

**MINUTES
CITY COUNCIL REGULAR MEETING
JUNE 22, 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 Josue Zapata, CenterPoint Church, and the Pledge of Allegiance was led by Council Member Timmer.

ROLL CALL

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

REPORT FROM CLOSED SESSION

No meeting.

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

Sue Colvin spoke regarding her concerns for the current fines established for illegal fireworks in the community.

CITY COUNCIL CONSENT CALENDAR

A MOTION was made by Mayor Pro Tem McCallon, seconded by Council Member Solano, to approve the consent calendar with Item 13 being corrected and with Council Member Chavez abstaining from Item 2. 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 – June 8, 2021 City Council Regular Meeting
Approved the Minutes as submitted.
3. Warrant Register
Approved Warrant Register No. 726 for June 22, 2021, in the amount of \$1,956,840.93 and Payroll of \$102,930.55.

4. Treasurer's Report for May 2021
Received and filed Treasurer's Report for May 2021.
5. Resolution No. 2021-028 Establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2021/2022
Adopted Resolution No. 2021-028 establishing the Annual Special Tax for Community Facilities District No. 90-1 for Fiscal Year 2021/2022 and filed with the County Auditor-Controller Resolution No. 2021-028 with the tax roll.

RESOLUTION NO. 2021-028
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HIGHLAND, CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX
FOR COMMUNITY FACILITIES DISTRICT NO. 90-1
FOR THE FISCAL YEAR 2021/2022

6. Resolution No. 2021-029 Establishing the Annual Special Tax for Community Facilities District No. 2001-1 for Fiscal Year 2021/2022
Adopted Resolution No. 2021-029 establishing the Annual Special Tax for Community Facilities District No. 2001-1 for Fiscal Year 2021/2022 and filed with the County Auditor-Controller Resolution No. 2021-029 with the tax roll.

RESOLUTION NO. 2021-029
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HIGHLAND, CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX
FOR COMMUNITY FACILITIES DISTRICT NO. 2001-01
FOR THE FISCAL YEAR 2021/2022

7. Resolution No. 2021-030 Establishing the Annual Special Tax for Community Facilities District No. 2007-1 for Fiscal Year 2021/2022
Adopted Resolution No. 2021-030 establishing the Annual Special Tax for Community Facilities District No. 2007-1 for Fiscal Year 2021/2022 and filed with the County Auditor-Controller Resolution No. 2021-030 with the tax roll.

RESOLUTION NO. 2021-030
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HIGHLAND, CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX FOR
COMMUNITY FACILITIES DISTRICT NO. 2007-01
FOR THE FISCAL YEAR 2021/2022

8. AECOM Contract Amendment No. 2 for Professional Services – Base Line Bridge over City Creek (Project No. brg07001)
 1. Approved Amendment No. 2 to the professional services agreement with AECOM; and
 2. Authorized the City Manager to approve any future contract amendments up to 10% of the new contract amount.

9. Amendment to Agreements for Siemens Mobility, Inc.
Approved Addendum No. 1 to agreements with Siemens Mobility, Inc. (Siemens), for Traffic Signal and Street Light Maintenance to Reflect a Contract Transfer from Siemens to Yunex, LLC.

10. Second Reading of Specific Plan Review (SRP No. 06-01A): Ordinance No. 447 of the City of Highland Amending the Greenspot Village & Marketplace Specific Plan (SRP No. 06-001) to Adjust the Boundaries of Planning Area No. 1 (Highland Marketplace) and the Boundaries Area of Planning Area No. 2 (Residential Village), Eliminate the Village Paseo from Scenario No. 1 and Eliminate the Requirement of Private Open Space for Studio Units
Conducted a second reading of the Specific Plan Revision (SRP No. 06-01A), read by title only, and waived further reading of Ordinance No. 447 amending the Greenspot Village and Marketplace Specific Plan (SRP No. 06-001) to adjust the boundaries of Planning Area No. 1 (Highland Marketplace) and the boundaries area of Planning Area No. 2 (Residential Village), eliminated the Village Paseo from Scenario No. 1 and eliminated the requirement of private open space for studio units.

ORDINANCE NO. 447

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING THE GREENSPOT VILLAGE & MARKETPLACE SPECIFIC PLAN (SRP 06-001) AND MAKING A DETERMINATION THAT THE ADOPTION OF THIS ORDINANCE IS EXEMPT FROM FURTHER CEQA REVIEW UNDER CEQA GUIDELINES SECTION 15162, PUBLIC RESOURCES CODE SECTION 21666 AND GOVERNMENT CODE SECTION 65457

11. Easements Acceptance/Patrick Earthly “Pat’s Place” Restaurant (26001 Base Line)
1. Accepted Grants of Easement for Road and Drainage purposes and sidewalk purposes from Patrick Earthly; and
 2. Directed the City Clerk to record the Grant of Easement.
12. Notice of Completion – Bid No. 2019-08, “Removal and Replacement of Traffic Control Signs” (Project str20004)
1. Accepted Project No. str20004 (Bid No. 2019-08, “Removal and Replacement of Traffic Control Signs” as completed;
 2. Authorized the Mayor to sign the Notice of Completion; and
 3. Directed the City Clerk to file the Notice of Completion.
13. Notice of Completion – Project Nos. ola18001, ola19001 & ola20001 (Bid No. 2020-06, “FY 2018-19, FY 2019-20 and FY 2020-21 CDBG Streets Pavement Improvements”)
1. Accepted Project Nos. ola18001, ola19001 & ola20001 (Bid No. 2020-06, “FY 2018-19, FY 2019-20 and FY 2020-21 CDBG Streets Pavement Improvements”) as completed;
 2. Authorized the Mayor to sign the Notice of Completion; and
 3. Directed the City Clerk to file the Notice of Completion.

CITY COUNCIL PUBLIC HEARING

14. Public Hearing and Consideration of the Adjustment in the Residential and Commercial Refuse Collection Rates and Annual Property Tax Roll Billing in Accordance with the Current Franchise Agreement Dated August 1, 2018

Mayor Lilburn opened the public hearing.

Public Services Manager Morgan stated good evening Honorable Mayor and Council Members, the item before you tonight are the annual protest hearing for the solid waste rate adjustment and the placement of the annual residential charges on the property tax roll. On June 19, 2020, in accordance with the City's municipal code, the City Council adopted the current Resolution No. 2020-030 establishing the current rates for residential and commercial industrial refuse collection. On February 26, 2021, City staff received a timely request for a rate adjustment from Burrtec. On April 13, 2021, City staff presented to the Public Works Subcommittee Burrtec's proposal for rate increases for residential and commercial industrial rates to include a cost-of-living adjustment for commercial only. An adjustment to the disposal components to compensate for the estimated increase in disposal dump tipping fee increase and adjustment in recycling processing fees. The proposed rate adjustment will result in a \$1.34 per month increase for basic residential service for a total proposed rate of \$29.64. This represents a 4.73% increase at the existing \$28.30 per month rate. The senior rate will increase \$1.07 per month, for a total of \$23.71 per month. This represents an increase of 4.73% from the existing rate of \$22.64. Burrtec is not requesting an increase in the operator fee at this time. While the franchise agreement allows an annual CPI increase, they acknowledged the ongoing negative impact of the COVID-19 pandemic to Highland residents and waived the allowable 2.5% increase this year. It is completely waived. It is not going to be caught up next year, it is just not being taken at all. For commercial rate components, the Subcommittee chose to continue the practice of equalizing the refuse and food waste bins with the basis of 150 accounts eligible now. This option will increase the most common commercial rate 3-yard dumpster picked up once a week from \$237.17 to \$260.48 per month. This represents an increase of approximately 9.83% and for comparison's sake the previous year's increase was 13%. One significant impact to the rates this year is the increase in tonnage collected in refuse and recycling. Staff believes this is a direct result of the various stay at home orders due to the COVID-19 pandemic. For refuse from 2019 to 2020, there was an approximate increase of 5 pounds per household per week in collection during the pandemic. For recycling from 2019 to 2020, there was an approximate increase of 3 pounds per household per week in collection. Staff estimates that this is due to everybody ordering things online while they were at home. As part of its analysis, staff conducted a refuse rate survey, which included only those cities located in San Bernardino County and excluding cities in the high desert. The attached reference rate survey includes basic residential rates. The proposed rate for basic residential service is approximately \$0.16 cents per month lower than the average survey rate of \$29.80. Upon City Council approval, the proposed rates would take effect on July 1, 2021. For property tax roll billing, as provided in the written report,

attachment number 3, the City Clerk published in accordance with the code the notice of the filing of the written report of a time and a place of the hearing, which is tonight. At the time stated in the notice, the City Council must hear and consider all objections or protests, if any, to the written report. If the City Council finds that protests are made by the owners of a majority of the identified parcels, then the written report shall not be adopted. However, the City may still impose the charge for the fiscal year. Such charge must be collected separately from the County tax roll and shall not constitute a lien against any parcel or parcels of land. To be noted, the dollar amounts reflected in the written report are only the annual charges and does not contain any delinquent amounts. Attached, as attachment number seven, are all the protests received as of date of the printing of the staff report. The number of protests received to prevent Council from adoption of the rate adjustment resolution is approximately 6,621. The number of protests received to prevent the Council from adoption of the tax roll resolution is approximately 6,102. The City Clerk will now provide information as to the number of protests received to date.

City Clerk Hughes stated we have received thirteen letters, which includes the ones that are in your staff report.

Mayor Lilburn stated thank you, appreciate that, are you going to stay close by for questions. She is going to, at this time, look for the applicant, the representative from Burrtec, do you want to talk Mike?

Mike Aragon stated thank you Mayor, Mike Aragon, Vice President with Burrtec Waste Industries. Melissa's report was very comprehensive but he is here for any questions the Council may have of them.

Mayor Lilburn stated appreciate it, thank you. At this time, we will look for speakers in favor of the proposal. She has no speakers in favor of this item, but she does have one speaker slip in opposition to the proposal.

Jody Scott spoke in opposition of this item.

Mayor Lilburn stated thank you. At this time, there is an opportunity for a rebuttal here and when we close the public hearing this is an opportunity for the Council to ask questions as well.

Public Services Manager Morgan stated just to clarify one thing. She did not highlight this in her staff report because this is not the first year, but the residential component of street sweeping was eliminated. So, the street sweeping program for residential customers, they are not charged for that anymore. It is not part of the rate structure. That was negotiated in the new franchise agreement from 2018.

Council Member Timmer stated okay, so essentially, it is absorbed by the provider, and service.

Public Services Manager Morgan stated for that component, yes. The commercial sector still pays the same proportion amount that they were paying back in 2018, but the proportionate amount that was charged to the residential sector is now being born by the provider.

Mayor Lilburn stated okay, at this time she will close the public hearing. She just wants to make sure she does not have to reopen the public hearing to direct our questions to staff as well as the applicant.

City Attorney Marroquin stated no, you do not. She thinks Mayor Lilburn can proceed. If we feel it is necessary, she will let Council know.

City Clerk Hughes stated just for the record there is no public comment via email as well.

Mayor Lilburn stated thank you very much, appreciate that. She does want to kind of touch on a few things on the public comment. She wanted to remark when we adopted this waste management program, with the street sweeping several years ago, we never did any no parking enforcement back then either.

Public Services Manager Morgan stated no, the enforcement of no parking on street sweeping has been brought before the Subcommittee on at least three occasions that she can remember. The decision to not do enforcement was twofold. One you must provide the resident with notice, or the owner of the vehicle with notice, whoever is driving the vehicle. So, signage would have to be put up on every street, saying when street sweeping day is. Also, that was one of the reasons why we chose to do weekly street sweeping was in the hopes that maybe we miss an area one week because the car is there, but at least one time that month that car is not there.

Mayor Lilburn stated okay, she thinks that was probably more rhetorical because she just wanted the record to reflect back then. That was not requested back then as well. This is not a twenty-year contract is that correct? This might be a twenty-year contract, but we can cancel.

Public Services Manager Morgan stated there are causes for cancellation if there are performance issues.

Mayor Lilburn stated okay, and then the amount that is going up per year, per household, regular rate as well as senior rate.

Public Services Manager Morgan stated the increases are structured in a way the hauler is allowable per the contract of CPI increase that is the increase that they did not take this year.

Mayor Lilburn stated she is not asking about the CPI. She is asking about our proposed increase.

Public Services Manager Morgan stated so for this year, your proposed increase is three components. At the time, we were not aware what the tipping fee was going to be at the County. So, we held the tipping fee the same. If Council remembers in a previous meeting, Council approved an amended contract with the County for an extended WDA. That contract, she was just informed, was adopted by the Board of Supervisors today. That reduces our rate. So next year, we will adjust the rate down for what we should have been doing this year, but we did not have the information approved in time for this year. So, the disposal rate stayed the same for the tipping fee. The recycling costs are continuing to go up and that is due to the recycling markets at this time. They are not, there has not been any changes. We are still experiencing increased costs but not the drastic increase we experienced two years ago but still costs are going up. And then it is the organics. We used to take all our green waste in the City to the landfill and it was used as alternative daily cover. We are not allowed to do that anymore. We can, but then all that green waste would not be counted as recycled and we would not be in compliance with the State. So, through mandates they have mandated that our green waste goes to a composting facility and there is a cost for that processing. So, all of those costs are direct pass-through costs. There is no padding of those costs. With those increases there is a direct increase in the City's franchise because it is based off our percentage. We also did not increase the pavement management fee this year, we decided to leave it alone because we did not want to increase the fee anymore. Those are the direct impacts to our rates.

Mayor Lilburn stated looking at the residential rates, the proposed 2021 in our staff report, there are some a little bit under us and then there are a lot over us. Did you call and find out why the big differences? She means, we currently pay \$28.30 a month. There are some cities that go all the way up to \$38.00, \$10.00 a month more than us.

Public Services Manager Morgan stated so that is our neighboring city Redlands and that is one she can tell you what the increase was. A few years ago, Redlands decided to enact a pavement impact fee as well, just like we have, but there was a very large increase to their residents and that continues to impact their rates as well.

Mayor Lilburn stated but there are several. They go from \$29.00 to \$32.00 and then the others that are very close to us in similar cost, but you called and found out kind of...

Public Services Manager Morgan stated right. So, we call, and we ask for the rate. If she knows that her counterpart in the other city, she will ask what is impacting your rates the most. Unfortunately, a lot of her counterparts are retiring, leaving and so she does not have a lot of those connections anymore. But a lot of it is adding additional services. It is the street sweeping, it is the pavement impact fees. We did street sweeping a long time ago. Some of those cities are just now starting to do that.

Mayor Lilburn stated do you know, and this is probably more directed for Burrtec, does the City of San Bernardino have street sweeping?

Public Services Manager Morgan stated keep in mind too, if your base rate was always super low, San Bernardino historically, and in all of the years she has been here, has always been historically very, very low and so you can increase it. They did get a bump when they went to contract service, but when your base is always super low and not covering your service, it is hard to increase it to get it to that point.

Mayor Lilburn stated thank you. Okay I am going to open it up for Council discussion.

Mayor Pro Tem McCallon stated thank you very much. When does the state mandate that we have to separate out food waste take effect?

Public Services Manager Morgan stated for the residential sector that is next year.

Mayor Pro Tem McCallon stated next year and this, the rate that we are proposing, does not include any of that right?

Public Services Manager Morgan stated later in the fiscal year after the calendar year, January/February, staff will start discussing a pilot program to see how we are going to handle that. There is a pending legislative bill to forward that mandated requirement date forward due to Covid. There has been a lot of discussion with Cal Recycle staff, even today, I was on a call with Cal Recycle staff, saying can we say we are not implementing this right now because we are still trying to come back from covid restrictions? At the staff level, they cannot commit to that, but there is a pending bill to extend that date. Some of the language has been changed to say they are not going to extend the deadline, but they are going to extend the enforcement deadline.

Mayor Pro Tem McCallon stated so we have got additional requirements coming which will potentially impact the increase next year or decrease whatever.

Public Services Manager Morgan stated it will be a drastic impact to those residential rates. It is not something that the City of Highland staff even wants to do. It is going to be a difficult program to implement and it is going to take a lot of time.

Mayor Pro Tem McCallon stated thank you. I just wanted to get that on the record for the public.

Public Services Manager Morgan stated yes, it is statewide.

Mayor Lilburn stated statewide, there is another state mandate, non-funded.

Council Member Solano stated just to clarify that is something that would affect the residential rates?

Public Services Manager Morgan stated yes. So right now, currently when we talk about equalized rates and commercial and how it has impacted those rates, there is a mandate for commercial account holders to have food waste or organic collection. So, if you go out to your local restaurants, especially restaurants, you will see either a green cart or a lime green bin. Most of them are carts because of the cost. That is them trying to comply with the State. It is something that my staff goes out and meets with the business owner and we try to explain to them this is not something that the City of Highland policy makers wanted to do, it is something that we have to do, and so they have already started feeling the pain of that. It starts at a lower threshold, about three or four years ago you had to generate so much food waste in order to have to comply. Every year the state lowered the threshold. Now if you generate any type of trash you have to have organics. We try to exempt some businesses that are not in the food business, but then we have to document where does their landscaping going, where is that stuff going. So, it is still a lot of staff time to document their compliance even though they may not have a food waste bin.

Council Member Solano stated thank you.

Mayor Lilburn stated okay, she just has a couple more questions. She was going through the tax roll billing, and she noticed there are several homeowners with several properties and some rates were, it looks like regular rates. If you have multiple properties, are you allowed to have more than one senior rate?

Public Services Manager Morgan stated the senior rate discount is only eligible to the property owner of their main home. So, if you have a rental property, you are not eligible for the senior rate in the rental property as well. It is only for the owner-occupied structure. So, we try to catch those as we find them by reviewing the rates and audits and things like that, but you have to be living in the home that you receive the discount in. Keep in mind the discount is for reduced service. So those senior rates are tied to a smaller cart. They do not get to have the same cart as a single family home regular rate.

Mayor Lilburn stated she remembers, it has been a couple of years, that when we first decided to eliminate the levy and on our part on behalf of the City put a lien on properties. It was costing the City a lot of money, we were putting in a lot of staff time, a lot of our taxpayer's money and we decided to put it on the tax bill because that is allowed, is that correct?

Public Services Manager Morgan stated correct, it is allowable. This whole process, when we first initiated it, was completely reviewed by the City Attorney's office. I worked very closely with the City Attorney's office going over our process, how our rates are structured, how we do everything to make sure that we would be allowed to do this, and it is reviewed. Staff report is reviewed by the City Attorney.

Mayor Lilburn stated okay, so we cannot increase the rates without this public hearing, correct?

Public Services Manager Morgan stated yes, we have to conduct the protest hearing for both actions.

Mayor Lilburn stated and no secret fees, no additions. So, there is not, if she recalls, there was not even a fee for the...

Public Services Manager Morgan stated so the County charges the residents \$0.60 on their tax bill to place the amount. What we do, because she negotiated with Burrtec if they wanted to do this process, that it was not going to cost residents anything. So, what Burrtec does, the list you have in front of you is the annual service charge. When they submit it to the County before they submit it, they subtract \$0.60 from every account. So, when the County adds back \$0.60 as their surcharge, the total amount still cost to the resident is still just the total amount of the service. There is no additional cost to the residents for us to do this. This did eliminate the tax lien process. For those homeowners that did get a lien, the admin fee for that, at the time we stopped it, was over \$200 additional. So, it almost doubled their solid waste bill.

Mayor Lilburn stated so that being said, there is no additional administration fees. It is strictly trash bill, right? Okay, she just wanted to clarify that. She remembers and she is having a hard time remembering, there were like ten items that she remembers that with the savings of not levying properties that we had to go through and spend our taxpayer dollars on as well staff time, what we were getting in return, and she remembers one of them was if there were illegal dumping. Let us say if somebody did an illegal dumping in somebody neighborhood or on Base Line or whatever, Burrtec comes out and picks that up for free?

Public Services Manager Morgan stated yes, that is correct. So, when the new franchise agreement was adopted in that agreement, Burrtec agreed to support a Code Compliance officer position in the Public Services Department. So, in her department, she now has a Code Compliance officer who strictly works on any solid waste related issues. She works very closely with regular Code Enforcement because most of the time, if you have got trash issues, you may have a homeless issue, and you may have other things. Just alone in illegal dumping reports, she reports and will deal with over 200 locations a month. We are not talking items. Each location could have several items, but each location is reported that when she is out in the community, you will see her out there. She is the one that drives the Re-pete truck now, her name is Salli. She is out looking for those areas and then also dealing with the ones that are self-reported. So, we actually patrol for them, and we report them. They go into a work management system, an email goes out to Burrtec, and then they have 48 hours to pick up at the location, to clean the location.

Mayor Lilburn stated 48 hours okay, that was my next question.

Public Services Manager Morgan stated 48 hours. It is working. There are 200 locations a month that normally either would not get cleaned up or we would not know about them until somebody reported them and then it would be our own staff time in the maintenance division that would have to pick up these items. Now mind you, these are not just large items, but we have a list of items that they will do. Most of the time, if it is something that Burrtec is not going to pick up, they do not pick up hazmat, that is dealt with with our staff, if we are capable. If not, then we have to call for assistance and they do not pick up loose litter. So, if somebody took a trash bag and just dumped it on the side of the road, that is something that the maintenance division would take care of, this is couches, mattresses.

Mayor Lilburn stated so we are all residents, and we see these issues because we experience the same thing, and we get frustrated. She does not know about you guys, but she gets really frustrated and she gets really annoyed when she has a car on her street that has spider webs under it and it is a renter, most of the time, and they do not care that we are getting our streets swept because they just do not care. How do we address that and how soon do...?

Public Services Manager Morgan stated so there are two issues there. If the car is parked and it is not a legal park, which we mean, we say it is not being moved within so many hours and it is not registered, that is an issue that is dealt with by police. If the car is parked and it is just not moving on street sweeping day and it is registered, we have PD check if it is registered. It does move sometimes, but for whatever reason on street sweeping day it is there. Staff will try to make contact with the property owner that is in front of the car and say, hey, is this your car? Did you know we street sweep? The one issue that we have with street sweeping is that because we do it every week some people are not aware of it, especially if it is a renter. All the education, a lot of the education and outreach goes to the property owner, and we expect that property owner to discuss it with their tenant. They do not, so that is our job. We will go out there and knock on the door and talk to the resident. Most of the time we get compliance. Usually when we do not, it is because of one of those other issues that the Police Department has to deal with. It is not registered, it is abandoned, if we get a report of a car sitting on a street that is not moving for street sweeping, we show up and it has no tires or it has been wrecked, that is an immediate action. We call PD, so we report those to PD as we see them.

Mayor Lilburn stated so you do report it to the PD. Okay because she has seen emails go out. She will not say from who or where that just tell them to move a few feet and they are okay. She finds that unacceptable.

Public Services Manager Morgan stated we do not get into how PD handles it, but she will say that when her staff reports something to another department, Code Enforcement, we work very closely with Community Development Department or with PD, we do follow up to make sure that, you know, if the car is still there, well why is it? Is it registered? Is it this or that? Then we will try to make that contact with the owner, but we will follow up to see if it was rectified.

Mayor Lilburn stated okay, she just wants to compliment the Code Enforcement because the second, and she means she walks her neighborhood, she is probably a little over the top about stuff because we want to preserve the integrity of our older neighborhoods. She just really thinks that our Code Enforcement does a good job. Got to call them and reach out to them but when we do, she sees results and she appreciates that. She thinks that is one of the reasons she supported this during the last go round. She wishes we could work a little more closely with our Police Department, you know, just so we can be a little more proactive, if you will, but she appreciates that and you are always available, so she appreciates that, with any questions. She knows this is not easy, nobody wants to raise any rates or any taxes. Especially right now, during this time, she is sure you understand that Mike, we have to answer to the residents and the taxpayers, but you know so many people, there are so many different balls in the air with this program that it is not just a matter of raising it a few cents for the taxes and the tax roll. She just wanted to express her appreciation to our Code Enforcement, especially now that we have a new one as well, so. Any additional comments? She just wanted to make sure that our audience and our public understand the dynamics involved in this entire waste management. She reads things on Facebook, she knows she is told not to read Facebook, but she does read Facebook because she wants to hear what the public has to say because that is who we work for.

Mayor Pro Tem McCallon stated he will move the item.

Council Member Timmer stated he will second it. Also, a compliment, the program we talked about, the picking up the abandoned materials and stuff around the street. He has noticed a major improvement on that in our City and there is no charge to us through the contract for that, Burrtec provides that at no cost to the citizens, but the cleanliness of the dumping has amazingly improved, except when you cross the boundary into San Bernardino city. Then you see a different issue, but in the City of Highland, he thinks the overall reduction of the amount of illegal dumping going on and the fast pickup of those items, he thinks there is a credit to the agreement we have. Again, it costs nothing to the citizens.

Mayor Lilburn stated we have a motion and a second. I just want one more clarification. So, the senior rate, the existing rate is \$22.64 a month and it is going to \$23.71, is that correct?

Public Services Manager Morgan stated yes, that is correct.

Mayor Lilburn stated that is about \$0.90.

Public Services Manager Morgan stated it is \$1.07 per month.

Mayor Lilburn stated \$1.07, so that is \$3.

Public Services Manager Morgan stated \$1.07 times 12.

Mayor Lilburn stated so \$12.00 a year, \$12.50.

Public Services Manager Morgan stated \$12.84 increase annually.

Mayor Lilburn stated annually, okay. She just wanted to, she thought she heard somewhere it was \$50 more a year and so it is \$12.00 annually.

Public Services Manager Morgan stated \$12.84 for this year's increase from last year's rate.

Mayor Lilburn stated she closed the public hearing, Mike Aragon; does she need to reopen it? City Attorney, can he make a comment without me reopening?

City Attorney Marroquin stated she thinks it is just a general comment, right? Yeah, that is fine.

Mike Aragon stated what he is saying has already been, as he said, expressed by Public Services Manager Morgan. First, he would like to thank all of Council for the support. We are very aware of the issues, especially with Covid and this past year or so. That is why we forego all our particular increase this last year. The only thing that is being passed on is disposal and processing costs. So, if it costs us a dollar to dump trash, all we are asking for is to collect that dollar, not something more or less. You know, we really appreciate the business and the opportunity to work with the City of Highland and hopefully they see that the efforts that we are trying to make are positive here in the City. He appreciates the acknowledgement of our bulky item and curbside collection in the public right of ways. They try to do their best, but sometimes, you know, no one is perfect. So please let them know if there is something, especially as you walk a neighborhood, or you hear from your constituents. If there is something that we need to address or to improve on ourselves obviously, Public Services Manager Morgan does not hesitate to give him a call. So, we hope for a better year and as was mentioned we are going to be working on a program because of the new SB 1383. If you have an opportunity to look that up, that is the big legislation that is coming through next year. That is going to impact both residential and some commercial as well, with regard to programs reporting, auditing. Just the myriad of actions that have to be taken as mandated by the State, so we are going to do our best to mitigate those costs, but we are very attuned to keeping the City of Highland in compliance so that we are not put in a position of fines from Cal Recycle because they can get pretty ruthless. OK, so once again, thank you very much.

Council Member Timmer stated he would like to say something on the bulky item. His wife called Burrtec and said we have something out on the curb and within hours it was gone. Carol, his wife, said boy, they were quick and the next day the Burrtec driver knocked on the door and says oh is this the right address? Yeah, someone else came by and picked it up and so it is a great program.

Mike Aragon stated it happens. We got a lot of support out there, but especially if it is metals or something that someone thinks they can use they beat us to the punch. But at the end of the day, it needs to be gone and we do recycle some of that material, depends on what is out there. So, it does hurt our diversion a little bit, but if they can make better use of it then more power to them.

Mayor Lilburn stated one of the reasons she asked you if you did street sweeping for the City of San Bernardino is because she can tell the difference coming into our City of Highland. The difference of cleanliness versus our neighboring cities.

Mike Aragon stated one of the big issues is, your City negotiated once a week sweeping for the City of Highland. They get swept up two times a month and believe it or not that makes a huge difference, but we could even do a better job if we have instead of driving in and out amongst parked cars on the curb. He knows it is in every city. He means every city that has street sweeping, that is an issue, but you get a cleaner sweep if you can go right down the curb, but our subcontractor does the best he can, but again if there is something that needs special attention. Please let us know.

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

1. Adopt Resolution No. 2021-031 establishing rates for residential and commercial/industrial refuse collection and rescinding Resolution No. 2019-033 effective July 1, 2021, in the event that the City Council determines that a majority protest does not exist; and
2. Adopt Resolution No. 2021-032 providing for the levy and collection of solid waste program fees by the county tax collector in the same manner and at the same time as general taxes, in the event that the City Council determines that a majority protest does not exist. Motion carried, 5-0.

RESOLUTION NO. 2021-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ESTABLISHING RATES FOR RESIDENTIAL AND
COMMERCIAL/INDUSTRIAL REFUSE COLLECTION AND RESCINDING
RESOLUTION 2020-030, EFFECTIVE JULY 1, 2021

RESOLUTION NO. 2021-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, LEVYING CHARGES FOR REFUSE COLLECTION SERVICES
FOR FISCAL YEAR 2021-22 PURSUANT TO CHAPTER 8.12 OF THE
HIGHLAND MUNICIPAL CODE AND ORDERING THE RESIDENTIAL
CHARGES TO BE COLLECTED ON THE COUNTY OF
SAN BERNARDINO TAX ROLL

15. An Appeal (APP 21-001) of the Historic and Cultural Preservation Board's Partial Denial of Certificate of Appropriateness (COA 21-002); Installation of a Six-Foot (6') Tall White Vinyl Fence at a Single-Family Home in the Highland Historic District. (Continued from May 25, 2021)

Mayor Lilburn opened the public hearing.

Associate Planner Syed stated thank you very much Mayor and good evening Council Members. Today, we are reviewing an appeal application to consider the denial of a 6-foot-tall white vinyl fence on the west side of the property located at 27259 Nona Avenue by the Historic Board on April 1 of this year. Now a minor correction to the public notice section of the staff report. The item was posted at the three designated locations around the City in addition to being published in the Highland Community News and mail to the surrounding property owners. So, the site features a single-family home, first constructed back in 1927. In 1990, the original home caught fire and much of the structure was destroyed except for a single car garage. Soon afterward, the owners rebuilt the home on its original foundation and added a second story on the south side away from Nona Avenue away from the street frontage. On April 1, the Historic Board reviewed the white fence proposed by the applicant but suggested that they work with staff to reduce the visual impact of the fence. The applicant alternatively submitted an appeal application for the City Council's consideration of the fence. This morning the appellant provided staff with an updated picture that Council should probably have, which shows additional landscaping with artificial and natural vines that shield the white fence from the public's view. Staff has provided the Council with a resolution upholding the Board's denial of the fence. It appears that the applicant has made modifications to the appearance in an attempt to address the Historic Board's concerns. Staff and the appellant are available to answer any of your questions or concerns.

Mayor Lilburn stated thank you, appreciate that. At this time, we will look for the appellant.

Wadi Murad stated thank you Mayor, Council Members. He thinks a picture speaks a thousand words and so that is why he is going to give you some pictures that he thinks will help him. He is a practicing physician psychiatrist in Redlands, he has worked in...

City Attorney Marroquin stated can you speak into the mic please so we have a clear record, thank you.

Wadi Murad stated he thinks it would be helpful to know a little bit of background about himself and his family. He has lived on Nona Avenue for over sixty years, either in my parent's house next door to his current residence or in his own home. His father is a practicing physician in the community. One of the only doctors in the community who did house calls. A military man himself, a physician in the army, his sister is a physician in the army, a physician in the Air Force, all veterans. Worked for over 30 years at Patton State Hospital and retired from there

recently. His sister is a probation officer in the community. His wife is public health officer for San Bernardino County. They are dedicated to the community and their careers have been one of dedication to serving the community. He went to school here. He attended medical school here, he attended University Redlands and San Geronio High School. He has been in Jody Scott's home herself and she has been in his home over the years, so they have been involved with many things in the community. As was stated the original house here was built in 1927, burnt down and then rebuilt. Even though they were not required to rebuild to look like an older structure, they did so to emulate how it looked. To keep the environment. It is historic and maintains that historic look. In fact, when they were first looking at this, they thought his current house was the original house built in 1927 because it looks so much like the original home. Every year, the Santa Ana winds come, and they blow down the wood fence. It gets deteriorated from the sprinklers, the wood rots out, falls down, and they have to keep replacing it. So, two years ago they put up the vinyl fence. Nobody said anything to them about it and they knew that vinyl fencing was something that was used in the community because there are many homes in the community that have vinyl fencing identical to what they have. So, it was a big surprise when they got the citation, saying that the fencing that they had just put up, along this east side even though the other fencing had been there for some time. The fencing we put up on the east side of our home, that is adjacent to Doctor Miller 's office, this was a violation. Now even in Redlands, where his sister lives vinyl fencing is allowed in their Historic District. So, the two things that were brought up were 6 feet too tall for the front of the house and its vinyl. Okay, so they were told they had to make an application to the Historic Board, which they did. Well, they approved the vinyl fencing on the east side of property but not on the west side. This makes no sense. Either vinyl is okay, or it is not. Because it was white, this was the objection. So, they said to him, well can you plant some plants? Okay they will do that, but he thinks it is nonsense. It is nonsense. Now there are other properties, he has them listed here; you can see. As we go through them you can see a number of properties, including old properties that are not within the Historic District that the Cultural Committee has reviewed. The same meeting that he came to, for his application, there was a discussion about the stone house out in East Highland Ranch. They were reviewing the replacement of a deck and staircase, so the Historic Board looks at historic homes outside of the district as well. He has several examples here of historic homes, in Highland, outside of the Historic District that have white vinyl fencing identical to what he has. One of the homes at the bottom of Palm Avenue has white vinyl fencing around and it is clearly a historic building. What he was told was well when they did the historic designation, they had the option of being out of the historic selection because they opted out, then they were allowed to put up white vinyl fencing. It is ridiculous. No one told me I could opt out. So, his home is not a historic home, it was built in 1990. We made it look historic to keep, to fit the character of the area in the neighborhood but he is going to be attacked about this fencing when all these other things that go on around the neighborhood are not addressed. His neighbor across the street put up solar panels on their roof that he looks at every day. Nobody said boo to them. The next-door neighbor to him just replaced their roof without a permit. When he had to replace his roof in November because of the winds tearing it off, he was attacked,

his contractor pulled the permit then he got called and told well it had to go through the Historic Board. Okay, you have a beauty parlor on the corner. It has got metal bars on the wall and the on the windows. That is a violation of your code. Nobody said anything to them. So many months ago, we had a woman that was shooting up heroin on the street. We called police to come and take care of her. Nobody came. If you want homeowners to live in the area, then you need to support them. Otherwise, you are going to get buildings that are dilapidated and non-owner renter people living in them. His home is one of the best well-kept homes in the area. You can drive by and see. At the same application that he went before the Historic Board there was another lady there that was being called up about her roof. Her house is historic, it is on Main Street. Her contractor bailed on her, and the contractor apparently turned her in about the permit as he did not pull a permit. So, they were reviewing her roof. This same house has the identical white vinyl fencing, front yard, backyard and down the driveway as what he has, and they said nothing to her about that. He even brought it up. It is one of the pictures you have in here on Main Street. So, there's picture after picture of these properties, over fourteen properties in the Historic District with white vinyl fencing. He is just asking to be treated fairly. If you are going to impose these restrictions on one person, it should apply to all. Miss Bible has a home just down the street from him with white vinyl fencing. She is on the Historic Board. Another of the Historic Board members has vinyl fencing at their house. Two of the Historic Board members have homes in the Historic District, and they do not even follow the rules themselves. He has shown you some pictures of them where they have their garbage cans right at the front of the gate and a pile of rubble and all kinds of things there. That is an eyesore. They do not even follow their own rules, but they want to impose them on him. It is not right. It is not right. As a first line responder, his wife and him have been in the community during this COVID pandemic, it has been terrible for all of us. This is not an important issue to be having to put down people's throats. It is just wrong. So, he asks, he appeals to your good judgment and good sense. He loves this community. He wants to stay in this community. He would love to stay in the Historic District, but you cannot treat us like this. There are so many houses in the Historic District that are so dilapidated and rundown. It makes it not desirable to be in. He is trying to improve the community and improve the property value. He has, in here, all his neighbors signed the thing saying they have no trouble with this fence at all. There has been nobody that has complained. In fact, Dr. Miller even wrote a letter that is in your packet as well, supporting this.

Mayor Pro Tem McCallon stated he would like to ask about a point of order, do we have any time limit on the amount of time to make presentations?

City Attorney Marroquin stated that that would be up to the Mayor's discretion. Generally, she thinks it would be about 15 minutes.

Mayor Pro Tem McCallon stated he thinks the appellant has made their point.

Mayor Lilburn stated thank you, she agrees. She appreciates you coming forward.

Wadi Murad stated he appreciates your time very kindly.

Mayor Lilburn stated you also put in a speaker slip, so she is assuming that you are going to yield your time.

Wadi Murad stated he did not know if he needed to do that, in addition to being able to speak.

Mayor Lilburn stated normally we do have a 3-minute limit and she was allowing him because he was protecting his property.

City Attorney Marroquin stated because it is the appellant, we would give more than three minutes, but she thinks unless there are some additional points you want to make, she thinks...

Wadi Murad stated well, he presumed he would have limited time, that is why he gave you this packet of information. So, you would have to review because it is impossible to get into the depth of this in just a few minutes.

Mayor Lilburn stated appreciate it and we have another speaker who is Kelli Clark.

Speaker is inaudible.

Mayor Lilburn stated no, we do not do that. We do not, we typically do not. We think we got the point and she was just kind of putting myself in his shoes as a property owner. She would want to fight for her property as well.

City Attorney Marroquin stated so Miss Clark, just to confirm you do not want to then come up and speak because you are permitted to come up if you want to.

Kelli Clark spoke in favor of this item.

Mayor Lilburn stated no rebuttal because you are the appellant. So, at this time she will go ahead and close the public hearing and open it up for discussion with the Council.

Mayor Pro Tem McCallon stated he has a question of staff. The additional stuff that was added, landscaping, etc. Does that comply with what the Historic Board was asking for?

Assistant Community Development Director Stater stated there was one member, she believes we had four members, three or four, three that spoke on this item when it went to hearing before the Board and there was one in particular that said it would be a good idea if you just put some landscaping in front, it would really help deflect kind of that bold white color. So, it is in keeping with that one particular member, but she cannot speak for all three. So just a quick clarification if you refer to the Board 's guidelines on page 20 in your staff report you will see that those were adopted in 2017. So, these are guidelines that if they are met, they meet the

intent of the historic district. The construction materials that were used during its period of significance 1890 to 1938. These were materials that were found there. If it does not comply, and staff would have approved those over the counter. If they do not comply, we take him to the Board and then the Board has a discussion. Does it or does it not meet what we are looking for in the fencing. So, the comments that we heard from the Board were twofold, one is just the vinyl fencing just did not exist, so we do not like to see it, we do not like to promote it and two that it is just so bright it attracts your eye to it. So, it takes away from the aesthetic appeal of the house and it kind of draws your eye to the fence because it is really, it is kind of a stark contrast between the color of the house, this fence, and that house and the fence next to it. So those were their two points and they said you know can you work with staff and maybe do something different? They were not opposed to the vinyl fencing on the opposite side of the property because it ran north/south and as you drive by east/west on the street and you kind of took a glance at it. It is not a broad aspect of the property. It is just kind of in passing you see the edge of it. Of course, you see it before and after you pass it, but that that was kind of their motive for approving one and not the other.

Mayor Lilburn stated honestly Kim, she called you when this was on an agenda item before and she went, she wanted to go check out the property at issue and she drove by it at least five times. She called and said she is just not seeing it. She does not even know what you are talking about. Yeah, she did not even know there was a vinyl fence under that she could not see it. She did not know it. She was thinking to herself, is this all they have to worry about over there in the Historic District because there are a lot of bigger issues that we have.

Assistant Community Development Director Stater we do some proactive enforcement as staff...

Mayor Lilburn stated was this a proactive or was this...?

Assistant Community Development Director Stater this was not.

Mayor Lilburn stated thank you that that was my next question. Any other questions?

Council Member Timmer stated well, looking at the latest picture we have, the property owner certainly has made an effort to try to comply with the Board 's direction. The bigger issue, he thinks. is it looks good, and he does not have an issue with saying we should go ahead, go forward with what is being presented here. His question is if we take action to say this is now appropriate, we are in direct conflict with the Board 's rules and then do we take some other action referring this back to the Board saying they need to, because this vinyl fencing issue is not going to go away. He can tell you in his neighborhood there is a lot of it going up, but we probably need to address it in the Historic Board with how we are going to address this in the future. So, the whole intent, he remembers, quite a few years back was the fencing issue was, we did not want, every issue over fencing to go to the full board. We gave staff some authority to review and approve

and that seems to be now, he guesses, the vinyl fence seems to be in conflict with giving direction to staff to address these issues. So, he is not sure what the appropriate motion is, but he would think what is being presented here with the landscaping in front of the white fence meets, he thinks, the intent of the Planning Commission. In fact, the the motioning said that they recommended landscaping in front but to him, this is not an issue. However, the whole issue of the vinyl fencing, how we are going to deal with it in the future is going to come up again, and we need to address that as well so we cannot put our head in the sand, he guesses.

City Attorney Marroquin stated so perhaps, if she could, recommend because that that particular issue about revising the guidelines is not before the body tonight. Perhaps that is something we just give staff direction on to, you know, look into further work with the board.

Mayor Pro Tem McCallon stated yes that was the intent.

City Attorney Marroquin stated exactly, so then for purposes of tonight, it is just obviously whether or not it is appropriate to overturn the decision.

Council Member Timmer stated his motion is, he thinks, the applicant or property owner has shown an intent to comply and in fact, he thinks he meets the standards, but he will include my motion to deny the Planning Commission request.

Mayor Lilburn stated it is the Historic District, correct? That is okay, she knew what you meant.

Mayor Pro Tem McCallon stated you are denying the appeal, he means...

Council Member Timmer stated he is upholding the appeal to overrule the Historic Board's recommendation.

City Attorney Marroquin stated and if perhaps you could give direction so as part of that motion, give direction to have us come back with a resolution making the findings because all we have before us is a resolution upholding, right so we are going to come back with a resolution denying the Historic and Cultural Preservation Board's denial of the certificate of appropriateness and so we will come back. Staff will be directed to come back with the resolution at the next meeting for the Council's consideration. That is his motion.

Mayor Lilburn stated okay is that kind of like also saying we will revisit some of their rules.

City Attorney Marroquin stated no, this is with respect to the appeal only because that is the issue that is before us tonight.

Mayor Lilburn stated okay, she got that because we do not even allow wooden fences when we build a project anymore, is that correct?

Assistant Community Development Director Stater stated if you are meaning a tract home is that what you mean?

Mayor Lilburn stated right when we build tract homes, we do not even allow wood fences anymore.

Assistant Community Development Director Stater stated we do permit them in the sides and in the rear where they are not on the exterior of a tract. Vinyl is a preferred fencing material and if she could just add, some of you may recall this is not the first fence appeal that Council has heard. There have been prior appeals that had to do with front yard fencing and previously the board did not permit any fencing in the front yard because it did not exist during, again, the period of significance, but they heard what you said during public hearings and they did amend their guidelines, they do permit them, they do try and look at materials that again do not, a white picket fence just says it's kind of glaring, I am a white picket fence and it draws your eye to it. So, what they have tried to say is, we hear what you are saying, we want people to be safe, we want them to have long lasting materials, we want them to have property rights like every other property owner does, but we try and listen to Council and make those modifications, so she thinks they will hear what you are saying. We revisit guidelines frequently and we can make sure that they... You may have noticed in the minutes they also did not want this to come before Council. They do not want homeowners to feel like they have to appeal their guidelines and their decisions. They kind of say, you know, please work with staff. We hear what you are saying but we do have guidelines that we are trying to uphold to keep the district in a certain format.

Mayor Lilburn stated and you did, you did at the beginning of the meeting, make note that the homeowner did make some improvements and did try to file some of the recommended guidelines, and we appreciate that.

Assistant Community Development Director Stater stated the Board will hear you.

Mayor Lilburn stated can you reread that motion please?

City Attorney Marroquin stated so it is a motion to deny the Historic and Cultural Preservation Board's denial of the certificate of appropriateness to install a 6-foot tall white vinyl fence on the west side of the single family home in the historic district located at 27259 Nona Avenue, so that was the motion made made by Council Member Timmer with the caveat that we are going to be directing staff to come back with an actual resolution for consideration. That can come back as a consent calendar item when it comes back. We have already closed the public hearing. It is just going to be we need to memorialize what has been said by the Council, which is that it now is hidden, no longer causing that kind of stark climate.

Mayor Lilburn stated thank you and then we have a second.

City Attorney Marroquin stated yes by Council Member Chavez.

A MOTION was made by Council Member Timmer, seconded by Council Member Chavez, to uphold an Appeal of the Historic and Cultural Preservation Board's partial denial of Certificate of Appropriateness (COA 21-002); installation of a six foot (6') tall white vinyl fence. Motion carried, 5-0.

16. Extension of Time (EOT) No. 21-001 for Tentative Tract Map No. 19915 (TTM No. 14-004) and Conditional Use Permit (CUP) No. 15-001 Facilitating Highland Park Planned Development (SPR No. 15-001) for a Residential Community Consisting of 46 Single-Family Residential Lots, One Neighborhood Park/Water Quality Basin, Roadways and Two (2) Lettered Landscaped Lots

Mayor Lilburn stated okay, we will move on to item number 14, the extension for a tentative tract map and conditional use permit.

City Manager Hughes stated actually it is item number 16.

Mayor Lilburn stated sorry, item number 16.

City Manager Hughes stated okay, it is item 16, and the applicant is requesting a withdrawal of this extension of time, due to the fact that Assembly Bill number 1561 automatically extends the subject matter for eighteen months.

Mayor Pro Tem McCallon stated move approval.

Mayor Lilburn stated okay, we have a motion.

Council Member Solano stated second.

Council Member Timmer stated he has a question with this new 1561 bill, is that the final extension? Because now we are at six years, more than six, he thinks six years with the extensions on this and before he thinks three or four extensions over a year so this goes on indefinitely then?

City Attorney Marroquin stated no. So, this Assembly Bill 1561 did an automatic extension statewide for every, basically, development project got an additional eighteen months. So that is a statewide extension.

City Manager Hughes stated it was due to Covid.

City Attorney Marroquin stated due to Covid essentially and so then after that, if they have any more extensions left after that time period, they could still apply, if not, then they just get the same automatic extension everybody else gets.

Council Member Timmer stated if they had not withdrawn this, this would have been their final extension. So now they get another extension after this one.

City Attorney Marroquin stated on top of this one because this applies...

Council Member Timmer stated they got a year and a half plus a year.

Assistant Community Development Director Stater stated they do have to request that, and we will have to come back before you but yes, if it is approved, you are absolutely right.

City Attorney Marroquin stated the next round, this one is an automatic.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Council Member Solano, to accept the Applicant's withdrawal of Extension of Time No. 21-001 Application in response to Assembly Bill No. 1561 which extends the subject Map for 18 months. Motion carried, 5-0.

17. Resolution No. 2021-033 Fixing the Highland Paramedic Special Tax Rate for Fiscal Year 2021/22

City Manager Hughes stated Mayor, members of the City Council, this is your annual fixing of the Highland Paramedic Tax that the City took over when we detached from County Service Area 38 improvements on L. This tax amount has not changed since 1985. For residential it is \$19.00 per individual dwelling unit and for commercial it is \$38.00 per individual commercial unit. As it stands right now, the taxes generated pay for approximately sixteen actually almost seventeen percent of the cost to provide paramedic services in the City. That concludes staff presentation.

Council Member Timmer stated move approval.

Council Member Solano stated second.

City Attorney Marroquin stated it is a public hearing.

Mayor Lilburn stated sorry. Do we have anyone speaking on behalf of the City? I have no speaker slips in favor of or in opposition to this particular item. So, at this time we will close the public hearing and open it up for our City Council discussion.

City Clerk Hughes stated just for the record we did not receive any email during this time.

Mayor Lilburn stated she thinks at some time we need to revisit this because we are so under on our budget with this that this is just very little. She thinks we need to look at that and she hates to raise taxes but this is something that we really need to look at, so we can make sure that we have the appropriate fire coverage. Not that we do not, but this is a big burden on the City so that is her two cents.

A MOTION was made by Council Member Timmer, seconded by Council Member Solano, to adopt Resolution No. 2021-033 fixing the Highland Paramedic Special Tax rate for Fiscal Year 2021/22. Motion carried, 5-0.

RESOLUTION NO. 2021-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, FIXING THE HIGHLAND PARAMEDIC SPECIAL TAX
RATE FOR FISCAL YEAR 2021-2022

18. Consolidated Landscape and Lighting District 96-1 Annual Report (Fiscal Year 2021/22)

Mayor Lilburn stated she will move on to item 18. Another public hearing at this time, she will open the public hearing and staff presentation.

Public Services Manager Morgan stated good evening Honorable Mayor and Council Members. The item before you, item number 18, is the annual protest hearing for the Consolidated Landscape and Lighting District No. 96-1. At your previous meeting of May 25, 2021, you had given a preliminary approval of the engineer's annual report and scheduled this public hearing for any comments. If you have any questions, she can answer them.

Mayor Lilburn stated at this time we have no speaker slips. She will look to the City Clerk to see if you have any.

City Clerk Hughes stated we do not. We did not receive any via email either.

Mayor Lilburn stated so going back at this time, do you have any additional information you want to add?

Public Services Manager Morgan stated no.

Mayor Lilburn stated okay thank you. At this time, she will close the public hearing and open it up for City Council discussion.

Mayor Pro Tem McCallon stated move approval.

Council Member Solano stated second.

A MOTION was made by Mayor Pro Tem McCallon, seconded by Council Member Solano, to approve Resolution No. 2021-034 ordering the continued maintenance of improvements in Consolidated Landscape and Lighting District No. 96-1, confirming the Engineer's Report, and levying the assessment for fiscal year 2021/22. Motion carried, 5-0.

RESOLUTION NO. 2021-034
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ORDERING THE CONTINUED MAINTENANCE OF
IMPROVEMENTS IN THE CONSOLIDATED LANDSCAPE AND LIGHTING
DISTRICT NO. 96-1 AND CONFIRMING THE ENGINEER'S REPORT AND
LEVYING THE ASSESSMENT FOR FISCAL YEAR 2021/22

19. Street and Drainage Maintenance District 96-1 Annual Report (Fiscal Year 2021/22)

Mayor Lilburn stated at this time we will open this public hearing for the Street and Drainage Maintenance District 96-1, and she will turn it over to staff.

Public Services Manager Morgan stated Honorable Mayor and Council Members tonight the item before you is to approve an order for continued maintenance of improvements in Street and Drainage Maintenance District No. 96-1, confirming the Engineer's Report and levying assessment for Fiscal Year 2021/22. Also, this Engineers Report was brought before you on May 25, 2021, and Council gave it preliminary approval and set this hearing date for the protest hearing. She has no other comments.

Mayor Lilburn stated at this time she has no speaker slips on this item in favor of or in opposition to and she will look to the City Clerk to see if we have received any.

City Clerk Hughes stated we have not.

Mayor Lilburn stated at this time she will close the public hearing and open it up for Council discussion.

Council Member Solano stated she will move for approval.

Council Member Chavez stated he will second the motion.

A MOTION was made by Council Member Solano, seconded by Council Member Chavez, to approve Resolution No. 2021-035 ordering the continued maintenance of improvements in Street and Drainage Maintenance District 96-1, confirming the Engineer's Report, and levying the assessment for fiscal year 2021/2022. Motion carried, 5-0.

RESOLUTION NO. 2021-035
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ORDERING THE CONTINUED MAINTENANCE OF
IMPROVEMENTS IN THE STREET AND DRAINAGE MAINTENANCE
DISTRICT NO. 96-1 AND CONFIRMING THE ENGINEER'S REPORT
AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2021/22

CITY COUNCIL LEGISLATIVE

20. Re-Districting Following the Release of the 2020 Census

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

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

1. Select the City Council as the entity that will review and revise or readopt the district boundaries;
2. Direct staff to move forward with the City Council approved redistricting process based on the timeline set forth in the staff report; and
3. Authorize the Mayor to execute a professional services agreement with National Demographics Corporation (NDC), effective July 1, 2021, for a not to exceed amount of \$30,000, subject to City Attorney review of the agreement. Motion carried, 5-0.

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

City Manager Hughes stated yes, he has a few things for the Council tonight. On June 15, the Planning Commission approved the design review application for Nikko's Burgers. This is a prominent A-frame restaurant on Base Line just west of Victoria that sustained severe fire damage last year. There will be a new facelift on-site design and the owners are looking forward to starting the reconstruction in the next couple of months. Also, on June 15 the Planning Commission reviewed a draft ordinance to amend the City's municipal code relating to accessory dwelling units and as a result of the state legislation which will be coming back to the City Council for your consideration on August 10. The Historic and Cultural Preservation Board completed its annual training last week. Last week, the City's Building and Safety Division finalized the construction permit for a 121,000 square foot warehouse distribution building located at 27400 5th Street. It is just west of Church and that is going to be Master Halco Fencing. The new 7-11 Gas Station and Convenience Store located on the southwest corner of Greenspot Road and Boulder Avenue; they are close to receiving their final occupancy. They are currently just waiting for the final sign off from Southern California Edison and then they will be opening. The East Valley Water District Sewer Main Replacement project that is occurring on Lillian Lane between Base Line and 10th. That was completed on June 10, ahead of schedule so they will be coming through and doing the slurry seal.

Public Works Director/City Engineer Zamano stated the slurry seal is not done yet. They still have to do that because some of the pavement was scarred after they did their work so we just want them to come back and clean that up.

City Manager Hughes stated some stats from the Police Department from June 10 to June 20, they had 1,915 calls for service, 119 reports, and made 69 arrests. There will be a Blood Drive on July 26 at the Highland Police Station from 11am to 4pm. Burrtec illegal dumping orders for May was 205. That concludes the presentation.

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

Mayor Lilburn stated she just has one comment. Mayor Pro Tem McCallon and she had the opportunity to go on a tour at the airport for the Amazon Air Cargo and it was a great facility. They are up to four flights a day now. Two and two, two in the morning, two in late afternoon, but it was a great tour. They are hiring. They have great pay, sign on bonuses, so they are doing a great job over there and if you get the opportunity, maybe we can put some tours together so you guys can have the opportunity to tour it as well.

Mayor Pro Tem McCallon stated it was very interesting seeing all these little robots running around with packages on them. They are all battery operated, all electric. In fact, they are putting solar panels on the roof, and they will be consuming all that power internally with their battery recharging and all of their equipment in there is electric, so it is a very sustainable operation.

ANNOUNCEMENTS

City Manager Hughes stated just one just a reminder will be dark in July so our next meeting will be August 10.

Mayor Lilburn stated and we are having the parade on July 4.

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 7:36 p.m. in memory of Daniel Gentry, Andrew "Andy" Huey, Ray Tate and Sergeant Dominic Vaca.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Penny Lilburn
Mayor