

**MINUTES
CITY COUNCIL REGULAR MEETING
NOVEMBER 8, 2022**

CALL TO ORDER

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

The invocation was given by Pastor Josue Zapata, Center Point Church, and the Pledge of Allegiance was led by Council Member Chavez.

ROLL CALL

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

REPORT FROM CLOSED SESSION

No meeting.

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

Fred Yauger thanked staff for assisting with a renovation project.

CITY COUNCIL CONSENT CALENDAR

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

1. Waive the Reading of All Ordinances
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – October 11, 2022 City Council Regular Meeting
Approved the Minutes as submitted.
3. Warrant Register
Approved Warrant Register No. 747 for November 8, 2022, in the amount of \$1,593,409.81 and Payroll of \$215,296.19.
4. Treasurer's Report for September 2022
Received and filed Treasurer's Report for September 2022.

5. Bid Rejection – Bid No. 2022-08, “Emmertons Lane Trail Restoration and Improvement Project”
 - 1) Rejected all bids;
 - 2) Directed staff to modify the project plans and specifications as necessary; and
 - 3) Re-advertise for construction bids.
6. Proposed City of Highland Community Development Block Grant (CDBG) Applications for Fiscal Year 2023-2024
 - 1) Approved the City’s Application for Enhanced Code Enforcement that supports a portion of the salary and benefits of a Code Compliance Officer, Administrative Assistant and Community Development Director; and
 - 2) Approved the City’s Application to construct pavement rehabilitation and ancillary work on two streets located in neighborhoods within the CDBG Low-Moderate Income eligible block area boundaries including: 1) Union Street between Elmwood Court to Del Rosa Avenue and 2) Elmwood Court between Union Court and north end.
7. Final Map Approval/Tract 20142 (Beazer Homes)
 - 1) Adopted Resolution No. 2022-052 to approve the Final Map of Tract No. 20142;
 - 2) Accepted the subdivision bonds; and
 - 3) Authorized the Mayor to sign the standard subdivision agreement.

RESOLUTION NO. 2022-052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ADOPTED AND APPROVED THE FINAL MAP OF
TRACT NO. 20142

8. Easement Acceptance/Zavala (7568 Newcomb Street)
 - 1) Accepted Grant of Easement for Road and Drainage purposes from Zavala Brothers, Inc.; and
 - 2) Directed the City Clerk to record the Grant of Easement.
9. Application for CalRecycle Rubberized Pavement Program Grant Funds

Adopted Resolution No. 2022-053 authorizing the submittal of a joint regional application with the County of San Bernardino (County) for the CalRecycle Rubberized Pavement Program.

RESOLUTION NO. 2022-053

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, AUTHORIZING THE COUNTY OF SAN BERNARDINO
SUBMITTAL OF A REGIONAL APPLICATION FOR CALRECYCLE
RUBBERIZED PAVEMENT PROGRAM GRANT FUNDS ON BEHALF OF THE
COUNTY OF SAN BERNARDINO AS LEAD AGENCY AND THE
CITY OF HIGHLAND AS ONE OF THE PARTICIPATING AGENCIES

10. Contract Award – Storm Drain Cleaning
Awarded a contract to Houston Harris PCS, Inc., to perform storm drain cleaning services on a time and materials basis as directed by the City of Highland.
11. Madvac LP-61 Trailer Mounted Trash/Debris Vacuum System
- 1) Waived formal contract procedures per Municipal Code Section 2.40.100;
 - 2) Authorized the use of a “piggyback” contract through Sourcewell Contract No. 93021-EXP between Sourcewell and Exprolink-Madvac;
 - 3) Approved Resolution No. 2022-054 for purchase of a Madvac LP61-G in the amount of \$30,202; and
 - 4) Approved a budget adjustment to transfer \$30,205 from 001-4200-4665 (Public Services-Contract Services Storm Drain) to 001-4200-6040 (Public Services-Equipment).

RESOLUTION NO. 2022-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, FINDING THAT IT IS NECESSARY TO PROCURE ONE (1)-MADVAC LP-61-G PORTABLE LITTER VACUUM FOR THE HIGHLAND PUBLIC WORKS DEPARTMENT FROM A SINGLE SOURCE, AS AUTHORIZED BY THE HIGHLAND MUNICIPAL CODE § 2.40.070

12. Second Reading of Municipal Code Amendment 21-001: Ordinance No. 456 of the City of Highland Amending Title 16, Chapter 16.06 Definitions, Chapter 16.24 Employment District, Chapter 16.44 Specific Development Standards, and Tables 16.20.030.A Uses Permitted with Commercial Districts; and 16.52.030.A Off-Street Automobile Parking Space Requirements of the Highland Municipal Code pertaining to Vehicle Fueling Stations and Making a Finding of Exemption under CEQA, and First Reading of an Ordinance Repealing Ordinance Nos. 449, 450 and 454 which Imposed a Moratorium on Vehicle Fueling Station Uses
- 1) Conducted a second reading, read by title only, and waived further reading of Ordinance No. 456 amending Title 16, Chapter 16.06 Definitions, Chapter 16.24 Employment District, Chapter 16.44 Specific Development Standards, and Tables 16.20.030.A Uses Permitted within Commercial Districts; and 16.52.030.A Off-Street Automobile Parking Space requirements of the Highland Municipal Code pertaining to Vehicle Service Stations and making a Finding of Exemption under CEQA; and
 - 2) Conducted a first reading, read by title only, and waived further reading of Ordinance No. 458 repealing Ordinance Nos. 449, 450 and 454 which imposed a moratorium on vehicle fueling station uses.

ORDINANCE NO. 456

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING TITLE 16 (LAND USE AND DEVELOPMENT) OF THE HIGHLAND MUNICIPAL CODE PERTAINING TO VEHICLE FUELING STATIONS, AMENDING THE PROCESS FOR OBTAINING AN ENTITLEMENT PROCESS IN THE EMPLOYMENT DISTRICT FROM DESIGN REVIEW TO STAFF REVIEW, AND MAKING A FINDING OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT (MUNICIPAL CODE AMENDMENT MCA 21-001)

CITY COUNCIL PUBLIC HEARING

13. Ordinance No. 457, an Ordinance of the City Council of the City of Highland, Amending Title 15 of the Highland Municipal Code to Adopt the 2022 California Building Code, Volumes I and II, including Chapter 1, Division II and Appendix H, the 2022 California Fire Code including Chapter 1, Division II and Appendices I, N and O, the 2022 California Existing Building Code including Chapter 1, Division II, the 2022 California Residential Code including Chapter 1, Division II and Appendix AX, the 2022 California Electrical Code including Article 89, the 2022 California Plumbing Code including Chapter 1, Division II, the 2022 California Mechanical Code including Chapter 1, Division II, the 2022 California Green Building Standards Code including Chapter 1, Division II, and Making a Finding of Exemption under the California Environmental Quality Act; and Resolution No. 2022-055, a Resolution of the City Council of the City of Highland making Express Findings and Determinations that Modifications to the 2022 California Fire Code as Adopted by the City of Highland, are Reasonably Necessary because of Local Climatic, Geological and/or Topographical Conditions

Building Official Wirz stated good evening Honorable Mayor and City Council Members. Very similar to the last meeting we had where we presented the same item. The State of California publishes a new set of building codes modeled from the International Building Codes on a triangular basis. The California Building Codes under Title 24 govern the construction of all buildings within the State of California. Each jurisdiction is given an opportunity to amend the triangular codes. These amendments may be administrative changes based on reasonable needs or substantive changes. The substantive changes may be made to the code when they're supported by local conditions. Tonight we're here to conduct a public hearing for the adoption of the building codes and conduct a second reading of Ordinance 457 for the 2022 codes, and adopt a resolution for the recommended changes due to our local conditions. These changes are the same changes that we've made in the codes on the prior triangular cycle. Once these codes are adopted, they will go into effect on January 1, 2023, and this will conclude my presentation.

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

- 1) Open and conduct a public hearing, and conduct a second reading of Ordinance No. 457, read by title only; and
- 2) Adopt Resolution No. 2022- 055 making express findings for modifications to the 2022 California Fire Code. Motion carried, 5-0.

ORDINANCE NO. 457

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING TITLE 15 OF THE HIGHLAND MUNICIPAL CODE TO ADOPT THE 2022 CALIFORNIA BUILDING CODE, VOLUMES I AND II, INCLUDING CHAPTER 1, DIVISION II AND APPENDIX H, THE 2022 CALIFORNIA FIRE CODE INCLUDING CHAPTER 1, DIVISION II AND APPENDICES I, N AND O, THE 2022 CALIFORNIA EXISTING BUILDING CODE INCLUDING CHAPTER 1, DIVISION II, THE 2022 CALIFORNIA RESIDENTIAL CODE INCLUDING CHAPTER 1, DIVISION II AND APPENDIX AX, THE 2022 CALIFORNIA ELECTRICAL CODE INCLUDING ARTICLE 89, THE 2022 CALIFORNIA PLUMBING CODE INCLUDING CHAPTER 1, DIVISION II, THE 2022 CALIFORNIA MECHANICAL CODE INCLUDING CHAPTER 1, DIVISION II, THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE INCLUDING CHAPTER 1, DIVISION II, AND TOGETHER WITH CERTAIN AMENDMENTS THERETO, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

RESOLUTION NO. 2022-055

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE 2022 CALIFORNIA FIRE CODE AS ADOPTED BY THE CITY OF HIGHLAND, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL AND/OR TOPOGRAPHICAL CONDITIONS

CITY COUNCIL LEGISLATIVE

14. KOA Contract Amendment for Professional Services – City Creek/Alabama Street Bikeway Project (Project No. str17001)

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 a contract amendment to the Professional Services Agreement with KOA Corporation (KOA) to extend the term of contract by one year and provide additional environmental and engineering services for the City Creek/Alabama Street Bikeway Project; and
 - 2) Authorize the City Manager to approve contract amendments up to 10% of the revised contract amount. Motion carried, 5-0.
15. Appoint Three (3) Members of the Public to the Historic and Cultural Preservation Board

Mayor Pro Tem Lilburn nominated Gail Shelton and Tyler Dean Brown.

Council Member Chavez nominated Pamela Bible.

Council consensus to appoint Gail Shelton, Tyler Brown and Pamela Bible. Motion carried, 5-0.

16. Appoint Three (3) Members of the Public to the Community Trails Committee

A MOTION was made by City Council Member Timmer, seconded by Mayor Pro Tem Lilburn, to nominate [appoint] Rick Bowman, Robert LaChausse and Brent Merideth to the Community Trails Committee. Motion carried, 5-0.

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

City Manager Hughes stated he wanted to bring you up to date on a few items. First is the Pacific Street pavement rehabilitation improvements. Advertising for construction bids for this project from Palm Avenue to Church Avenue began October 26. Construction bids will be received on November 17. As you are aware, this is a joint project between the cities of San Bernardino and Highland, and each agency will pay fair share project costs. Highland is the lead agency and we're estimating the construction costs to be \$1.3 million. If everything goes well and we get good bids, this will be brought before the City Council on December 13.

At its November 1 Planning Commission Appeals Board Meeting, the board approved public nuisance declarations on the following residential properties, 6815 Grove Avenue, 7057 Buchanan Avenue and 7466 Seine Avenue. On October 18, the Planning Commission approved a conditional use permit to allow American Rentals to relocate and construct a new equipment rental business east of their current location on 5th Street near Palm. The relocation will facilitate the construction of two mid-sized warehouse distribution facilities on the south side of 5th Street, east of Central Avenue. The Housing Authority continues to work with Wakeland to finalize a draft Affordable Housing Agreement and Ground Lease and if everything goes well, we're hoping to bring that draft agreement forward to the Housing Authority near the end of the year. The auditors have wrapped up their work. They'll be presenting the audit to the Finance Subcommittee on November 15 and will be brought forward to the City Council on December 13. Also, will be bringing forward an update to our purchasing policy, mainly because of SB1383, the requirement of purchasing of recycled materials that will be coming forward to the Finance Subcommittee on November 15 and if approved to the City Council on December 13. On Saturday, December 3, we have a HIT team from 8 a.m. to 12 p.m. on Monday, November 28. We have a Blood Drive at the Police Station from 12 p.m. to 5 p.m. Just a reminder, we do have the volunteer dinner this Thursday on November 10. Social hour begins at 5:30 p.m. with the event starting at 6:30 p.m. and the theme is Team Spirit, so wear the jersey of your favorite sports team. Some stats from the Police Department from October 10 and November 6; they responded to 3,053 calls for service made 228 reports and arrested 124 individuals. The Fire department for the month of October responded to a total of 603 calls for service, 7 structure fires, 2 vegetation fires, 36 other miscellaneous fires, 4 hazardous material responses, 13 false alarms, 437 medical emergencies and one assist to other agencies.

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

Mayor Pro Tem stated she would like to compliment staff and the Subcommittee for the beautiful bridge. You guys did a good job and I think the community is receiving it very well.

ANNOUNCEMENTS

None

CLOSED SESSION

No meeting.

ADJOURN

There being no further business, Mayor McCallon adjourned the meeting at 6:23 p.m. in memory of Harriet Foucher and Robert Ricordati.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Larry McCallon
Mayor