



CITY OF HIGHLAND

CITY COUNCIL AGENDA

Regular Meeting

May 14, 2024 at 6:00 PM

City Hall Donahue Council Chambers

27215 Base Line, Highland CA 92346

COUNCILMEMBERS

Penny Lilburn, Mayor
District 3

Larry McCallon, Mayor Pro Tem
District 5

Jesse Chavez-Cordova, Councilmember
District 1

Anaeli Solano, Councilmember
District 2

John P. Timmer, Councilmember
District 4

STAFF

Carlos Zamano, City Manager/Public Works Director/City Engineer
Chuck Dantuono, Director of Administrative Services/City Treasurer
Lawrence Mainez, Community Development Director
Maricela Marroquin, City Attorney
Alondra Muñoz, City Clerk

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.*

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance, please contact the City Clerk's office at (909) 864-6861, ext. 226, at least 72 hours prior to the meeting for any requests for reasonable accommodations, including interpreters.

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.

Levine Act: Pursuant to Government Code Section 84308, any party to a City proceeding must disclose on the record any campaign contributions made to a member of the City Council (or commission) in excess of \$250 in the past 12 months. This disclosure requirement includes contributions by the party's agent and aggregated contributions from persons or entities related to the party. Please make the disclosure as soon as possible, but not later than the beginning of the proceeding.

Public Comment: For those wishing to make public comments by email to be read aloud at the meeting, please submit your comments by 5:00 p.m. on May 14, 2024, to the City Clerk at publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the May 14, 2024 agenda, please identify the agenda item number in the subject line. All email comments shall be subject to the same rules as would otherwise govern speaker comments at the City Council meeting. Members of the public will be permitted to make public comments in person.

CITY COUNCIL REGULAR MEETING MAY 14, 2024 - 6:00 p.m.

AGENDA

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT FROM CLOSED SESSION

SPECIAL PRESENTATIONS

Presentations

- East Valley Water District - Michael Moore, General Manager
- San Bernardino Community College District - Chancellor Diana Rodriguez

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 acting on any item not on the agenda. Individual speakers are limited to three minutes each.

Comments received via email by May 14, 2024, 5:00 p.m., will be read into the record, provided that the reading shall not exceed three (3) minutes. Emailed 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 - April 9, 2024 City Council Regular Meeting
RECOMMENDATION: Approve the Minutes as submitted.
3. Warrant Register
RECOMMENDATION: Approve Warrant Register No. 765 for May 13, 2024, in the amount of \$3,506,001.53 and Payroll of \$225,112.29.
4. Treasurer's Report for March 2024
RECOMMENDATION: That the City Council receive and file Treasurer's Report for March 2024.
5. Records Destruction Authorization
RECOMMENDATION: That the City Council approve the destruction of certain records.
6. Contract Renewal - Energy Services Agreement with Yunex, LLC
RECOMMENDATION: That the City Council:
 - 1) Extend the Energy Services Agreement with Yunex, LLC for one year; and
 - 2) Approve a 3.2% increase to the contract unit prices.
7. Amendment No. 1 to the Contract Maintenance Agreement with San Bernardino County Flood Control District
RECOMMENDATION: That the City Council:
 - 1) Approve Amendment No. 1 to the Contract Maintenance Agreement for another term up to five years with San Bernardino County Flood Control District (SBCFCD); and
 - 2) Authorize the Mayor to execute Amendment No. 1.
8. Amendment to the Professional Services Agreement for Environmental Services with Compass Consulting Enterprises, Inc. for Bledsoe Creek Outlet Repair (Project No. sdr17001)
RECOMMENDATION: That the City Council:
 - 1) Approve an amendment to the Professional Services Agreement with Compass Consulting Enterprises, Inc. to provide additional environmental services for Bledsoe Creek Outlet Repair; and
 - 2) Authorize the City Manager to approve contract amendments up to 10% of the new revised contract amount.
9. Street and Drainage Maintenance District 96-1 Annual Report (Fiscal Year 2024/2025)
RECOMMENDATION: That the City Council:
 - 1) Adopt Resolution No. 2024-_____ giving preliminary approval of the Annual Report; and
 - 2) Adopt Resolution No. 2024-_____ setting June 11, 2024 as the date of the protest hearing.

10. Consolidated Landscape and Lighting District 96-1 Annual Report (Fiscal Year 2024/2025)

RECOMMENDATION: That the City Council:

- 1) Adopt Resolution No. 2024-_____ giving preliminary approval of the Annual Report; and
- 2) Adopt Resolution No. 2024-_____ setting June 11, 2024 as the date of the protest hearing.

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.11. Resolution No. 2024-_____ Fixing the Highland Paramedic Special Tax Rate for Fiscal Year 2024/2025

RECOMMENDATION: That the City Council adopt Resolution No. 2024-_____ fixing the Highland Paramedic Tax rate for Fiscal Year 2024/2025.

12. Adopt Resolution of Necessity for Acquisition by Eminent Domain of Certain Real Property Interests for Public Purposes on APN 1192-161-21 for 9th Street Transit Stops, Sidewalk and Bikeway Improvements ("Project"), and Making a Finding of Exemption Under CEQA Guidelines Sections 15301(c) and (f)

RECOMMENDATION: That the City Council:

- 1) Adopt Resolution No. 2024-_____, which is a Resolution of Necessity of the City of Highland Declaring Certain Real Property Interests Necessary for Public Purposes and Authorizing the Acquisition Thereof in Connection with the Project;
- 2) Open and conduct a hearing on the adoption of the proposed Resolution of Necessity, receive from city staff the evidence stated and referred to in this Agenda Report ("Report"), take testimony from any person wishing to be heard on issues A, B, C, and D below, and consider all evidence to determine whether to adopt the proposed Resolution of Necessity;
- 3) If the City Council finds, based on the evidence contained and referred to in this Report, the testimony and comments submitted to the City Council, that the evidence warrants the necessary findings with respect to the proposed Resolution of Necessity, then city staff recommends the City Council, in the exercise of its discretion, adopt proposed Resolution of Necessity No. 2024-_____ (which requires a 4/5ths vote of the entire City Council), and authorize the City Attorney's Office to file eminent domain proceedings to acquire the real property interests described below on the real property located at 26377 9th Street, Highland, California and identified as San Bernardino County Tax Assessor's Parcel Number 1192-161-21 ("Property"):
 - An approximate 522 square foot Permanent Roadway Easement described more particularly in Exhibit "A" and depicted on Exhibit "B" to the attached Resolution of Necessity.

- An approximate 696 square foot Temporary Construction Easement (TCE) with a term of six months to help facilitate the construction of the Project. The TCE is described more particularly on Exhibit "C" hereto and depicted on Exhibit "D" to the attached Resolution of Necessity.

The approximate 522 square foot Permanent Roadway Easement and the approximate 696 square foot TCE are referred to below collectively as the "Subject Property Interests". The Resolution of Necessity with its Exhibit "A", Exhibit "B", Exhibit "C", and Exhibit "D" is attached hereto and incorporated herein by this reference;

- 4) If the City Council adopts the proposed Resolution of Necessity, authorize the City Attorney's Office to file and prosecute eminent domain proceedings for the acquisition of the Subject Property Interests by eminent domain;
- 5) Authorize the City Manager to execute all necessary documents; and
- 6) Authorize the City Clerk to certify the adoption of the Resolution of Necessity.

CITY COUNCIL LEGISLATIVE

13. Sheriff's Department Schedule A Amendment for Fiscal Year 2024/2025 and Amendment No. 3 to the Reimbursement Agreement between the City of Highland and East Valley Water District for Law Enforcement Services for Fiscal Year 2024/2025

RECOMMENDATION: The Finance/Personnel Subcommittee recommends that the City Council:

- 1) Authorize the Mayor to execute the amended Schedule A contract (FY 2024/2025) for Law Enforcement Services with the San Bernardino County Sheriff's Department which includes the addition of one deputy position;
- 2) Approve Amendment No. 3 to the Reimbursement Agreement between the City of Highland and East Valley Water District for Law Enforcement Services (FY 2024/2025); and
- 3) Approve the following budget adjustments: Revenues - General Fund General Government Property Tax Residual Balance 001.1450.7075 - \$14,315, Property Tax VLF 001.1450.7010 - \$14,315, Interest 001.1450.8600 - \$25,000 and Expenditures - General Fund Police Department Contract Services Sheriff 001.2000.4560 - \$53,630.

14. Contract with San Bernardino County for Animal Care and Control Services for Fiscal Year 2024/2025 with an Option to Extend for Two (2) Additional Years

RECOMMENDATION: That the City Council:

- 1) Approve the contract with San Bernardino County for Animal Care and Control Services for FY 2024/2025 in the amount of \$505,247; and
- 2) Authorize the Mayor to sign the contract.

15. Century Communities' (Highland Park Planned Development) Request for Parkland Acquisition and Park Facilities Development Impact Fee Credit in Accordance with Highland Municipal Code Section 16.40.200, Park and Recreational Facilities

RECOMMENDATION: That the City Council approve Century Communities' request for a fifty percent (50%) Parkland Acquisition and Park Facilities Development Impact Fee credit in the amount of \$105,814.57.

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

RECOMMENDATION: Discussion and possible action.

17. 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

Effective March 1, 2022, pursuant to Resolution No. 2022-001, the regular City Council meetings will be held once a month on the second Tuesday of each month. The next regular meetings of the City Council for 2024 are as follows: June 11; July 9; August 13; September 10; October 8; November 12; December 10.

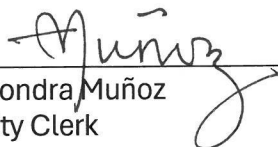
I, Alondra Muñoz, City Clerk, certify I caused to be posted this Agenda on or before May 9, 2024, by 5:30 p.m., on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: May 9, 2024



Alondra Muñoz
City Clerk