

MINUTES
CITY COUNCIL REGULAR MEETING
February 13, 2024

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 Tyler Perry, Immanuel Baptist Church, and the Pledge of Allegiance was led by Council Member Solano.

ROLL CALL

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

REPORT FROM CLOSED SESSION

City Attorney Marroquin stated the City Council met in closed session pursuant to Government Code Section 54957, regarding the appointment of the City Manager. The City Council voted unanimously to appoint Public Works Director/City Engineer Zamano as the City Manager pending a successful negotiation of his contract. The formal contract and action will take place at the next City Council meeting in March. The City Council met in a second closed session regarding the terms of the contract pursuant to Government Code Section 54957.6. Instructions were given to the negotiator. The terms of the contract will be formalized and brought to the next City Council meeting for consideration in March.

SPECIAL PRESENTATIONS

Pat Sommerville, past President and Awards Committee Chair for the Southern California Chapter of the American Public Works Association (APWA) presented an award for the 2023 APWA Best Award for State Route 210 City of Highland Identity Enhancements Project.

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

Fred Yauger stated he is concerned with vehicles parked on the sidewalk. He commended Public Works for the requested sidewalk repairs.

Chris Nielsen and Jane Bouch spoke about upcoming Highland Chamber of Commerce events.

CITY COUNCIL CONSENT CALENDAR

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

1. Waive the Reading of All Ordinances

Waived the reading of all Ordinances in their entirety and read by title only.

2. Minutes - January 9, 2024 City Council Regular Meeting

Approved the Minutes as submitted.

3. Minutes - January 30, 2024 City Council Special Meeting

Approved the Minutes as submitted.

4. Warrant Register

Approved Warrant Register No. 762 for February 13, 2024, in the amount of \$2,667,650.23 and Payroll of \$329,544.81.

5. Treasurer's Report for December 2023

Received and filed Treasurer's Report for December 2023.

6. Claim Consideration - Daniel Galvan (Plaza Oro Produce)

Rejected claim.

7. Preparation of Annual Engineer's Report for 2024/2025 Assessments

- 1) Adopted Resolution No. 2024-003 ordering the preparation of an Engineer's Report for Consolidated Landscape and Lighting District No. 96-1; and
- 2) Adopted Resolution No. 2024-004 ordering the preparation of an Engineer's Report for Street and Drainage Maintenance District 96-1.

RESOLUTION NO. 2024-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ORDERING THE PREPARATION OF ENGINEER'S REPORT
FOR CONSOLIDATED LANDSCAPE AND LIGHTING DISTRICT NO. 96-1 FOR
FISCAL YEAR 2024/2025

RESOLUTION NO. 2024-004
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ORDERING THE PREPARATION OF AN ENGINEER'S REPORT
FOR STREET AND DRAINAGE MAINTENANCE DISTRICT 96-1 FOR FISCAL
YEAR 2024/2025

CITY COUNCIL PUBLIC HEARING

8. Allocation of the City of Highland's Community Development Block Grant Fund for Fiscal Year 2024/2025

Mayor Lilburn stated she would abstain from this item due to a conflict of interest; she is employed at the Highland Senior Center and asked Mayor Pro Tem McCallon to open the public hearing.

Mayor Pro Tem McCallon opened the public hearing for the allocation of the City of Highland's Community Development Block Grant Funds (CDBG).

Assistant Community Development Director Stater highlighted this year's United States Department of Housing and Urban Development (HUD) allocation for CDBG is two percent lower than last year. The prioritization includes allocating \$406,082, with a maximum of \$60,912 for public service projects and a minimum of \$345,170 for construction-related projects. The city has received six eligible applications vetted through the county, with two being city projects and four from external agencies. To stay within the county's public service limit, staff presented recommendations outlined on page two of the staff report as options one and two. Additionally, spreadsheets on pages 13 and 14 are available to assist in managing the allocated amounts. Apart from the \$406,000, the city also has unprogrammed funds totaling \$58,004, which staff proposes be allocated to a 2023 Fiscal Year project for construction improvements on Union Street and Elmwood Street.

Mayor Pro Tem McCallon thanked Assistant Community Development Director Stater and asked if there were any questions from staff? Seeing there were none, he referred to several speaker slips that were submitted.

Michelle Williamson spoke in support of Central Little League resources.

Sara Bartlett spoke in support of the San Bernardino County Library.

Jason Waitschies spoke in support of the Highland YMCA.

Brittani Streit spoke in support of the Highland YMCA.

Shila Griffin spoke in support of the Highland YMCA.

Linda Sowell-Mollenkopf spoke in support of the Highland Senior Center.

Cathy Fischer spoke in support of the Highland Senior Center.

Kelly Malloy spoke in support of the Highland Senior Center.

Mayor Pro Tem McCallon confirmed there were no additional speaker slips and asked the audience if there was further public comment. Seeing no response, Mayor Pro Tem McCallon closed the public hearing and brought it back to City Council for deliberation.

Council Member Timmer stated funds were reduced this year and decisions became difficult each year. It would be appropriate to approve the funding for enhanced Code Enforcement in the amount of \$120,000 and \$225,170 for street construction projects. This will come up to the total amount of \$345,170 which is allocated and recommended City Council make a motion and continue with the recommendations.

Mayor Pro Tem McCallon confirmed if the amounts were correct?

Assistant Community Development Director Stater confirmed.

A MOTION was made by Council Member Timmer, seconded by Mayor Pro Tem McCallon, to fund the Community Development Block Grant FY 2024/2025 construction and community improvement project applications in the following allocation amounts: Application Number HIGH24CN-001 Enhanced Code Enforcement within the low – and moderate – income target areas for \$120,000; Application Number HIGH24CN-002 Street Improvements in Target Areas including Cunningham Street, Flemming Street, 7th Street, and Colwyn Avenue for \$225,170. Motion carried, 4-0 with Mayor Lilburn abstaining.

Mayor Pro Tem McCallon moved forward with the second motion for the public service projects/programs.

Council Member Timmer stated there is a reduction in funds. Among the options provided by the staff, option two appears to be reasonable in terms of distribution. It is recommended to proceed with option two proposed by staff, amounting to \$60,912. Additionally, there are reserved funds, totaling \$58,004.79, he suggested for allocation to the ongoing Highland Project 23-1-03K/0280-0. This allocation aims to address the common issue of project budget shortfalls and expedite the completion of the Highland project.

Mayor Pro Tem McCallon stated option two includes \$14,770 for Central Little League, \$9,216 for the San Bernardino County Library, \$13,856 for the Highland YMCA, and \$23,070 for the Highland Senior Center.

A MOTION was made by Council Member Timmer, seconded by Council Member Solano, to move forward with FY 2024/2025 Community Development Block Grant application funding for public service projects/programs in the following amounts:

Application Number HIGH24PS-024 San Bernardino County Library, Highland Branch Adult Literacy Program for \$9,216; HIGH24PS-037 Highland Family YMCA, improve accessibility, resources for health, youth development, and social responsibility programs for \$13,856; HIGH24PS-042 Highland Senior Center, senior programs, activities and services to improve quality of life, physical fitness, social programs, daily interaction, and nutrition for \$23,070; HIGH24PS-002 Central Little League, scholarships for youth baseball and softball for \$14,770. Motion carried, 4-0 with Mayor Lilburn abstaining.

CITY COUNCIL LEGISLATIVE

9. Project Improvement Agreement Associated with the Revision to Engineering Conditions of Approval for Design Review Application 20-006 (REV 23-001/DRA 20-006A), Approved by the City Council on January 9, 2024. The Agreement Established Guidelines for the Construction of a Traffic Signal at the Intersection of Greenspot Road and Calhoun Road related to the Development of a 200-unit Residential Complex at the Northwest Corner of Greenspot Road and Webster Street, Known as San Carlo I, Highland Townhome Apartments

Public Works Director/City Engineer Zamano stated on January 9, the City Council approved a request from Rexco Development. This approval allowed the occupancy of all buildings except the eight-unit building, provided the applicant agreed to certain conditions. These conditions included implementing interim safety traffic control measures, installing a no U-turn movement at Greenspot Road and Webster Street, and bonding for traffic signal improvements. The initial agreement with revised Engineering Conditions was outlined in agenda packet No. 9. Shortly after, the applicant proposed revisions, detailed in a memo provided, which were deemed reasonable and not significant. The modifications aimed to clarify the scope and insurance coverage, as evidenced in the second version of the attached document. Another revision suggested removing the hold on the last building's occupancy and proposed that the traffic signal and Calhoun Road improvements be completed six months after the agreement execution. The agreement also allowed for a potential extension if the applicant faced construction issues but had completed at least 50 percent of the work within six months. Staff supported these changes and requested the City Council's consideration of the applicant's proposal. Applicant Patrick Tritz, the developer, is present to address any questions. This adjustment would facilitate progress on the project.

Mayor Lilburn asked if anyone had any questions.

Council Member Timmer stated at the last City Council meeting, there was a discussion on the traffic signal and some of the delays were due to the potential Costco project coming in. That prompted a redesign of the traffic signal movements. Are we still looking at the same delays getting that through the system or where is staff with that?

Director of Public Works/City Engineer Zamano stated he has confirmed that the design plans were approved back in January, eliminating any delays in that aspect. Progress is being made, but uncertainties remain regarding potential construction issues. For instance, if during the process of potholing for the new poles, the developer encounters any unexpected utility conflicts, design revisions might be necessary, potentially causing delays. Furthermore, certain equipment like poles and mast arms have extended lead times of up to twenty weeks for procurement. Approval of material submittals by staff is a precondition before procurement can commence, ensuring compliance with the city's standards. Submittals have already been made for the City Council to review. Additionally, the developer has initiated the process by submitting an encroachment permit through their contractor to kickstart a pre-construction meeting, signifying progress. This process will facilitate the developer in completing the necessary work, with the option of granting additional time if at least 50 percent of the work is finished within six months.

Mayor Lilburn asked if there were any other questions?

Council Member Timmer asked if staff was comfortable with the two changes?

Director of Public Works/City Engineer Zamano stated that he is comfortable with these changes and discussions were made with City Attorney Marroquin.

Mayor Pro Tem McCallon asked how many units have been leased?

Director of Public Works/City Engineer Zamano directed the question to Applicant Tritz.

Applicant Tritz stated 102 units have been leased. Unfortunately, four of them have been lost today as some individuals withdrew. However, with twelve more tours scheduled for tomorrow, things are progressing quite well.

Mayor Lilburn asked if there were any other questions.

City Attorney Marroquin stated that she wanted to confirm the motion will be for version three of the agreement, which allows for the Certificate of Occupancy now, without having to delay it, but having a six month time period to actually construct the traffic signal, with an additional six month time period at the discretion of the City Engineer, assuming progress is being made.

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

- 1) Adopt Resolution No. 2024-005, directing the Mayor to execute the Project Improvement Agreement. Motion carried, 5-0.

RESOLUTION NO. 2024-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A PROJECT IMPROVEMENT AGREEMENT FOR SAN CARLO I, HIGHLAND TOWNHOME APARTMENTS SECURING FUTURE IMPROVEMENT OF A TRAFFIC SIGNAL AT THE INTERSECTION OF CALHOUN ROAD AND GREENSPOT ROAD, ASSOCIATED WITH A 200-UNIT MULTI-FAMILY APARTMENT COMPLEX AT THE NORTHWEST CORNER OF GREENSPOT ROAD AND WEBSTER STREET IN PLANNING AREA 3 OF THE GREENSPOT VILLAGE AND MARKETPLACE SPECIFIC PLAN (APN NO. 1200-041-02)

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

Interim City Manager Dantuono stated the Highland Sheriff's Department for the period of January 8 through February 11, received a total of 3,682 calls, made 322 reports and 148 arrests.

The Fire Department for the month of January received 673 calls for service which include: 524 medical, 33 traffic collisions, eight structure fires, and 15 vehicle fires.

On Saturday, February 24, from 8:00 a.m. to 12:00 p.m., the Highland Improvement Team (HIT) will conduct a cleanup. The project place has yet to be determined.

For the month of January, Burrtec completed 185 illegal dumping work orders.

On February 6, the Planning Commission approved TREH Partner's Design Review Application for an Ono Hawaiian BBQ restaurant located on the north side of Greenspot Road.

Tractor Supply company is staging to commence work. Grading activity is already visible.

City Clerk Hughes announced her retirement for Thursday, February 29. Deputy City Clerk Muñoz will be the new City Clerk effective March 1.

Mayor Pro Tem McCallon asked when Cuca's Mexican Food restaurant will open?

Mayor Lilburn responded she anticipates March 1.

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

Mayor Pro Tem McCallon stated earlier in the week he was in Washington, DC. It was a historic moment as the South Coast Air Quality Management District (AQMD), Los Angeles and Long Beach ports, Department of Labor, and the Sierra

Club united to advocate for grants for the ports. The Environmental Protection Agency (EPA) has three upcoming grants, and the group expressed their support. After lobbying in Washington, DC, the local Southern California delegation brought the message to the EPA and the White House. The combined effort towards a common goal was seen as a successful initiative.

Mayor Lilburn thanked Mayor Pro Tem McCallon for going and representing the cities at various meetings. She mentioned her attendance at the Omnitrans, San Bernardino County Transportation Authority (SBCTA), and San Bernardino International Airport Authority (SBIAA) meetings. SBIAA operates a new program called Good Neighbor, where individuals can voice complaints by calling a specific number. She plans to attend the Highland Chamber of Commerce Installation Dinner to introduce the City Staff Employee Award and pass on the Highland Citizen of the Year title to this year's Volunteer of the Year. She also acknowledged City Clerk Hughes for her dedicated work for the city and expressed that she will be missed.

ANNOUNCEMENTS

None

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 6:52 p.m.

Submitted By:



Alondra Muñoz
City Clerk

Approved By:



Penny Lilburn
Mayor