

CALL TO ORDER

The regular meeting of the City Council of the City of Highland was called to order at 6:01 p.m. by Mayor Lilburn at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Pastor Tracy Johnson, Immanuel Baptist Church, and the Pledge of Allegiance was led by Mayor Pro Tem McCallon.

ROLL CALL

Present: Hogan, Lilburn, McCallon, Saldana, Timmer
Absent: None

REPORT FROM CLOSED SESSION

City Attorney Marroquin stated City Council met in closed session regarding Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1) People's Collective for Environmental Justice v. Inland Valley Development Agency, et., al., San Bernardino County Court Case No. CIVSB2510434 (City sued as Real Party In Interest). Direction was given to legal counsel; however, no reportable action was taken.

SPECIAL PRESENTATIONS

Mayor Lilburn presented a certificate of recognition to Bob Hitchman for his more than 1,500 blood donations with LifStream.

Mayor Lilburn presented a Proclamation proclaiming May 18-24 as National Public Works Week.

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

Bob Hitchman spoke regarding concerns over motorcyclist and vehicle safety issues on the community trails.

Phil Goodrich, representing East Valley Water District thanked staff who attended the Sterling Natural Resource Center (SNRC) tour.

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

CITY COUNCIL CONSENT CALENDAR

Nicole McCance spoke regarding Consent Calendar Item No. 8.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Councilmember Saldana, 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 8, 2025 Regular City Council Meeting

Approved the Minutes as submitted.

3. Warrant Register

Approved Warrant Register No. 777 for May 13, 2025, in the amount of \$5,553,970.96 and Payroll of \$336,945.48.

4. Treasurer's Report for March 2025

Received and filed Treasurer's Report for March 2025.

5. Claim Consideration - Moises Salvador Vasquez

Rejected claim.

6. Claim Consideration - Mariah Scott

Rejected claim.

7. Resolution No. 2025-009, a Resolution of the City Council of the City of Highland, California Reaffirming and Extending Proclamation of a Local Emergency in the City of Highland as a Result of the Line Fire

Adopted Resolution No. 2025-009, continuing to extend the Proclamation of a Local Emergency in the City of Highland as a result of the Line Fire.

RESOLUTION NO. 2025-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, PROCLAIMING THE CONTINUED EXISTENCE OF A LOCAL
EMERGENCY AS A RESULT OF THE LINE FIRE

8. Declare Two (2) Seats Vacant on the Planning Commission

- 1) Declared two (2) seats vacant on the Planning Commission; and
- 2) Directed the City Clerk to advertise the vacancy on the Planning Commission.

9. Contract Extension with San Bernardino County for Animal Care and Control Services for FY 2025/2026 (San Bernardino County Contract No. 24-444 A-1), With Option to Extend One (1) Additional Year

Approved a contract extension with San Bernardino County Animal Care and Control Services for FY 2025/2026 in the amount of \$520,404 and authorized the City Manager to execute the related contract extension, as well as the subsequent extension for Fiscal Year 2026/2027.

10. Sheriff's Department Schedule A Amendment for FY 2025/2026 and Amendment No. 4 to the Reimbursement Agreement Between the City of Highland and East Valley Water District for Law Enforcement Services for FY 2025/2026
 - 1) Authorized the Mayor to execute the amended Schedule A contract (FY 2025/2026) for Law Enforcement Services with the San Bernardino County Sheriff's Department which includes the addition of one Office Specialist position; and
 - 2) Approved Amendment No. 4 to the Reimbursement Agreement between the City of Highland and East Valley Water District for Law Enforcement Services (FY 2025/2026).
11. Easement Acceptance for Lakeview Plumbing Corporation (Juan Cortes) - Single Family Residential Project (San Francisco Street)
 - 1) Accepted Grant of Easement for San Francisco Street and Fresno Street Rights-of-Way Dedication from Lakeview Plumbing Corporation (Juan Cortes); and
 - 2) Directed the City Clerk to record the Grant of Easement.
12. Storm Drain Easement Acceptance for Quick Quack Car Wash Commercial Project at 28343 Greenspot Road, west of Boulder Avenue (DRA 023-008)
 - 1) Accepted the Grant of Easement for drainage purposes from Boulder Holdings, LLC; and
 - 2) Directed the City Clerk to record the Grant of Easement.
13. Authorization and Agreements for Emergency Generator System Installation for Highland Fire Station 541 and 542
 - 1) Waived formal contract procedures per Municipal Code Section 2.40.100 for which the City's best interests are served;
 - 2) Approved the proposal from GORDIAN for the engineering and installation of the City's 35KW Generac Emergency Generators at the Highland Fire Station 541 in the amount of \$114,710.31 and Highland Fire Station 542 in the amount of \$115,697.05, through the City's Sourcewell cooperative purchasing program contract #CA-R8-HVAC-101723-ABL;
 - 3) Authorized the City Manager to sign both purchase agreements with GORDIAN to install the City's new Emergency Generator systems at Highland Fire Station 541 and Fire Station 542; and
 - 4) Approved the following budget adjustment: Transfer from Account 029-2511 (to be expended from 029-2100-6040 Equipment) \$114,710.31 for Fire Station 541 and \$115,697.05 for Fire Station 542.
14. Street and Drainage Maintenance District 96-1 Annual Report (Fiscal Year 2025/2026)
 - 1) Adopted Resolution No. 2025-010, giving preliminary approval of the Annual Report; and
 - 2) Adopted Resolution No. 2025-011, setting June 10, 2025 as the date of the protest hearing.

RESOLUTION NO. 2025-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, CALIFORNIA GIVING PRELIMINARY APPROVAL OF REPORT FOR STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 96-1 FISCAL YEAR 2025-26

RESOLUTION NO. 2025-011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2025-26 IN STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 96-1, AN ASSESSMENT DISTRICT, AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

15. Consolidated Landscape and Lighting District 96-1 Annual Report (Fiscal Year 2025/2026)
- 1) Adopted Resolution No. 2025-012, giving preliminary approval of the Annual Report; and
 - 2) Adopted Resolution No. 2025-013, setting June 10, 2025 as the date of the protest hearing.

RESOLUTION NO. 2025-012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, CALIFORNIA GIVING PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR CONSOLIDATED LANDSCAPING & LIGHTING DISTRICT NO. 96-1 FISCAL YEAR 2025-26

RESOLUTION NO. 2025-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2025-26 IN CONSOLIDATED LANDSCAPE AND LIGHTING DISTRICT NO. 96-1, AN ASSESSMENT DISTRICT, AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

16. Second Reading of Ordinance No. 468 Amending Chapter 1.20, Arrest and Citation, Chapter 2.56, Administrative Citation Process, and Chapter 8.58 of the Highland Municipal Code to Increase the Administrative Fine as Allowable Under the State Fireworks Law for Use of Illegal Fireworks, and Other Amendments to Authorize Enhanced Code Enforcement Efforts

Conducted a second reading, read by title only, and waived further reading of Ordinance No. 468.

ORDINANCE NO. 468

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, DELETING CHAPTER 1.20 (ARREST AND CITATION PROCEDURES) OF TITLE 1 (GENERAL PROVISIONS); AND AMENDING CHAPTER 2.56 (ADMINISTRATIVE CITATION PROCESS) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) AND CHAPTER 8.58 (FIREWORKS) OF TITLE 8 (HEALTH AND SAFETY) OF THE HIGHLAND MUNICIPAL CODE PERTAINING TO THE ENFORCEMENT OF FIREWORKS VIOLATIONS

17. A Special Event Permit (SEP 25-001) by Immanuel Baptist Church for a 4th of July Community Event, Fireworks Display and Request for Co-sponsorship
- 1) Approved the Special Event Permit (SEP 25-001) subject to the conditions of approval; and
 - 2) Approved a request by Immanuel Baptist Church for co-sponsorship and waiving of police, fire permit fees, and Public Works traffic control fees in the amount of approximately \$15,402.62.

CITY COUNCIL PUBLIC HEARING

18. Public Hearing on Vacancies to Comply with Assembly Bill 2561

Mayor Lilburn opened the public hearing.

Director of Administrative Services Nava-Cruz stated the new legislative requirement enacted by Governor Newsom, Assembly Bill 2561 amends the Myers-Millais Brown Act by introducing Government Code Section 3502.3, which mandates that local public agencies enhance transparency and accountability in public sector staffing. As part of this requirement, we are providing a report on our current vacancies, recruitment and retention efforts. Additionally, since we do not have any bargaining units, there is no supplementary reporting required in that regard.

As of April 30, 2025, the City of Highland had a total of 46 budgeted positions, none of which are represented by bargaining groups. Currently, there are two vacant positions: Assistant Public Works Director and Maintenance Superintendent. Recruitment efforts for these roles have included postings on governmentjobs.com, placement on the California Employment Development Department (EDD) website, and advertisements on various industry job boards, including the American Public Works Association. In response to outreach efforts requested by the City Manager, we distributed 2,500 flyers to registered civil engineers in San Bernardino and Riverside counties, which has resulted in several applications received.

Our current vacancies stand at 4% primarily in the Public Works Department. Vacancies tend to result from various factors such as retirements, internal promotions, resignations, or relocations. From January 1, 2024, to present, the City has promoted nine employees and hired twelve new staff members. During this period, eleven full-time employees have separated from the City or County, with reasons including pursuing higher-paying or promotional opportunities in other municipal positions (two employees), moving to the private sector (one employee), resigning without securing alternative employment (one employee), retiring (three employees), relocating (one employee), and transitioning to

remote work (one employee). There have been two Councilmember departures, one resignation and one decision not to seek re-election. These turnover figures reflect broader workforce mobility trends and underscore the importance of supporting flexible work arrangements, offering competitive compensation and benefits, and developing pathways for internal advancement.

The City of Highland remains focused on employee retention and maintaining a skilled and resilient workforce. In 2024, we implemented several initiatives aimed at increasing employee satisfaction and promoting professional growth. These include a comprehensive salary adjustment in 2023, continued from 2024 to 2025, a \$1,550 cafeteria plan to assist with health, dental, and vision benefits, and employer-paid life insurance. We also offer flexible scheduling options, such as the 9/80 work schedule, provide internal promotional opportunities, and organize employee recognition and appreciation events. The City of Highland is committed to sustaining a capable workforce and complying with the requirements of Assembly Bill 2561. Staff will provide annual updates to keep City Council informed about employee recruitment and retention efforts.

Mayor Lilburn asked if there were any questions from the public? Seeing none, she closed the public hearing and brought it back to City Council for deliberation.

A MOTION was made by Mayor Lilburn, seconded by Mayor Pro Tem McCallon to receive and file the Vacancies to Comply with Assembly Bill 2561. Motion carried, 5-0.

19. Resolution No. 2025-014, Fixing the Highland Paramedic Special Tax Rate for Fiscal Year 2025/2026

Mayor Lilburn opened the public hearing.

Director of Administrative Services Nava-Cruz stated staff recommends adopting a resolution to set the paramedic tax for Fiscal Year 2025/2026 at \$19 for residential properties and \$38 for commercial properties. This adjustment is expected to generate approximately \$370,000 in revenue. Although this amount falls short of the projected expenditures of approximately \$3.2 million, the remaining funding gap will be covered through a transfer from the Fire Department.

Mayor Lilburn asked if there were any questions from the public? Seeing none, she closed the public hearing and brought it back to City Council for deliberation.

A MOTION was made by Councilmember Timmer, seconded by Mayor Pro Tem McCallon to adopt Resolution No. 2025-014, fixing the Highland Paramedic Special Tax Rate for Fiscal Year 2025/2026. Motion carried, 5-0.

RESOLUTION NO. 2025-014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, FIXING THE HIGHLAND PARAMEDIC SPECIAL TAX RATE FOR
FISCAL YEAR 2025/2026

20. Ordinance Designating Fire Hazard Severity Zones as Recommended by the California Department of Forestry and Fire Protection, State Fire Marshal

Mayor Lilburn opened the public hearing.

Community Development Director Mainez stated following recent amendments to the State Government Code, the office of the State Fire Marshal is now required to designate areas within the state as moderate, high, and very high fire hazard severity zones. Municipalities are mandated to adopt these maps through local ordinances. On March 24, 2025, the State Fire Marshal released the recommended map for the Southern California region. In accordance with this legislation, the City of Highland is required to make the map available for public review and comment within 30 days of its release. The map was posted on the city's website on April 7, 2025 and as of this evening, no public comments have been received.

Mayor Lilburn asked if there were any questions from the public? Seeing none, she closed the public hearing and brought it back to City Council for deliberation.

Councilmember Timmer stated it appears the proposed extension of the zones into the interior of the City of Highland may be excessive, considering factors such as fire history, topography, and weather conditions. While we cannot alter the current proposal, I would like to share my perspective. My primary concern relates to insurance implications. The staff report indicates that this is not an insurance matter, it is well understood that insurance companies often utilize such maps to determine policy cancellations or rate adjustments and the staff report indicates that 90,000 acres were burned, and 1,000 homes were destroyed in the old fire; however, during the recent Line Fire, in the City of Highland, no residences were burned or damaged.

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

- 1) Introduce and conduct first reading of Ordinance No. 469, an Ordinance of the City of Highland designating Fire Hazard Severity Zones as recommended by the California Department of Forestry and Fire Protection, State Fire Marshal pursuant to Government Code Section 51179(a), and making the findings of exemption under Section 15061(B)(3) of the California Environmental Quality Act Guidelines;
- 2) Direct the City Clerk to transmit a copy of the Ordinance to the State Board of Forestry and Fire Protection within 30 days of adoption, and post a notice at the office of the County recorder, assessor, and planning agency identifying the location of the "City of Highland Fire Hazard Severity Zones Map"; and
- 3) Direct staff to file a Notice of Exemption with the County Clerk of the Board. Motion carried, 5-0.

City Clerk Muñoz introduced Ordinance No. 469.

ORDINANCE NO. 469
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, DESIGNATING FIRE HAZARD SEVERITY ZONES AS
RECOMMENDED BY THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE
PROTECTION, STATE FIRE MARSHAL PURSUANT TO GOVERNMENT CODE
SECTION 51179(a) AND MAKING THE FINDING OF EXEMPTION UNDER
CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") GUIDELINES SECTION
15061(B)(3)

Which title was read.

21. Municipal Code Amendment (MCA-24-001): Housing Element Implementation Ordinance of the City of Highland Amending Portions of Title 5 (Business License and Regulations), Title 8 (Health and Safety, and Title 16 (Land Use and Development Code) of the Highland Municipal Code

Mayor Lilburn opened the public hearing.

Associate Planner Tafolla stated Municipal Code Amendment 24-001 comprises of two ordinances reviewed by the Planning Commission for your consideration. These amendments serve three primary objectives: 1) implement the certified 2021/2029 6th Cycle Housing Element; 2) ensure compliance with state housing legislation; and 3) update certain provisions of the Municipal Code.

The Housing Element is one of seven required components of the General Plan and must be updated every eight years. Our current housing element, referred to as the 6th cycle Housing Element, was certified by the state and includes 33 programs, 11 of which necessitate amendments to the Municipal Code. Tonight's ordinances implement seven of those programs, with the remaining programs scheduled for review later this year.

The first ordinance, presented separately for procedural clarity, focuses on updating Highland's Municipal Code Section 16.44.180 concerning Accessory Dwelling Units (ADUs). The City Council is aware that recent legislative actions have significantly expanded ADU laws through Assembly Bills such as AB 671, AB 1033, and AB 1332. This ordinance aligns our ADU standards with these legislative requirements. It also maintains existing restrictions by prohibiting ADUs on properties located within very high fire hazard severity zones and on properties not served by public sewer, consistent with current regulations. As mandated by law, this ordinance will be submitted to the California Department of Housing and Community Development for review, and approval will be contingent upon state consent.

The second ordinance encompasses comprehensive updates to Title 5, 8, and 16 of the Highland Municipal Code. These amendments revise definitions, permits processes, zoning, and development standards. Key changes include repealing the Crime-Free Rental Housing program to comply with AB 1418 and addressing a recent California Supreme Court ruling declaring the program unconstitutional. It further permits low-barrier navigation centers by right in mixed-use and planned development zones, as required by AB 101. The ordinance allows single-room occupancy housing through a conditional use process to support extremely low-income individuals. It also revises regulations for licensed group homes, treating those serving six or fewer residents as single-family uses.

The amendments align our density bonus and accessory structure standards with recent state legislation.

It is important to note that these ordinances are regulatory in nature. They are mandatory updates resulting from new state land use laws. Failure to adopt these provisions could expose the city to legal challenges, financial penalties, or potential loss of local authority over building permit decisions. These updates do not entitle or authorize any specific projects; rather, they ensure our municipal code remains compliant with state requirements while maintaining local discretion where possible. The Planning Commission has reviewed these ordinances and recommends their approval. Regarding the ADU ordinance, staff will defer to the City Attorney to address a public comment letter received on May 12, 2025.

City Attorney Marroquin stated the City of Highland received a comment letter from the California Housing Defense Fund (CalHDF), a nonprofit organization, regarding the city's Accessory Dwelling Unit (ADU) Ordinance. The letter suggests that the ordinance should be revised to eliminate the requirement for property owners to record a deed restriction as a condition of obtaining ADU permits, asserting that this requirement is inconsistent with state law.

The ordinance included in the agenda packet does require recording a deed restriction against the property, which effectively states that the property owner cannot rent the ADU for short-term rentals of less than 30 days. This requirement is also reiterated elsewhere in the ordinance, establishing it as a regulatory standard. The ordinance includes provisions referencing the deed restriction, confirming it as a city requirement.

The key question is whether, under state law, the city can impose a requirement that property owners record such deed restrictions. My interpretation is that state law does not explicitly prohibit this; rather, it provides maximum standards through the Government Code Sections 66314 and 66315. Section 66314 establishes the maximum standards that a local agency shall use to evaluate a proposed ADU on your lot that includes a proposed or existing single family dwelling, no additional standards other than those provided in Government Code Section 66314 shall be used or imposed including an owner occupant requirement, except that a local agency may require that the property may be used for rentals of terms 30 days or longer. However, the question remains whether this restriction can be enforced through a deed restriction. The distinction lies between what constitutes a standard such as height or setback requirements and requirements like recording deed restrictions, which are regulatory conditions. The statute's language suggests that standards are specific zoning and building criteria, not necessarily contractual obligations like deed restrictions.

Furthermore, the city is required to submit its ADU ordinance to the California Department of Housing and Community Development (HCD) for review and approval. HCD is tasked with evaluating compliance with state laws and can issue notices of noncompliance. As of last year, HCD has also been authorized to enforce compliance directly.

In conducting additional research, it appears that HCD has taken the position that requiring deed restrictions for ADUs is not permissible. While the city can regulate short-term rentals such as prohibiting rentals of less than 30 days, it cannot impose the recording of deed restrictions as a condition.

In response, I have revised the ADU ordinance to remove the deed restriction. Both the original and the revised versions will be available for your review tonight. Ultimately, whichever version is adopted will be submitted to HCD for review. It is important to note that if HCD determines the ordinance is noncompliant, the ordinance will be considered null and void by law, and until a compliant ordinance is adopted, certain restrictions, such as fire severity zones and sewer requirements, those would be nullified until the new ordinance is adopted.

Mayor Lilburn asked if there were any questions from the public? No public comment was submitted either. Seeing none, she closed the public hearing and brought it back to City Council for deliberation.

Councilmember Timmer questioned whether the revised ordinance aligns with the intent of the law?

City Attorney Marroquin stated yes, the ordinance was drafted based on what staff and our attorneys interpreted to be in compliance with state law. HCD is the agency responsible for determining compliance. Additionally, each city has some authority to evaluate whether we can't have a deed restriction.

Councilmember Timmer stated if this ordinance has not yet been submitted to HCD for review, the city is anticipating HCD's comments but does not know for sure?

City Attorney Marroquin stated our knowledge is limited to the information received in the letter. HCD's website contains an ADU Ordinance compliance review section which includes a list of letters related to various ordinances that have been reviewed and commented on. One of these letters pertains to Berkeley's ordinance, which included a deed restriction. HCD's comment indicated that this restriction would need to be eliminated; however, HCD has not yet reviewed our specific version of the ordinance. Another potential approach is to submit the ordinance to HCD for review prior to adoption. The caveat is HCD is slow to respond and this is a program in the Housing Element that requires the city to move forward with adoption, so there would be a potential for delay.

Councilmember Timmer stated the city has a Housing Element that extends to 2029. HCD approved the Housing Element prior, and since then we have had numerous amendments. It is guaranteed HCD will find something else to modify, so the city should submit and wait to receive an official response from them. In addition, on page three of the staff report, it talks about Housing Element Program No. 33 (Enhance Access to Areas of Opportunity). It is a new density requirement within the eastern part of the city. What area are they considering being part as the "eastern part of the city?"

Community Development Director Mainez responded the area Councilmember Timmer is referring to is the moderate and high resource area, a model that is run by the state, all cities need to use it when conducting their Housing Element. The high resource area is Boulder Avenue to the east. This area is predominantly where the affluent live, so the state believes the city should provide other types of housing where people can live and enjoy those resources such as schools, shopping centers, parks, trails, and good infrastructure. During the Planning Commission Study Session, a site was identified, and the city will initiate the CEQA process. It will consist of a master plan and five acres will be set aside.

Councilmember Timmer asked under this requirement, a minimum of 20 and a maximum of 30 units per acre, does the state require bonus densities on top of that?

Community Development Director Mainez responded no, this exercise is just looking at five acres. It is not promoting affordable housing, it is going to be market rate, it was ok with the state.

Mayor Pro Tem McCallon stated the city should submit the "corrected version" of the ordinance because HCD will disapprove it. SCAQ had a similar disagreement with HCD and it was not resolved for many, many months. In addition, Mayor Pro Tem McCallon asked staff member Associate Planner Tafolla to provide the definition of what low barrier navigation centers are.

Associate Planner Tafolla stated the definition of a low barrier navigation center means a housing first low barrier service enriched center focused on moving people into permanent housing that provides temporary living facilities, while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelters and housing. A low barrier navigation center may be relocatable, and low barrier means best practices to reduce barriers to entry and may include but not limited to the following: the presence of partners. These shelters cannot refuse individuals experiencing homelessness because they have a presence of a partner. Shelters cannot deny entry to individuals with pets, nor can they refuse individuals based on possession storage. They are required to provide appropriate privacy measures, such as partitions around beds or within dormitory settings. Historically, homeless shelters had the option to decline admission for certain reasons.

Mayor Pro Tem McCallon stated in essence they are homeless shelters and mobile.

Councilmember Timmer stated his concerns with some of the timeframes outlined in the Housing Element for the ADU ordinance adoption.

City Attorney Marroquin stated the housing element includes specified timeframes for the implementation of its programs. There is a designated deadline for the city to amend its ADU Ordinance in accordance with state laws. There would be delays if the ordinance is sent to HCD to review in advance, however, pursuant to state law, whichever version of the ordinance is adopted must be sent to HCD within 60 days for their review.

Councilmember Timmer asked whether we could proceed with adopting some of the amended ordinances and submit them separately to HCD.

City Attorney Marroquin mentioned we have specifically separated the ordinances to ensure that HCD receives only the ADU ordinance review, rather than the entire Housing Element Implementation Ordinance. By law, the city is required to submit only the ADU ordinance to HCD. Therefore, whichever version is adopted, that will be the one sent to HCD. HCD is likely to disapprove of the ordinance if the City Council does not adopt the revised version. This expectation is based on previous feedback to other jurisdictions with deed restrictions, where HCD has indicated such restrictions are invalid. Although HCD has not yet reviewed the City of Highlands' version, they have reviewed various other versions from different cities.

There are two separate ordinances before you today. One ordinance pertains to seven Housing Element Programs being adopted, and the other is a separate ADU ordinance within the Housing Element. Tonight's materials include an amended version of the ADU ordinance, which has been modified to remove the deed restriction requirement. You may choose to adopt this version or the original version included in your packet, which includes the deed restriction. Regardless of the version adopted, the ordinance will be submitted to HCD for review.

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

- 1) Adopt a Notice of Exemption and instruct staff to file a Notice of Exemption with the County Clerk of the Board; and
- 2) Introduce and conduct first reading of Ordinance No. 470 to amend Chapter 5.34 (Multiple-Family and other Rental Units) of Title 5, and amend various Chapters of Title 16 (Land Use and Development Code) of the Highland Municipal Code (HMC) for the implementation of the 6th Housing Element Programs, mandatory State Legislation updates, and to correct Municipal Code ambiguities and inconsistencies. Motion carried, 5-0.

City Clerk Muñoz introduced Ordinance No. 470.

ORDINANCE NO. 470

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING TITLE 5 (BUSINESS LICENSES AND REGULATIONS), TITLE 8, (HEALTH AND SAFETY), AND TITLE 16 (LAND USE AND DEVELOPMENT CODE) OF THE HIGHLAND MUNICIPAL CODE TO DELETE THE CRIME FREE MULTIPLE FAMILY RENTAL HOUSING PROGRAM, UPDATE DEFINITIONS, REVISE DESIGN REVIEW PROCESSES, UPDATE REGULATIONS FOR NON-CONFORMING PARCELS, USES AND STRUCTURES, UPDATE REGULATIONS FOR ACCESSORY STRUCTURES, AMEND EMPLOYMENT DISTRICT BUILDING HEIGHT STANDARDS, MODIFY DENSITY BONUS REQUIREMENTS CONSISTENT WITH STATE LAW, AMEND EMERGENCY SHELTER REGULATIONS, AND ESTABLISH SINGLE NAVIGATION CENTERS AS PERMITTED USES IN THE MU AND PD ZONES, (2) SINGLE ROOM OCCUPANCIES AS A CONDITIONALLY PERMITTED USE IN THE A/EQ, R-1, R2, R-3, HDS, VR AND MIXED USE ZONES, (3) RESIDENTIAL CARE FACILITIES SERVING SIX OR FEWER AS A PERMITTED USE IN THE A/EQ, R-1, VR, AND EHV ZONES AND AS A PERMITTED USE WITH A STAFF REVIEW PERMIT IN R-2 AND R-2C ZONES, (4) RESIDENTIAL CARE FACILITIES SERVING SEVEN OR MORE AS A PERMITTED USE IN THE EHV ZONE AND CONDITIONALLY PERMITTED USE IN THE A/EQ, R-1, VR, AND R-2C ZONES, (5) UNLICENSED GROUP HOMES AS A PERMITTED USE IN THE A/EQ, R-1, VR AND EHV ZONES AND AS PERMITTED USE WITH A STAFF REVIEW PERMIT IN THE R-2C, AND R-2 ZONES, AND (6) CHILD CARE FACILITIES SERVING 14 OR FEWER CHILDREN AS A PERMITTED USE IN ALL RESIDENTIAL ZONES, AND MAKE A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (MUNICIPAL CODE AMENDMENT MCA 24-001)

Which title was read.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Councilmember Timmer to submit the revised version of the ordinance presented at the meeting and:

- 3) Introduce and conduct first reading of Ordinance No. 471 to amend Section 16.44.180 (Accessory Dwelling Units) of Title 16 (Land Use and Development Code) of the Highland Municipal Code to implement Program 12 of the 6th Cycle Housing Element and ensure consistency with recent State housing legislation, including AB 671, AB 1332, AB 976, and AB 1033. The proposed amendment promotes the development of ADUs as a means to increase affordable housing opportunities and ensures the City's regulations remain compliant with State law. Motion carried, 4-1 with Mayor Lilburn dissenting.

City Clerk Muñoz introduced Ordinance No. 471.

ORDINANCE NO. 471

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING SECTION 16.44.190 (ACCESSORY DWELLING UNITS) OF TITLE 16 (LAND USE AND DEVELOPMENT CODE) OF THE HIGHLAND MUNICIPAL CODE TO UPDATE REQUIREMENTS IN ACCORDANCE WITH STATE LAW, AND MAKE A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (MUNICIPAL CODE AMENDMENT MCA 24-001)

Which title was read.

CITY COUNCIL LEGISLATIVE

22. First Amendment to the City Manager Employment Agreement between Carlos Zamano and the City of Highland

City Attorney Marroquin stated the agreement stipulates that the annual salary for the City Manager will be \$252,310, effective March 12, 2025. The City Manager will continue to receive bilingual pay, which is 5% of the current salary, amounting to an additional \$1,051.29 per month, or \$12,600 annually. However, should the City Council approve revisions to the bilingual pay structure potentially proposed as part of the revised budget such changes would also apply to the City Manager. In that case, the base salary would be adjusted to \$251,500.60, with bilingual pay set at a fixed \$280 per month instead of 5% of the salary.

With the inclusion of bilingual pay, the total compensation remains consistent, aligning with the previous total of \$264,920. The City Manager will also receive the same cost-of-living adjustment as other city employees, along with a vehicle allowance of \$800 per month. The City Manager will be provided with a combined contribution to the ICMA Deferred Compensation Plan, which is for every \$2 of voluntary contributions made, the city will contribute a \$1 up to the maximum allowed of the limit, which in 2025 was \$31,000. The City Manager will maintain existing benefits, including life insurance, PERS retirement, and Cafeteria Plan, as well as any accrued leave balances. The agreement is being amended to remove the provision granting the City Manager a one-time opportunity to buy back 100 hours of accrued vacation leave, as this opportunity has already been utilized. This is what is being proposed in this First Amendment for consideration.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Councilmember Saldana to execute the First Amendment to the City Manager Employment Agreement between Carlos Zamano and the City of Highland. Motion carried, 5-0.

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

City Manager Zamano stated the Highland Sheriff's Department for the month of April received 3,253 calls for service, made 343 reports, 139 arrests, issued 257 citations, conducted 243 traffic enforcement stops, responded to 60 traffic collisions, 30 transient calls, and 5 towed vehicles.

The Highland Fire Department for the month of April received 613 calls for service, some of which included: 475 medical aids, 32 traffic collisions, 15 structure fires, 26 vegetation fires, 8 vehicle fires and 3 rescues.

City Clerk Muñoz has earned the distinguished Certified Municipal Clerk (CMC) designation, granted by the International Institute of Municipal Clerks (IIMC). This credential is awarded solely to municipal clerks who meet rigorous educational standards and demonstrate a proven record of meaningful contributions to the local government community and the state.

The Administrative Services/Finance Department for the month of April issued 54 business licenses, renewed 443 business licenses, issued 74 dog licenses, 53 yard sale permits, and 198 account payable checks.

The City of Highland has initiated the implementation of the new Enterprise (ERP) software, which is expected to take approximately two years to complete. This system is designed to streamline core functions such as financial management, human resources, accounts receivable and payable, as well as projects for planning and engineering.

Human Resources is currently recruiting for an Assistant Public Works Director and Maintenance Superintendent/Senior Maintenance Worker for the Public Works Department. Anyone interested can apply on our city website.

Public Works has one active project, the 9th Street Transit Stops, Sidewalk and Bikeway Improvement Project. Construction is scheduled to commence this month. The project involves installing new curbs, gutters, sidewalks, driveways, and a bike lane on the south side of 9th Street, between Victoria Avenue and approximately 150 feet west of Valaria Drive. This project will complete the final sidewalk and bike lane gaps along 9th Street within Highland, with the only remaining segment being at the southeast corner of 9th Street and Del Rosa Drive, which falls under the City of San Bernardino jurisdiction. Saturday, May 17, from 8:00 a.m. to 12:00 p.m., the Highland Improvement Team (HIT) will conduct a cleanup event.

Monday, May 19, from 12:00 p.m. to 5:00 p.m. a Blood Drive will be held at the Highland Police Station.

Saturday, June 7, from 9:00 a.m. to 2:00 p.m., an open house will be held at Fire Station #2 located at 29507 Base Line.

For the month of April, Burrtec completed 219 illegal dumping work orders.

On May 16, the Planning Commission approved a Conditional Use Permit and Design Review Application for the expansion of the Inland Empire Indonesian Seventh-day Adventist Church, located at 7480 Sterling Avenue, opposite Warm Springs Elementary School. The proposed expansion includes the construction of a 10,000 square foot multi-purpose building, additional parking facilities, landscaping, and the installation of new block walls along the property boundaries. During the hearing, certain conditions were added and revised to ensure that neighbors' concerns were appropriately addressed.

The Community Trails Committee is currently finalizing the details for the city's Annual Trails Day event, scheduled for Saturday, June 7, at 8:00 a.m. The event will be held at Mediterra Community Park, and participants will have access to the existing trails extending east toward Ron Arnott Orchards. The orchards are located between the Mediterra residential community and the Historic Iron Bridge on Greenspot Road. Attendees will also be provided with information regarding upcoming trail developments that will connect Mediterra to the Historic Iron Bridge and subsequent areas.

TREH partners the developer of the Greenspot crossings at the northeast corner, located at Greenspot Road and SR210, is making progress on the state and federal take permit for the endangered San Bernardino Kangaroo Rat (SBKR). The permits pertain to the other 8.6 acres, and staff anticipates that the SBKR permit will be finalized by October 2025. This timeline will enable the San Bernardino County Flood Control District to conduct stockpiling and rock removal, with the goal of closing the double escrow by January 27, 2026.

Corky's Kitchen and Bakery will have an official ribbon cutting ceremony scheduled for May 14, 2025 at 11:00 a.m.

14. Councilmember Comments (Agency/Committee/AB 1234 Reports, District Updates, etc.)

Councilmember Saldana expressed appreciation to the Public Works Department for their efforts in maintaining the cleanliness and overall condition of the City of Highland. He also shared that he attended the 2025 City County Conference, and as a new Councilmember, found it to be a valuable networking experience that provided insights and ideas to enhance his ability to serve the community effectively.

Mayor Pro Tem McCallon attended the East Valley Water District facility tour, which showcased an amazing facility generating all the electricity needed to operate its facilities. He participated in the ribbon cutting ceremony for the new Grocery Outlet, marking a successful opening.

Mayor Lilburn thanked the city staff for their excellent work on the new building developments in the City of Highland and extended gratitude to East Valley Water District for coordinating the facility tour.

ANNOUNCEMENTS

None

CLOSED SESSION

None

ADJOURN

Mayor Lilburn adjourned the meeting at 7:32 p.m. in memory of Charles Roberts, Mike McGuinness and Shirley Curry.

Submitted By:

Approved By:



Alondra Muñoz
City Clerk

Larry McCallon
Mayor Pro Tem