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 Al LeBrun, Immanuel Baptist Church, and the Pledge of Allegiance was led by Councilmember Chavez-Cordova.

ROLL CALL

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

REPORT FROM CLOSED SESSION

None

SPECIAL PRESENTATIONS

East Valley Water District's Board of Directors Phil Goodrich and General Manager Michael Moore spoke regarding the completion of the Sterling Natural Resource Center (SNRC).

Diana Rodriguez, Chancellor at San Bernardino Community College District gave a brief presentation regarding San Bernardino Community Colleges.

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

Jane Bouch and Chris Nielsen representing the Highland Chamber of Commerce spoke regarding upcoming events.

Glenn Johnson stated he has concerns within his neighborhood.

Trisha Keeling stated her concerns with candidate Lawrence Hebron who is running for Area 3, Redlands Unified School District Board Member.

Angel Navarro spoke regarding concerns about vehicles being towed within his neighborhood.

CITY COUNCIL CONSENT CALENDAR

A MOTION was made by Mayor Pro Tem McCallon, seconded by Councilmember 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 - April 9, 2024 City Council Regular Meeting

   Approved the Minutes as submitted.

3. Warrant Register

   Approved 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

   Received and filed Treasurer's Report for March 2024.

5. Records Destruction Authorization

   Approved the destruction of certain records.

6. Contract Renewal - Energy Services Agreement with Yunex, LLC

   1) Extended the Energy Services Agreement with Yunex, LLC for one year; and
   2) Approved 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

   1) Approved 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) Authorized 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)

   1) Approved an amendment to the Professional Services Agreement with Compass Consulting Enterprises, Inc. to provide additional environmental services for Bledsoe Creek Outlet Repair; and
   2) Authorized 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)

   1) Adopted Resolution No. 2024-009 giving preliminary approval of the Annual Report; and
   2) Adopted Resolution No. 2024-010 setting June 11, 2024 as the date of the protest hearing.

RESOLUTION NO. 2024-009
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, GIVING PRELIMINARY APPROVAL OF REPORT FOR STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 96-1 FOR FISCAL YEAR 2024/2025

RESOLUTION NO. 2024-010
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2024/2025 IN STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 96-1, AN ASSESSMENT DISTRICT, AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

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

1) Adopted Resolution No. 2024-011 giving preliminary approval of the Annual Report; and
2) Adopted Resolution No. 2024-012 setting June 11, 2024 as the date of the protest hearing.

RESOLUTION NO. 2024-011
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, GIVING PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT NO. 96-1 FOR FISCAL YEAR 2024/2025

RESOLUTION NO. 2024-012
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2024/2025 IN CONSOLIDATED LANDSCAPE AND LIGHTING DISTRICT NO. 96-1, AN ASSESSMENT DISTRICT, AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

CITY COUNCIL PUBLIC HEARING

11. Resolution No. 2024-013 Fixing the Highland Paramedic Special Tax Rate for Fiscal Year 2024/2025

Mayor Lilburn introduced Assistant Director of Administrative Services Nava-Cruz to present the item.

Assistant Director of Administrative Services Nava-Cruz stated staff is recommending adopting a resolution that sets the Paramedic Special Tax Rate at $19.00 for residential areas and $38.00 for commercial properties for Fiscal Year 2024/2025. The revenue generated is expected to be around $370,000, which falls short of the projected expenditure of $2.58 million. To cover this shortfall, a transfer from the Fire Department fund will be utilized.

Mayor Lilburn opened the public hearing and asked if anyone from the public wanted to speak for or against the item.

Seeing none, Mayor Lilburn closed the public hearing and brought it back to the City Council for questions and action.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Councilmember Timmer to approve Resolution No. 2024-013 fixing the Highland Paramedic Special Tax Rate for Fiscal Year 2024/2025. Motion carried, 5-0.

RESOLUTION NO. 2024-013
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, FIXING THE HIGHLAND PARAMEDIC SPECIAL 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)

Mayor Lilburn introduced City Manager Zamano to present the item.

City Manager Zamano stated staff is unable to negotiate with the homeowner to acquire the necessary easement to close the gap and construct the remaining piece of sidewalk on the southside of 9th Street between Eucalyptus Drive and Victoria Avenue. Staff is seeking direction from City Council to proceed and acquire this easement. The staff report has a map indicating the area where the project is located and where the missing sidewalk gap remains.

City Attorney Marroquin stated there are four key findings that need to be established for the Resolution of Necessity to be adopted. Those findings include: 1) the project is in the public interest and necessary 2) the project is designed and situated to maximize public benefit and minimize private harm 3) the property identified in the resolution is essential for the project and 4) the city's offer to the property owner complied with Government Code Section 7267.2. The staff report meticulously outlines how each of these findings can be met.

Mayor Pro Tem McCallon asked how many times was the offer presented to the property owner?

To answer his question, City Manager Zamano requested Mark Mendoza from Paragon Partners Consultants, Inc. come up and speak [the firm hired for the management of the appraisal process].

Mark Mendoza stated they have reached out to the property owner Robert Chaney sixteen different times.

Mayor Lilburn opened the public hearing and asked if anyone from the public wanted to speak for or against the item.

Seeing none, Mayor Lilburn closed the public hearing and brought it back to City Council for questions and action.

A MOTION was made by Councilmember Timmer, seconded by Councilmember Solano, to:

1) Adopt Resolution No. 2024-014, 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 summitted 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. 2024-014 (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 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. Motion carried, 5-0.

RESOLUTION NO. 2024-014
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF IN CONNECTION WITH THE CONSTRUCTION OF PUBLIC STREET, SIDEWALK, TRANSIT, BIKEWAY, DRAINAGE AND RELATED IMPROVEMENTS FOR THE 9TH STREET TRANSIT STOPS, SIDEWALK AND BIKEWAY IMPROVEMENTS PROJECT AND MAKING FINDINGS THAT THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15301 (C) AND SECTION 15301 (F) OF THE CEQA GUIDELINES (APN 1192-161-21)

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

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

A MOTION was made by Councilmember Timmer, seconded by Mayor Pro Tem McCallon, to:

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. Motion carried, 5-0.

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

Jody Scott spoke with questions about the San Bernardino County Animal Care and Control Services contract.

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

George Harding, Chief of Animal Care at San Bernardino County gave a brief presentation.

A MOTION was made by Councilmember Timmer, seconded by Councilmember Solano, to:

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. Motion carried, 5-0.

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

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

Senior Land Project Manager Paul Kim, representing Century Communities gave a brief presentation.

A MOTION was made by Councilmember Chavez-Cordova, seconded by Councilmember Solano, to 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. Motion carried, 5-0.

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

City Manager Zamano stated the Highland Sheriff's Department for the period of April 8 through May 12, received a total 3,879 calls, made 457 reports, 147 arrests, 89 citations, 367 traffic enforcement stops, responded to 42 traffic collisions, towed 27 vehicles, received 36 transient calls, and responded to 1 homicide.

The Highland Fire Department for the month of April received 635 calls for service, some of which included: 460 medical aids, 26 traffic collisions, 9 structure fires, 7 vegetation fires, and 5 vehicle fires.

Mission Communities has applied for an entitlement to construct a mix of 508 multi-family, single-family, and townhomes at the north end of Greenspot Village and Marketplace in Area 2.

Staff recommends updating the city's promotional videos from the city's website that were last created in 2021. A video shoot is planned for June to showcase the latest housing and retail developments. The new promotional videos will be available on the city's website by the end of September.

Tractor Supply Company is staging to build the exterior brick walls.

TREH Partners, LLC's residential complex at the northeast corner of Greenspot Road and SR 210 will commence work in a couple of weeks.

The Building and Safety Department is now receiving numerous construction permit applications through the city's website.

The Finance Department is currently under way on the interim city audit.

Ralph Andersen and Associates closed the recruitment for the Public Works Director/City Engineer position and anticipates the first round of interviews will be held on May 31.

Director of Administrative Services/City Treasurer Dantuono announced his retirement, his last day will be Friday, June 28.

Senior Civil Engineer Booth submitted his letter of resignation.

On Monday, May 20 from 12:00 p.m. to 4:00 p.m., a Blood Drive will be held at the Highland Police Station.

Saturday, June 1 from 9:00 a.m. to 2:00 p.m., Fire Station #2 will host an Open House.

For the month of April, Burrtec completed 201 illegal dumping work orders.

17. <u>Council Member Comments (Agency/Committee/AB 1234 Reports, District Updates, etc.)</u>

Mayor Pro Tem McCallon thanked all staff for participating in the tree planting at Aurantia Park for Arbor Day and the Public Safety Luncheon. He was also in attendance at the Brightline West groundbreaking ceremony in Las Vegas. This high-speed rail system will connect from Las Vegas to Rancho Cucamonga. It is expected to open in 2028.

Mayor Lilburn thanked all staff for participating in the Public Safety Luncheon as well.

She stated on August 29, the city will host the State of the City at the Administration Building of the Sterling Natural Resource Center.

She was also in attendance at the Turning of the Valve Ribbon Cutting Ceremony with East Valley Water District in celebration of the full operation of the Sterling Natural Resource Center.

ANNOUNCEMENTS

None

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 7:26 p.m. in memory of Marlene Joan McMeans and Douglas Campbell.

Submitted By:

Alondra Muñoz
City Clerk

Approved By:

Penny Lilburn
Mayor