

**MINUTES
CITY COUNCIL REGULAR MEETING
APRIL 27, 2021**

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 Council Member Solano.

ROLL CALL

Present: Chavez, Lilburn, McCallon, Solano
Absent: Timmer (excused)

REPORT FROM CLOSED SESSION

No meeting.

SPECIAL PRESENTATIONS

Mayor Lilburn presented City Manager Hughes with a Proclamation proclaiming April 30, 2021 as Arbor Day.

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

None

CITY COUNCIL CONSENT CALENDAR

A MOTION was made by Council Member Solano, seconded by Mayor Pro Tem McCallon, to approve the consent calendar as submitted. Motion carried on a roll call vote, 4-0, with Council Member Timmer being absent.

1. Waive the Reading of All Ordinances
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – April 13, 2021 City Council Regular Meeting
Approved the Minutes as submitted.
3. Warrant Register
Approved Warrant Register No. 722 for April 27, 2021, in the amount of \$1,387,087.23 and Payroll of \$105,366.82.

4. Treasurer's Report for March 2021
Received and filed Treasurer's Report for March 2021.
5. Claim Consideration – Mercury Insurance/Nicholas Munoz
Rejected claim.
6. Claim Consideration – Mercury Insurance/Ronald Ditty
Rejected claim.
7. Easement Acceptance – Ramirez/Garcia (7477 Victoria Avenue)
 1. Accepted Grant of Easement for Road and Drainage purposes from Rodolfo Ramirez and Ma Guadalupe Roblez Garcia; and
 2. Directed the City Clerk to record the Grant of Easement.
8. Professional Services Agreement for Environmental Services with Compass Consulting Enterprises, Inc., for Bledsoe Creek Outlet Repair (Project No. sdr17001)
 1. Approved Professional Services Agreement with Compass Consulting Enterprises, Inc., to provide environmental services for Bledsoe Creek Outlet Repair;
 2. Authorized the Mayor to sign the Agreement; and
 3. Authorized the City Manager to approve contract amendments up to 10% of the contract amount.
9. Design Services Proposal – Engineering Resources of Southern California, Inc. – City/County Joint Pavement Rehabilitation (Project str20003)
 1. Approved proposal from Engineering Resources of Southern California, Inc., (ERSC) to provide engineering design services for the City/County Joint Pavement Rehabilitation Project; and
 2. Authorized the City Manager to approve contract amendments up to 10% of the contract amount.

CITY COUNCIL PUBLIC HEARING

10. Development Impact Fee Annual Adjustment for 2021

Mayor Lilburn opened the public hearing.

City Manager Hughes stated this item is two resolutions dealing with development impact fee (DIF) adjustments for the 2020/2021 calendar year. There are essentially nine categories that would be adjusted and three of which are the Regional Circulation System, the Local Circulation System and the Regional Circulation System based on trip miles. The recommended adjustment is 8.19% and that is based on the Caltrans Highway Construction Item Index. The remaining six infrastructure categories is recommended to an adjustment of 2.83% and that is based on the California Construction Cost Index. As the Council is aware the last, he believes, three adjustments the Council made, the determination was to do just the construction cost index and apply that index to all categories. However, the Finance Subcommittee made a recommendation, and staff has as well, to use

the Caltrans Highway Construction Index for the Regional Circulation System and the Local Circulation System DIF based on trip miles. The reason for that is we do have large Caltrans projects in the City. We are doing two interchanges right now that the City must fund in the future and, if we continue to not make the larger adjustments, we are falling behind. We have a loan out there; we are borrowing our own money through the Measure I process but that money must be paid back. The mechanism to pay that back is through this DIF program. While it does not have to be paid back for ten years, eventually that bill is going to come due. So, if we continue to not increase at the larger amount, we are falling farther and farther behind and that was the justification from the subcommittee. Also, as part of this item is the deferral of the payment of the DIF to building occupancy. This has been a Council direction the last three or four times that we have done this annual increase and is the Subcommittee's recommendation, as well as staff's, that we continue that process. He would like to point out that there is an attached email from BIA. They are requesting that, it is the last item on the agenda item, that all categories have just the California Construction Price Index of 2.83 be applied rather than the 8.19 be applied to the top three categories. He would also like to mention that we are in the process of doing a new study. We are hoping the study will be coming forward to the Council in either June or August as we are assuming we will go dark in July as we always do. So, we are shooting for June to bring it forward to Subcommittee and in August to Council for consideration. That will be a comprehensive look at all our DIF related projects. We have been holding off on this for a few years because of the Harmony project and now that the Harmony project is not happening, we started this new relook at all our projects to see which ones can be cut out of the DIF, what has been completed or have been funded other ways or if there have been new projects that have been added on. So, we are in the process of doing that and it will also take into consideration the current construction costs of doing that type of work. So, we are right in the middle of doing that.

Mayor Lilburn called for any speakers in favor or in opposition of this item. Hearing none, the public hearing is now closed.

Mayor Pro Tem McCallon stated the reason for bringing this forward using the higher amount was because we are going to fall behind. We have several projects where we must come up with matching funds in accordance with the Nexxus study that was done through SBCTA. We do not have enough money right now in our regional circulation system monies to pay for all the projects we have on the books. With the stimulus money that is coming down, pricing is going to go through the roof and are going to get more expensive because there is going to be more money on the street and the costs for projects are going to go up and, as a result, our share of those costs are going to go up proportionately. So that is the reason we brought this forward as well as by staff recommendation.

Mayor Lilburn stated it is a big hike and she remembers not too long ago when we did not adjust the DIF, and we were behind. Then we made the huge hike, and we were horrible people, so she thinks we need to bite the bullet. She supports the Subcommittee's recommendation.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Council Member Solano, to approve:

1. Resolution No. 2021-007 amending Development Impact Fee for all developments; and
2. Resolution No. 2021-008 amending Park and Recreation Fee applicable to residential development pursuant to the Quimby Act. Motion carried, 4-0, with Council Member Timmer being absent.

RESOLUTION NO. 2021-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, AMENDING DEVELOPMENT IMPACT FEES FOR ALL
DEVELOPMENTS WITHIN CITY OF HIGHLAND

RESOLUTION NO. 2021-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HIGHLAND, CALIFORNIA, AMENDING A FEE APPLICABLE TO RESIDENTIAL
NEW DEVELOPMENT WITHIN THE CITY OF HIGHLAND ON PARK LAND
ACQUISITION AND PARK FACILITIES DEVELOPMENT,
PURSUANT TO SECTION 16.40.200 OF THE HIGHLAND MUNICIPAL CODE
AND THE QUIMBY ACT (GOVERNMENT CODE SECTION 66477)

CITY COUNCIL LEGISLATIVE

11. Memorandum of Understanding (“MOU”) between the Inland Counties Emergency Medical Agency (“ICEMA”) and Barstow Fire Protection District, Chino Valley Independent Fire District, City of Colton, City of Highland, City of Ontario, City of Redlands, City of Rialto and City of Yucaipa Regarding Local Emergency Services Plan

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

A MOTION was made by Mayor Pro Tem McCallon, seconded by Council Member Solano, to authorize the Mayor to execute the MOU between ICEMA and the seven other San Bernardino County fire agencies (subject to minor confirming and clarifying changes approved by the City Manager and City Attorney) in an effort to get the Emergency Medical Services (“EMS”) Plan approved. Motion carried, 4-0, with Council Member Timmer being absent.

12. Sheriff’s Department Schedule A for Fiscal Year 2021-2022

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

A MOTION was made by Council Member Solano, seconded by Mayor Pro Tem McCallon, to authorize the Mayor to execute the Schedule A Contract (Fiscal Year 2021-2022) for Law Enforcement Services with the San Bernardino County Sheriff’s Department. Motion carried, 4-0, with Council Member Timmer being absent.

13. Cooperative Agreement for 5th Street Interchange (Project No. ich17004)

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

A MOTION was made by Council Member Solano, seconded by Council Member Chavez, to approve a Cooperative Agreement with Caltrans to widen the eastbound on and off ramps at 5th Street/SR-210 Interchange. Motion carried, 4-0, with Council Member Timmer being absent.

14. Renewal of the Household Hazardous Waste Collection Agreement between the City of Highland and the San Bernardino County Fire Protection District

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

A MOTION was made by Council Member Chavez, seconded by Mayor Pro Tem McCallon, to:

1. Approve the proposed renewal of the Household Hazardous Waste Collection Agreement; and
2. Authorize the Mayor to execute the Household Hazardous Waste Collection Agreement between the City of Highland and the San Bernardino County Fire Protection District. Motion carried, 4-0, with Council Member Timmer being absent.

15. Community Events

A MOTION was made by Council Member Chavez, seconded by Council Member Solano, to direct staff to work on upcoming community events for the July 4 parade and National Night Out. Motion carried, 4-0, with Council Member Timmer being absent.

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

City Manager Hughes stated he would like to bring the Council up to speed on a few projects as well as some COVID-19 stats. On April 20, the Planning Commission approved a one-year extension of time for the Blossom Trails residential tract located on the south side of Greenspot Road, west of Church Street. This is the last remaining residential tract that is included in the East Highlands Ranch. The extension will help the owner to complete negotiations with the California U.S. Fish and Wildlife Services for the K-Rat. At the same meeting, the Planning Commission reviewed a proposal for a new commercial strip center at the southeast corner of Victoria Avenue and Pacific Street. The Commission requested architecture and site plan modifications and continued the application to their May 4 meeting to give the applicant time to make the modifications. As previously noted, the City is working with a company called CGI to produce a series of free promotional videos for the City's new webpage. The video should be completed this week. We have worked with the company in the past and have had their video on our website for quite some time. The finished video should hopefully be up on the website in two weeks. Also, to make the Council aware, staff went

through and installed “No RV Parking” signs at all entrances to the City. This is so we can enforce our RV Parking Ordinance. There was some case law recently, so we covered all our entrances into the City as well as the streets around our public parks. East Valley Water District (EVWD) is doing a sewer main replacement project that you may see going on. It is on Lillian Lane between Base Line and 10th Street and that is going to impact that roadway for quite some time. The work hours are going to be from 7:30am to 4pm Monday through Friday and residents were notified in advance of the work. It will, however, impact deliveries and trash collection so it is going to be a torn-up road for a while. Just some Police Department stats for the last 2-week period, the Sheriff’s Department responded to 2,034 calls for service, made 137 reports, and made 108 arrests. We have had extra officers out in the field, keeping the Council aware of this, and paying some overtime. We have somewhere between six to eight additional deputies out on certain nights dealing with, for instance, street racing out on Greenspot Road. Deputies have been looking at that as well as other areas where we have received a lot of complaints from the community. They have been looking at those areas as well as taking a lot of guns off the streets, drugs, and have made several arrests so they have been doing a really good job hitting that. He thinks it will make a difference. He believes we still have a couple of more weeks to go on that program. Volunteer Services, May 24 will be the next Blood Drive at the Police Station. It will be held inside the Police Station so they will not have to bring out the Blood Mobile anymore. Through April 22, Burrtec is now at 191 illegal dumping work orders, just in the City of Highland, for the month of April. It is amazing how much stuff they pick up. This has been such a great benefit to the City when we renegotiated the contract with Burrtec where they come in and pick that stuff up. All that material would have to be picked up by Public Works staff and now it is being picked up by Burrtec with no cost to the City and hauled away. If we were doing it, we would have to pay dump fees to get rid of it. He would like to discuss with the City Council the need for setting up a Budget Study Session. We have been working with the Finance Subcommittee on the budget and we had the CIP meeting today. We are looking at two dates in May, either the 18 or 19 after 2pm. So, May 18 at 4pm is good for everyone and plan on a couple of hours. Now, some COVID-19 stats since we last met. Cases, county-wide, we are now at 295,000 and in the City of Highland there are 8,106. Testing county-wide is at 2.9 million, and in the City of Highland 74,000 tests. Deaths county-wide, unfortunately there have been 4,300 and in the City of Highland, 124. Vaccinations county-wide, first dose 670,000, and second dose 461,000. Currently there are 90 people hospitalized which is down from a peak of 1,785. Currently there are 15 people in the ICU which is down from 363. We are still in the orange tier and we were hitting the yellow tier in two of the three categories, but since then we have bumped back up to the orange tier on those two categories. There are three categories that must be met and right now we are solid in the orange tier. He does not see us, necessarily, at least this month or maybe even next month, or maybe the early part

of the month getting into yellow because you must hit the yellow tier and be in it for two weeks before you can go to the next one. By the time that all works through we may just be to June 15 and the whole tier thing goes away. We are still looking at June 15 as the target date for the potential removal of the tier system. Vaccine appointments, there are a lot of appointments available, anyone older than age sixteen can get an appointment for a vaccine at www.sbcovid19.com/vaccine. For general information you can go to the County's website, www.sbcovid19.com and the hot line is still available (909) 387-3911.

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

Mayor Lilburn expressed her gratitude and appreciation for the services provided by the Highland Police Department.

ANNOUNCEMENTS

None

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 6:45 p.m. in memory of Paul Bourguignon and Joseph Walsh.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Penny Lilburn
Mayor