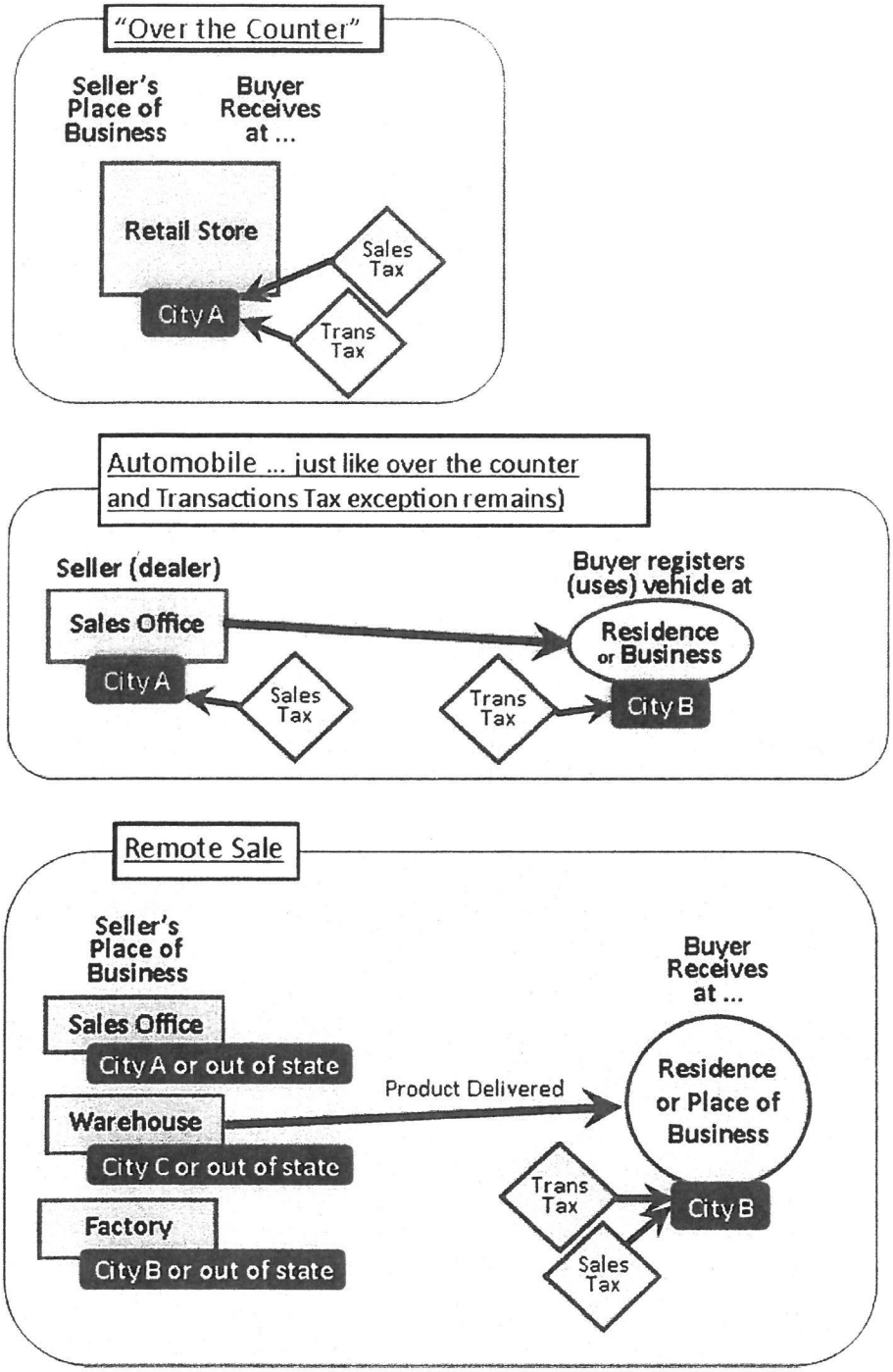
A change from origin based sourcing to destination based sourcing would have no effect on state tax collections. However, it would alter the allocations of local sales and use tax revenues among local agencies. Most retail transactions including dining, motor fuel purchases, and in-store purchases would not be affected. But in cases where the property is received by the purchaser in a different jurisdiction than where the sales agreement was negotiated, there would be a different allocation than under the current rules.

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[6] See Jennifer Carr, "Origin Sourcing and Tax Incentive Programs: An Unholy Alliance" Sales Tax Notes; May 27, 2013.

[7] The same issues that are of concern regarding the local sales tax do not apply to California's Transactions and Use Taxes ("Add-on sales taxes") as these transactions, when not over the counter, are generally allocated to the location of use or, as in the case of vehicles, product registration. There is no need to alter the sourcing rules for transactions and use taxes.

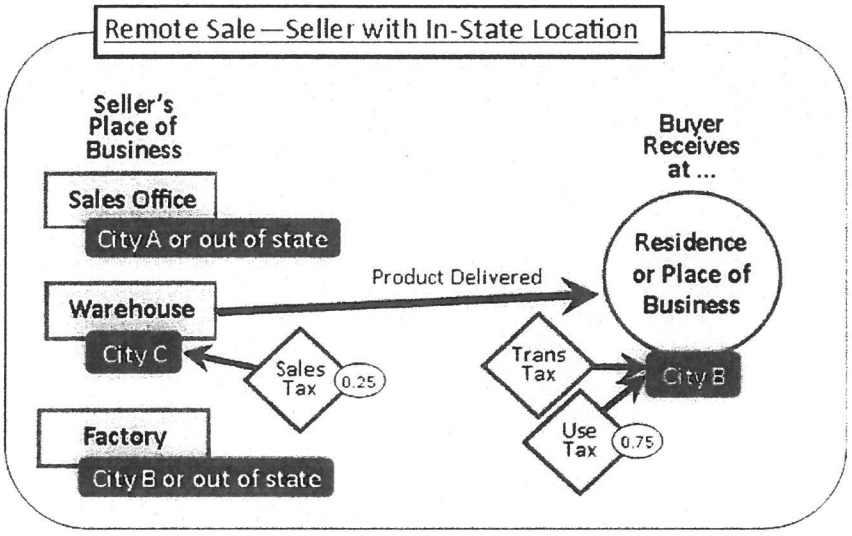
Destination Sourcing Scenario 1: Full-On

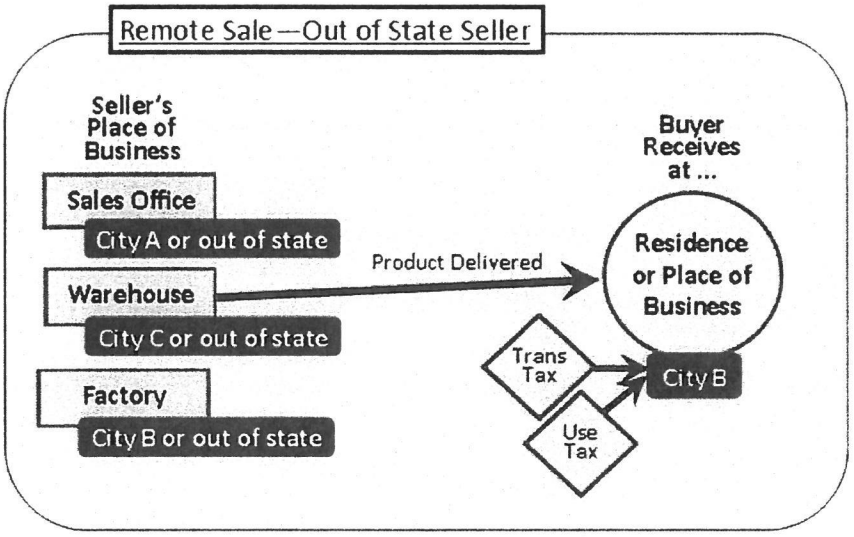


CaliforniaCityFinance.com

Destination Sourcing Scenario 2: Split Source

- Same as now for "over the counter" and automobile.
- Leave 0.25% on current seller if instate (origin)
- Could be phased in.





mjgc

RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES ("CAL CITIES") CALLING ON THE STATE LEGISLATURE TO PASS LEGISLATION THAT PROVIDES FOR A FAIR AND EQUITABLE DISTRIBUTION OF THE BRADLEY BURNS 1% LOCAL SALES TAX FROM IN-STATE ONLINE PURCHASES, BASED ON DATA WHERE PRODUCTS ARE SHIPPED TO, AND THAT RIGHTFULLY TAKES INTO CONSIDERATION THE IMPACTS THAT FULFILLMENT CENTERS HAVE ON HOST CITIES BUT ALSO PROVIDES A FAIR SHARE TO CALIFORNIA CITIES THAT DO NOT AND/OR CANNOT HAVE A FULFILLMENT CENTER WITHIN THEIR JURISDICTION

WHEREAS, the 2018 U.S. Supreme Court decision in *Wayfair v. South Dakota* clarified that states could charge and collect tax on purchases even if the seller does not have a physical presence in the state; and

WHEREAS, California cities and counties collect 1% in Bradley Burns sales and use tax from the purchase of tangible personal property and rely on this revenue to provide critical public services such as police and fire protection; and

WHEREAS, in terms of "siting" the place of sale and determining which jurisdiction receives the 1% Bradley Burns local taxes for online sales, the California Department of Tax and Fee Administration (CDTFA) determines "out-of-state" online retailers as those with no presence in California that ship property from outside the state and are therefore subject to use tax, not sales tax, which is collected in a countywide pool of the jurisdiction where the property is shipped from; and

WHEREAS, for online retailers that have a presence in California and have a stock of goods in the state from which it fulfills orders, CDTFA considers the place of sale ("situs") as the location from which the goods were shipped such as a fulfillment center; and

WHEREAS, in early 2021, one of the state's largest online retailers shifted its ownership structure so that it is now considered both an in-state and out-of-state retailer, resulting in the sales tax this retailer generates from in-state sales now being ~~**entirely**~~ allocated to ~~**the specific city**~~ **cities** where ~~the~~ warehouse fulfillment center**s** ~~**is**~~ **are** located as opposed to going into ~~**a**~~ countywide pool**s** that ~~**is**~~ **are** shared with all jurisdictions in **those counties** ~~**that County**~~, as was done previously; and

WHEREAS, this all-or-nothing ~~change for the~~ allocation of in-state sales tax has created winners and losers amongst cities as the online sales tax revenue ~~**from the retailer**~~ that was once spread amongst all cities in countywide pools is now concentrated in select cities that host ~~**a**~~ fulfillment centers; and

WHEREAS, this has created a tremendous inequity amongst cities, in particular for cities that are built out, do not have space for siting ~~**a 1 million square foot**~~ fulfillment center**s**, are not located along a major travel corridor, or otherwise not ideally suited to host a fulfillment center; and

WHEREAS, this inequity affects cities statewide, but in particular those with specific circumstances such as no/low property tax cities that are extremely reliant on sales tax revenue as well as cities struggling to meet their **Regional Housing Needs Allocation** (RHNA) obligations that are being compelled by the State to rezone precious commercial parcels to residential; and

WHEREAS, the inequity produced by allocating in-state online sales tax revenue exclusively to cities with fulfillment centers is exasperated even more by, in addition to already reducing the amount of revenue going into the countywide pools, the cities with fulfillment centers are also receiving a larger share of the dwindling countywide pool as it is allocated based on cities' proportional share of sales tax collected; and

WHEREAS, while it is important to acknowledge that those cities that have fulfillment centers experience impacts from these activities and deserve equitable supplementary compensation, it should also be recognized that the neighboring cities whose residents are ordering products from **those** ~~that~~ centers now receive no **Bradley Burns** revenue ~~from the center's sales activity~~ despite also experiencing the impacts created by them ~~center~~, such as increased traffic and air pollution; and

WHEREAS, the COVID-19 pandemic greatly accelerated the public's shift towards online purchases, a trend that is unlikely to be reversed to pre-pandemic levels; and

NOW, THEREFORE, BE IT RESOLVED that Cal Cities calls on the State Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.

2. **A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO PROVIDE NECCESARY FUNDING FOR CUPC TO FUFILL ITS OBLIGATION TO INSPECT RAILROAD LINES TO ENSURE THAT OPERATORS ARE REMOVING ILLEGAL DUMPING, GRAFFITI AND HOMELESS ENCAMPMENTS THAT DEGRADE THE QAULITY OF LIFE AND RESULTS IN INCREASED PUBLIC SAFETLY CONCERNS FOR COMMUNITIES AND NEIGHBORHOODS THAT ABUTT THE RAILROAD RIGHT-OF-WAY.**

Source: City of South Gate
Concurrence of five or more cities/city officials:
Cities: City of Bell Gardens; City of Bell; City of Commerce; City of Cudahy; City of El Segundo; City of Glendora; City of Huntington Park; City of La Mirada; City of Long Beach; City of Lynwood; City of Montebello; City of Paramount; City of Pico Rivera
Referred to: Housing, Community and Economic Development; and Transportation, Communications and Public Works

WHEREAS, ensuring the quality of life for communities falls upon every local government including that blight and other health impacting activities are addressed in a timely manner by private property owners within its jurisdictional boundaries for their citizens, businesses and institutions; and

WHEREAS, Railroad Operators own nearly 6,000 miles of rail right-of-way throughout the State of California which is regulated by the Federal Railroad Administration and/or the California Public Utilities Commission for operational safety and maintenance; and

WHEREAS, the California Public Utilities Commission (CPUC) is the enforcing agency for railroad safety in the State of California and has 41 inspectors assigned throughout the entire State to inspect and enforce regulatory compliance over thousands of miles of rail line; and

WHEREAS, areas with rail line right-of-way within cities and unincorporated areas are generally located in economically disadvantaged zones and/or disadvantaged communities of color where the impact of blight further lowers property values and increases the likelihood of unsound sanitary conditions and environmental impacts upon them; and

WHEREAS, many communities are seeing an increase in illegal dumping, graffiti upon infrastructure and homeless encampments due to the lax and inadequate oversight by regulatory agencies; and

WHEREAS, local governments have no oversight or regulatory authority to require operators to better maintain and clean their properties as it would with any other private property owner within its jurisdictional boundaries. Thus such local communities often resort to spending their local tax dollars on cleanup activities or are forced to accept the delayed and untimely response by operators to cleaning up specific sites, and;

WHEREAS, that railroad operators should be able to provide local communities with a fixed schedule in which their property will be inspected and cleaned up on a reasonable and regular schedule or provide for a mechanism where they partner with and reimburse local governments for an agreed upon work program where the local government is enabled to remove items like illegal dumping, graffiti and encampments; and

WHEREAS, the State has made it a priority to deal with homeless individuals and the impacts illegal encampments have upon those communities and has a budgetary surplus that can help fund the CPUC in better dealing with this situation in both a humane manner as well a betterment to rail safety.

RESOLVED, at the League of California Cities, General Assembly, assembled at the League Annual Conference on September 24, 2021, in Sacramento, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to provide adequate regulatory authority and necessary funding to assist cities with these railroad right-of-way areas so as to adequately deal with illegal dumping, graffiti and homeless encampments that proliferate along the rail lines and result in public safety issues. The League will work with its member cities to educate federal and state officials to the quality of life and health impacts this challenge has upon local communities, especially those of color and/or environmental and economic hardships.

Background Information to Resolution

Source: City of South Gate

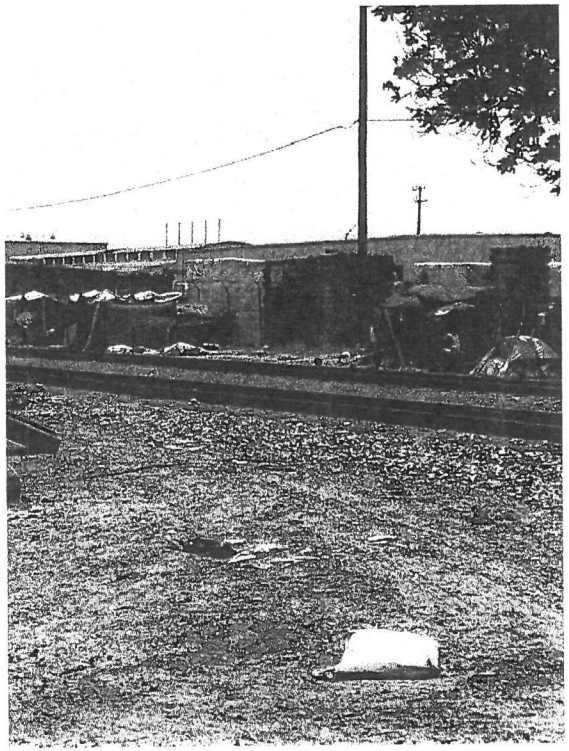
Background:
The State of California has over 6,000 miles of rail lines, with significant amount running through communities that are either economically disadvantaged and/or disadvantaged communities of color. While the Federal Railroad Administration (FRA) has primary oversight of rail operations, they delegate that obligation to the State of California for lines within our State. The administration of that oversight falls under the California Public Utilities Commission (CPUC). The CPUC has only 41 inspectors covering those 6,000 miles of railroad lines in the State of California. Their primary task is ensuring equipment, bridges and rail lines are operationally safe.

The right-of-way areas along the rail lines are becoming increasingly used for illegal dumping, graffiti and homeless encampments. Rail operators have admitted that they have insufficient funds set aside to clean up or sufficiently police these right-of-way areas, despite reporting a net income of over $13 billion in 2020. CPUC budget does not provide the resources to oversee whether rail operators are properly managing the right-of-way itself.

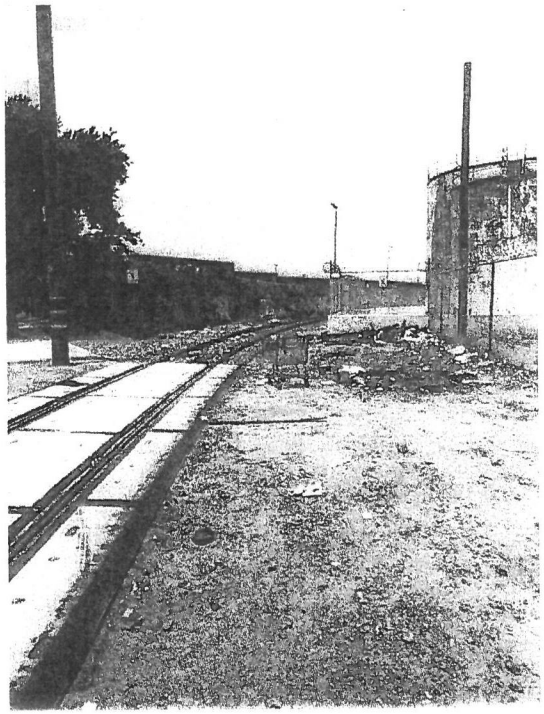
The City of South Gate has three rail lines traversing through its city limits covering about 4 miles. These lines are open and inviting to individuals to conduct illegal dumping, graffiti buildings and structures along with inviting dozens of homeless encampments. As private property, Cities like ourselves cannot just go upon them to remove bulky items, trash, clean graffiti or remove encampments. We must call and arrange for either our staff to access the site or have the rail operator schedule a cleanup. This can take weeks to accomplish, in the meantime residents or businesses that are within a few hundred feet of the line must endure the blight and smell. Trash is often blown from the right-of-way into residential homes or into the streets. Encampments can be seen from the front doors of homes and businesses.

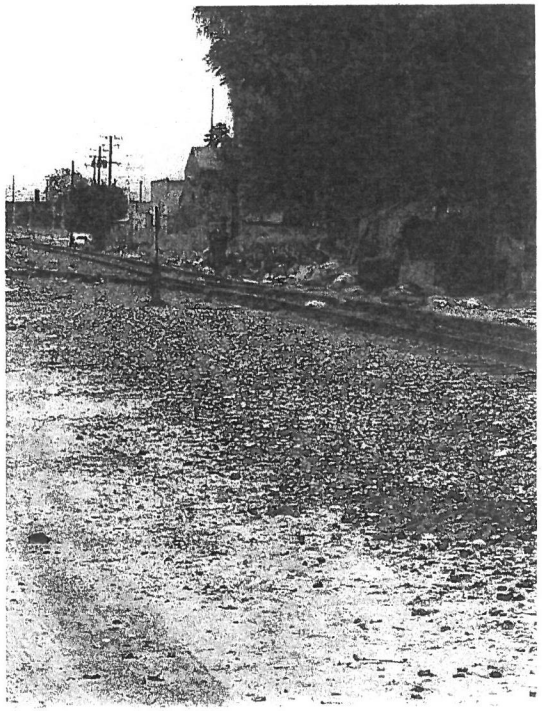
South Gate is a proud city of hard working-class residents, yet with a median household income of just $50,246 or 65% of AMI for Los Angeles County, it does not have the financial resources to direct towards property maintenance of any commercial private property. The quality of life of communities like ours should not be degraded by the inactions or lack of funding by others. Cities such as South Gate receive no direct revenue from the rail operators, yet we deal with environmental impacts on a daily basis, whether by emissions, illegal dumping, graffiti or homeless encampments.

The State of California has record revenues to provide CPUC with funding nor only for safety oversight but ensuring right-of-way maintenance by operators is being managed properly. Rail Operators should be required to set aside sufficient annual funds to provide a regular cleanup of their right-of-way through the cities of California.









LETTERS OF CONCURRENCE

Resolution No. 2

City of Bell Gardens
7100 Garfield Avenue | Bell Gardens, CA 90201 • 562-806-7700 • www.bellgardens.org

CITY OF SOUTH GATE ANNUAL CONFERENCE RESOLUTION

July 21, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: City of South Gate Annual Conference Resolution

President Walker:

The City of Bell Gardens supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

The City's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State, their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. These impact of these activities further erode the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively impact our ability to meet State water quality standards under the MS4 permits.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Marco Barcena at 562-7761 if you have any questions.

Sincerely,

Marco Barcena
Mayor

CC: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

City of Bell Gardens
7100 Garfield Avenue · Bell Gardens, CA 90201 · 562-806-7700 · www.bellgardens.org

CITY OF SOUTH GATE ANNUAL CONFERENCE RESOLUTION

July 20, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: City of South Gate Annual Conference Resolution

President Walker:

As a Councilwoman with the City of Bell Gardens, I support the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

The City of South Gate's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State, their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. These impact of these activities further erode the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively impact our ability to meet State water quality standards under the MS4 permits.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Lisseth Flores at (562) 806-7763 if you have any questions.

Sincerely,

Lisseth Flores

Lisseth Flores
Councilwoman

CC: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

CITY OF SOUTH GATE ANNUAL CONFERNCE RESOLUTION

July 15, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: City of South Gate Annual Conference Resolution

President Walker:

The city of Bell supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

The City's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State, their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. These impact of these activities further erode the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively impact our ability to meet State water quality standards under the MS4 permits.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Paul Philips, City Manager at 323-588-6211, if you have any questions.

Sincerely,

Alicia Romero
Mayor

CC: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division,

6330 Pine Avenue, Bell, California 90201 • Phone (323) 588-6211 Fax (323) 771-9473

CITY OF COMMERCE

July 20, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Railroad Oversight Annual Conference Resolution

President Walker:

The City of Commerce supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League of California Cities' ("League") 2021 Annual Conference in Sacramento.

The City's resolution seeks to address a critical issue within communities, especially disadvantaged communities of color that are home to the State's freight rail lines. While I am supportive of the economic base the railroad industry serves to the State, their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. The impact of these activities further erode the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively impact our ability to meet State water quality standards under the MS4 permits.

As members of the League, our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Edgar Cisneros, City Manager, via email at ecisneros@ci.commerce.ca.us or at 323-722-4805, should you have any questions.

Sincerely,

Mayor Leonard Mendoza

CC: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

CITY OF **CUDAHY** CALIFORNIA

Incorporated November 10, 1960

5220 Santa Ana Street
Cudahy, California 90201
(323)773-5143

July 21, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: City of South Gate Annual Conference Resolution

Dear President Walker:

The City of Cudahy supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

The City of South Gate's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State; their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. These impacts of these activities further erode the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively impact our ability to meet State water quality standards under the MS4 permits.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. If you have any questions, please do not hesitate to call my office at 323-773-5143.

Sincerely,

Jose Gonzalez
Mayor

CC: Chris Jeffers, City Manager, City of South Gate

City of El Segundo

Office of the Mayor

July 16, 2021

Elected Officials:

Drew Boyles,
Mayor
Chris Pimentel
Mayor Pro Tem
Carol Pirsztuk,
Council Member
Scot Nicol,
Council Member
Lance Giroux,
Council Member
Tracy Weaver,
City Clerk
Matthew Robinson,
City Treasurer

Appointed Officials:

Scott Mitnick,
City Manager
Mark D. Hensley,
City Attorney

Department Directors:

Barbara Voss
Deputy City Manager
Joseph Lillio,
Finance
Chris Donovan,
Fire Chief
Charles Mallory,
Information Technology Services
Melissa McCallum,
Community Services
Rebecca Redyk,
Human Resources
Denis Cook,
Interim Development Services
Jamie Bermudez,
Interim Police Chief
Elias Sassoon,
Public Works

www.elsegundo.org
www.elsegundobusiness.com
www.elsegundo100.org

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: City of South Gate Annual Conference Resolution

President Walker:

The City of El Segundo supports the Los Angeles County Division's City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

The City's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State, their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. The impact of these activities further erodes the quality of life for our communities, increases blight, increases unhealthy sanitation issues, and negatively impacts our ability to meet State water quality standards under the MS4 permits.

As members of the League, our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact El Segundo Public Works Director Elias Sassoon at 310-524-2356, if you have any questions.

Sincerely,

Drew Boyles
Mayor of El Segundo

CC: City Council, City of El Segundo
Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org
Jeff Kiernan, League Regional Public Affairs Manager (via email)

350 Main Street, El Segundo, California 90245-3813
Phone (310) 524-2302 Fax (310) 322-7137

CITY OF GLENDORA CITY HALL (626) 914-8200
116 East Foothill Blvd., Glendora, California 91741
www.ci.glendora.ca.us

July 14, 2021

Cheryl Viegas Walker, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

SUBJECT: SUPPORT FOR THE CITY OF SOUTH GATE'S ANNUAL CONFERENCE RESOLUTION

Dear President Walker:

The City of Glendora is pleased to support the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League of California Cities' 2021 Annual Conference in Sacramento.

The City of South Gate's resolution seeks to address a critical issue that many communities, small and large, are experiencing along active transportation corridors, particularly rail lines. Given the importance and growth of the ports and logistics sector, and the economic support they provide, we need to do more to ensure that conflicts are appropriately addressed and mitigated to ensure they do not become attractive nuisances. Our cities are experiencing increasing amounts of illegal dumping (trash and debris) and the establishment of encampments by individuals experiencing homelessness along roadways, highways and rail lines. Such situations create unsafe conditions – safety, health and sanitation – that impact quality of life even as we collectively work to address this challenge in a coordinated and responsible manner.

As members of the League of California Cities, Glendora values the policy development process provided to the General Assembly and strongly support consideration of this issue. Your attention to this matter is greatly appreciated. Should you have any questions, please feel free to contact Adam Raymond, City Manager, at araymond@cityofglendora.org or (626) 914-8201.

Sincerely,

Karen K. Davis
Mayor

C: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

Office of the Mayor

July 21, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Re: Resolution No. 2021-18 Supporting City of South Gate Annual Conference Resolution

President Walker:

The City of Huntington Park (City) supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento. Enclosed is Resolution No. 2021-18 adopted by the City Council of the City of Huntington Park.

The City's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State, their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. These impacts of these activities further erode the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively affect our ability to meet State water quality standards under the MS4 permits.

As members of the League, our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact our City Manager, Ricardo Reyes, at 323-582-6161, if you have any questions.

Sincerely,

Graciela Ortiz
Mayor, City of Huntington Park

CC: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

Enclosure(s)

CITY OF LA MIRADA
DEDICATED TO SERVICE

13700 La Mirada Boulevard
La Mirada, California 90638
P.O. Box 828
La Mirada, California 90637-0828
Phone: (562) 943-0131 Fax: (562) 943-1464
www.cityoflamirada.org

July 19, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

SUBJECT: LETTER OF SUPPORT FOR CITY OF SOUTH GATE'S PROPOSED RESOLUTION AT CALCITIES ANNUAL CONFERENCE

President Walker:

The City of La Mirada supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

The City of South Gate's resolution seeks to address a critical issue within communities that are home to the State's freight rail lines. While the City of La Mirada is supportive of the economic base the railroad industry serves to the State, the rail lines have become places where illegal dumping and a growing homeless population are significant problems. The negative impact of these illegal activities decreases the quality of life for the La Mirada community, increases blight and unhealthy sanitation issues, and negatively impacts the City's ability to meet State water quality standards under the MS4 permits.

As members of the League, the City of La Mirada values the policy development process provided to the General Assembly. We appreciate your consideration on this issue. Please feel free to contact Assistant City Manager Anne Haraksin at (562) 943-0131 if you have any questions.

Sincerely,

CITY OF LA MIRADA

Ed Eng
Mayor

cc: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

Ed Eng, EdD, Mayor | Anthony A. Otero, DPPD, Mayor Pro Tem | Steve De Ruse, D. Min., Councilmember | John Lewis, Esq., Councilmember | Andrew Sarega, Councilmember | Jeff Boynton, City Manager

July 22, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Support for City of South Gate Resolution—Cleanup Activities on Rail Operator Properties

Dear President Walker,

On behalf of the City of Long Beach, I write to support the City of South Gate's proposed resolution for the League of California Cities' (League) 2021 Annual Conference. This resolution seeks to direct the League to adopt a policy urging State and federal governments to increase oversight of rail operators' land maintenance. The City is a proponent of increased maintenance along railways and believes a League advocacy strategy would help expedite regional responses.

The COVID-19 pandemic has exacerbated the public health and safety concerns on rail rights-of-way, as trash, debris, and encampments have increased exponentially. These challenges erode the quality of life for our communities, increase blight, and contribute to public health and sanitation issues. To address these concerns, the City has engaged directly with regional partners to prioritize ongoing maintenance and cleanups, and has invested $4 million in the Clean Long Beach Initiative as part of the City's Long Beach Recovery Act to advance economic recovery and public health in response to the COVID-19 pandemic.

The City of South Gate's proposed resolution would further advance these efforts for interjurisdictional coordination. The increased oversight proposed by the resolution will help support better coordination and additional resources to address illegal dumping and encampments along private rail operator property. This is a critical measure to advance public health and uplift our most vulnerable communities. For these reasons, the City supports the proposed League resolution.

Sincerely,

THOMAS B. MODICA
City Manager

cc: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

OFFICE OF THE
MAYOR
MARISELA SANTANA

City of
LYNWOOD
Incorporated 1921
11330 Bullis Road, Lynwood, CA 90262
(310) 603-0220 x 200

CITY OF SOUTH GATE ANNUAL CONFERNCE RESOLUTION

July 20, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: City of South Gate Annual Conference Resolution

President Walker:

The City of Lynwood supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

The City's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State, their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. These impact of these activities further erode the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively impact our ability to meet State water quality standards under the MS4 permits.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Ernie Hernandez at (310) 603-0220 ext. 200, if you have any questions.

Sincerely,

Marisela Santana, Mayor

CC: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

July 19, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Resolution in Support of City of South Gate Annual Conference Resolution

President Walker:

The City of Montebello (City) supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento. Attached is the Resolution to be considered for adoption by the City Council of the City of Montebello at our July 28, 2021, City Council meeting.

The City's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State, their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. The impact of these activities further erodes the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively impact our ability to meet State water quality standards under the MS4 permits.

As members of the League, our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact our City Manager, René Bobadilla, at 323-887-1200, if you have any questions.

Sincerely,

Kimberly Cobos Cawthorne

Kimberly Cobos-Cawthorne
Mayor, City of Montebello

CC: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

PARAMOUNT
THE CITY
Safe, Healthy, and Attractive

BRENDA OLMOS
Mayor

VILMA CUELLAR STALLINGS
Vice Mayor

ISABEL AGUAYO
Councilmember

LAURIE GUILLEN
Councilmember

PEGGY LEMONS
Councilmember

July 19, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: SUPPORT FOR ANNUAL LEAGUE OF CITIES CONFERENCE GENERAL ASSEMBLY RESOLUTION

President Walker:

The City of Paramount supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento. The proposed resolution is attached

South Gate's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantage communities of color that are home to the State's freight rail lines. While supportive of the economic boon the freight industry serves to the State, their rail line rights of way have often become places where illegal dumping is a constant problem and where our growing homeless populations reside. The impact of these activities further erode the quality of life for our communities, increase blight, increase unhealthy sanitation issues and negatively impact our ability to meet State water quality standards under the MS4 permits.

As a member of the California League of Cities, the City of Paramount values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact City Manager John Moreno at (562) 220-2222 if you have any questions.

City of Pico Rivera
OFFICE OF THE CITY MANAGER
6615 Passons Boulevard · Pico Rivera, California 90660
(562) 801-4371
Web: www.pico-rivera.org e-mail: scastro@pico-rivera.org

Steve Carmona
City Manager

City Council
Raul Elias
Mayor
Dr. Monica Sánchez
Mayor Pro Tem
Gustavo V. Camacho
Councilmember
Andrew C. Lara
Councilmember
Erik Lutz
Councilmember

CITY OF SOUTH GATE ANNUAL CONFERENCE RESOLUTION

July 14, 2021

Cheryl Viegas Walker
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: City of South Gate Annual Conference Resolution

President Walker:

The City of Pico Rivera supports the City of South Gate's effort to submit a resolution for consideration by the General Assembly at the League's 2021 Annual Conference in Sacramento.

The City's resolution seeks to address a critical issue within communities, especially those of economic disadvantage and disadvantaged communities of color that are home to the State's freight rail lines. While supportive of the economic base the industry serves to the State; their rail lines have often become places where illegal dumping is a constant problem and our growing homeless population call home. The impact of these activities further erodes the quality of life for our communities, increases blight, increases unhealthy sanitation issues, and negatively impacts our ability to meet State water quality standards under the MS4 permits.

As members of the League, our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Steve Carmona at (562) 801-4405 if you have any questions.

Sincerely,

City Manager
City of Pico Rivera

CC: Blanca Pacheco, President, Los Angeles County Division c/o
Jennifer Quan, Executive Director, Los Angeles County Division, jquan@cacities.org

League of California Cities Staff Analysis on Resolution No. 2

Staff: Damon Conklin, Legislative Affairs, Lobbyist
Jason Rhine, Assistant Director, Legislative Affairs
Caroline Cirrincione, Policy Analyst

Committees: Transportation, Communications, and Public Works
Housing, Community, and Economic Development

Summary:
The City of South Gate submits this resolution, which states the League of California Cities should urge the Governor and the Legislature to provide adequate regulatory authority and necessary funding to assist cities with railroad right-of-way areas to address illegal dumping, graffiti, and homeless encampments that proliferate along the rail lines and result in public safety issues.

Background:
California Public Utilities Commission (CPUC) Railroad Oversight
The CPUC's statewide railroad safety responsibilities are carried out through its Rail Safety Division (RSD). The Railroad Operations and Safety Branch (ROSB), a unit of RSD, enforces state and federal railroad safety laws and regulations governing freight and passenger rail in California.

The ROSB protects California communities and railroad employees from unsafe practices on freight and passenger railroads by enforcing rail safety laws, rules, and regulations. The ROSB also performs inspections to identify and mitigate risks and potential safety hazards before they create dangerous conditions. ROSB rail safety inspectors investigate rail accidents and safety-related complaints and recommend safety improvements to the CPUC, railroads, and the federal government as appropriate.

Within the ROSB, the CPUC employs 41 inspectors who are federally certified in the five Federal Railroad Administration (FRA) railroad disciplines, including hazardous materials, motive power and equipment, operations, signal and train control, and track. These inspectors perform regular inspections, focused inspections, accident investigations, security inspections, and complaint investigations. In addition, the inspectors address safety risks that, while not violations of regulatory requirements, pose potential risks to public or railroad employee safety.

CPUC's Ability to Address Homelessness on Railroads
Homeless individuals and encampments have occupied many locations in California near railroad tracks. This poses an increased safety risk to these homeless individuals of being struck by trains. Also, homeless encampments often create unsafe work environments for railroad and agency personnel.

While CPUC cannot compel homeless individuals to vacate railroad rights-of-way or create shelter for homeless individuals, it has the regulatory authority to enforce measures that can reduce some safety issues created by homeless encampments. The disposal of waste materials or other disturbances of walkways by homeless individuals can create tripping hazards in the vicinity of railroad rights-of-way. This would cause violations of Commission GO 118-A, which sets standards for walkway surfaces alongside railroad tracks. Similarly, tents, wooden structures, and miscellaneous debris in homeless encampments can create violations of

Commission GO 26-D, which sets clearance standards between railroad tracks, and structures and obstructions adjacent to tracks.

Homelessness in California
According to the 2020 Annual Homeless Assessment Report (AHAR) to Congress, there has been an increase in unsheltered individuals since 2019. More than half (51 percent or 113,660 people) of all unsheltered homeless people in the United States are found in California, about four times as high as their share of the overall United States population.

Many metro areas in California lack an adequate supply of affordable housing. This housing shortage has contributed to an increase in homelessness that has spread to railroad rights-of-way. Homeless encampments along railroad right-of-way increase the incidents of illegal dumping and unauthorized access and trespassing activities. Other impacts include train service reliability with debris strikes, near-misses, and trespasser injuries/fatalities. As of April 2021, there have been 136 deaths and 117 injuries reported by the Federal Railroad Administration over the past year. These casualties are directly associated with individuals who trespassed on the railroad.

Cities across the state are expending resources reacting to service disruptions located on the railroad's private property. It can be argued that an increase in investments and services to manage and maintain the railroad's right-of-way will reduce incidents, thus enhancing public safety, environmental quality, and impacts on the local community.

State Budget Allocations – Homelessness
The approved State Budget includes a homelessness package of $12 billion. This consists of a commitment of $1 billion per year for direct and flexible funding to cities and counties to address homelessness. While some details related to funding allocations and reporting requirements remain unclear, Governor Newsom signed AB 140 in July, which details key budget allocations, such as:

- $2 billion in aid to counties, large cities, and Continuums of Care through the Homeless Housing, Assistance and Prevention grant program (HHAP);
- $50 million for Encampment Resolution Grants, which will help local governments resolve critical encampments and transitioning individuals into permanent housing; and
- $2.7 million in onetime funding for Caltrans Encampment Coordinators to mitigate safety risks at encampments on state property and to coordinate with local partners to connect these individuals to services and housing.

The Legislature additionally provided $2.2 billion specifically for Homekey with $1 billion available immediately. This funding will help local governments transition individuals from Project Roomkey sites into permanent housing to minimize the number of occupants who exit into unsheltered homelessness.

With regards to this resolution, the State Budget also included $1.1 billion to clean trash and graffiti from highways, roads, and other public spaces by partnering with local governments to pick up trash and beautify downtowns, freeways, and neighborhoods across California. The program is expected to generate up to 11,000 jobs over three years.

Cities Railroad Authority
A city must receive authorization from the railroad operator before addressing the impacts made by homeless encampments because of the location on the private property. Additionally, the city

must coordinate with the railroad company to get a flagman to oversee the safety of the work crews, social workers, and police while on the railroad tracks.

A city may elect to declare the encampment as a public nuisance area, which would allow the city to clean up the areas at the railroad company's expense for failing to maintain the tracks and right-of-way. Some cities are looking to increase pressure on railroad operators for not addressing the various homeless encampments, which are presenting public safety and health concerns.

Courts have looked to compel railroad companies to increase their efforts to address homeless encampments on their railroads or grant a local authority's application for an Inspection and Abatement Warrant, which would allow city staff to legally enter private property and abate a public nuisance or dangerous conditions.

In limited circumstances, some cities have negotiated Memoranda of Understandings (MOU) with railroad companies to provide graffiti abatement, trash, and debris removal located in the right-of-way, and clean-ups of homeless encampments. These MOUs also include local law enforcement agencies to enforce illegally parked vehicles and trespassing in the railroad's right-of-way. MOUs also detailed shared responsibility and costs of providing security and trash clean-up. In cases where trespassing or encampments are observed, the local public works agency and law enforcement agency are notified and take the appropriate measures to remove the trespassers or provide clean-up with the railroad covering expenses outlined in the MOU.

Absent an MOU detailing shared maintenance, enforcement, and expenses, cities do not have the authority to unilaterally abate graffiti or clean-up trash on a railroad's right-of-way.

Fiscal Impact:
If the League of California Cities were to secure funding from the state for railroad clean-up activities, cities could potentially save money in addressing these issues themselves or through an MOU, as detailed above. This funding could also save railroad operators money in addressing concerns raised by municipalities about illegal dumping, graffiti, and homeless encampments along railroads.

Conversely, if the League of California Cities is unable to secure this funding through the Legislature or the Governor, cities may need to consider alternative methods, as detailed above, which may include significant costs.

Existing League Policy:
Public Safety:
Graffiti
The League supports increased authority and resources devoted to cities for abatement of graffiti and other acts of public vandalism.

Transportation, Communications, and Public Works
Transportation
The League supports efforts to improve the California Public Utilities Commission's ability to respond to and investigate significant transportation accidents in a public and timely manner to improve rail shipment, railroad, aviation, marine, highway, and pipeline safety

Housing, Community, and Economic Development
Housing for Homeless
Homelessness is a statewide problem that disproportionately impacts specific communities. The state should make funding and other resources, including enriched services, and outreach and case managers, available to help assure that local governments have the capacity to address the needs of the homeless in their communities, including resources for regional collaborations.

Homeless housing is an issue that eludes a statewide, one-size-fits-all solution, and collaboration between local jurisdictions should be encouraged.

Staff Comments:
Clarifying Amendments
Upon review of the Resolution, Cal Cities staff recommends technical amendments to provide greater clarity. To review the proposed changes, please see Attachment A.

The committee may also wish to consider clarifying language around regulatory authority and funding to assist cities with these efforts. The resolution asks that new investments from the state be sent to the CPUC to increase their role in managing and maintaining railroad rights-of-ways and potentially to cities to expand their new responsibility.

The committee may wish to specify MOUs as an existing mechanism for cities to collaborate and agree with railroad operators and the CPUC on shared responsibilities and costs.

Support:
The following letters of concurrence were received:
City of Bell Gardens
City of Bell
City of Commerce
City of Cudahy
City of El Segundo
City of Glendora
City of La Mirada
City of Paramount
City of Pico Rivera
City of Huntington Park
City of Long Beach
City of Lynwood
City of Montebello

2. **A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO PROVIDE ~~NECCESARY~~ NECESSARY FUNDING FOR ~~CUPC~~ THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) TO FUFILL ITS OBLIGATION TO INSPECT RAILROAD LINES TO ENSURE THAT OPERATORS ARE REMOVING ILLEGAL DUMPING, GRAFFITI AND HOMELESS ENCAMPMENTS THAT DEGRADE THE ~~QAULITY~~ QUALITY OF LIFE AND RESULTS IN INCREASED PUBLIC ~~SAFETLY~~ SAFETY CONCERNS FOR COMMUNITIES AND NEIGHBORHOODS THAT ABUT~~T~~ THE RAILROAD RIGHT-OF-WAY.**

Source: City of South Gate
Concurrence of five or more cities/city officials
Cities: City of Bell Gardens; City of Bell; City of Commerce; City of Cudahy; City of El Segundo; City of Glendora; City of Huntington Park; City of La Mirada; City of Long Beach; City of Lynwood; City of Montebello; City of Paramount; City of Pico Rivera
Referred to: Housing, Community and Economic Development; and Transportation, Communications and Public Works

WHEREAS, ensuring the quality of life for communities falls upon every local government including that blight and other health impacting activities are addressed in a timely manner by private property owners within its jurisdictional boundaries for their citizens, businesses and institutions; and

WHEREAS, Railroad Operators own nearly 6,000 miles of rail right-of-way throughout the State of California which is regulated by the Federal Railroad Administration and/or the ~~California Public Utilities Commission~~ CPUC for operational safety and maintenance; and

WHEREAS, the ~~California Public Utilities Commission (~~CPUC~~)~~ is the enforcing agency for railroad safety in the State of California and has 41 inspectors assigned throughout the entire State to inspect and enforce regulatory compliance over thousands of miles of rail line; and

WHEREAS, areas with rail line right-of-way within cities and unincorporated areas are generally located in economically disadvantaged zones and/or disadvantaged communities of color where the impact of blight further lowers property values and increases the likelihood of unsound sanitary conditions and environmental impacts upon them; and

WHEREAS, many communities are seeing an increase in illegal dumping, graffiti upon infrastructure and homeless encampments due to the lax and inadequate oversight by regulatory agencies; and

WHEREAS, local governments have no oversight or regulatory authority to require operators to better maintain and clean their properties as it would with any other private property owner within its jurisdictional boundaries. Thus such local communities often resort to spending their local tax dollars on cleanup activities or are forced to accept the delayed and untimely response by operators to cleaning up specific sites, and;

WHEREAS, that railroad operators should be able to provide local communities with a fixed schedule in which their property will be inspected and cleaned up on a reasonable and regular schedule or provide for a mechanism where they partner with and reimburse local governments for an agreed upon work program where the local government is enabled to remove items like illegal dumping, graffiti and encampments; and

WHEREAS, the State has made it a priority to deal with homeless individuals and the impacts illegal encampments have upon those communities and has a budgetary surplus that can help fund the CPUC in better dealing with this situation in both a humane manner as well as a betterment to rail safety.

RESOLVED, at the League of California Cities, General Assembly, assembled at the ~~League~~ Cal Cities Annual Conference on September 24, 2021, in Sacramento, that ~~the~~ Cal Cities ~~League~~ calls for the Governor and the Legislature to work with ~~the~~ Cal Cities ~~League~~ and other stakeholders to provide adequate regulatory authority and necessary funding to assist cities with these railroad right-of-way areas so as to adequately deal with illegal dumping, graffiti and homeless encampments that proliferate along the rail lines and result in public safety issues. ~~The~~ Cal Cities ~~League~~ will work with its member cities to educate federal and state officials to the quality of life and health impacts this challenge has upon local communities, especially those of color and/or environmental and economic hardships.

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

PREPARED BY: Betty Hughes, MMC, City Clerk

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

RECOMMENDATION: Discussion and possible action.

Approved _____ Motion _____ Second _____ Agenda Item No. 13

Denied _____ Ayes _____

Continued _____ Noes _____ File No. _____

Tabled _____ Abstain _____

Absent _____

City Clerk

City Manager

STAFF REPORT

TO THE CITY COUNCIL

DATE: September 14, 2021

FROM: Joseph A. Hughes, City Manager

PREPARED BY: Betty Hughes, MMC, City Clerk

SUBJECT: Council Member Comments
(Agency/Committee/AB1234 Reports, District Updates, etc.)

RECOMMENDATION: Discussion and possible action.

Approved _____ Motion _____ Second _____ Agenda Item No. 14

Denied _____ Ayes _____

Continued _____ Noes _____ File No. _____

Tabled _____ Abstain _____

Absent _____

B Hughes
_____
City Clerk

_____
City Manager