

**MINUTES
CITY COUNCIL REGULAR MEETING
SEPTEMBER 8, 2020**

This meeting was conducted as a videoconference meeting in the Donahue Council Chambers, 27215 Base Line, Highland, California. All votes during the meeting were conducted by roll call.

CALL TO ORDER

The regular meeting of the City Council of the City of Highland was called to order at 6:00 p.m. by Mayor McCallon at the Donahue Council Chambers, 27215 Base Line, Highland, California.

ROLL CALL

Present: Chavez, Lilburn, McCallon, Solano
Absent: Timmer

SPECIAL PRESENTATIONS

None

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

City Clerk Hughes read public comment received from Mark Falcone regarding racism in the community.

CITY COUNCIL CONSENT CALENDAR

City Clerk Hughes read public comment received from David Saran regarding consent calendar Item #11.

A MOTION was made by Council Member Solano, seconded by Council Member Chavez, to approve the consent calendar as submitted and with Mayor Pro Tem Lilburn abstaining from Item #8. 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 – August 20, 2020 City Council Special Meeting
Approved the Minutes as submitted.
3. Minutes – August 25, 2020 City Council Regular Meeting
Approved the Minutes as submitted.

4. Warrant Register
Approved Warrant Register No. 709 for September 8, 2020, in the amount of \$1,195,578.21 and Payroll of \$100,801.67.
5. Claim Consideration – Francisco Tellez, Nicholas Tellez and Isaac Tellez
Rejected claim.
6. Notice of Completion – Bid No. 2019-08, “Sterling Avenue & Water Street Sidewalk and Bike Lane Improvements” and “Base Line, Central Avenue and Sterling Avenue ADA and Bus Stops Access Improvements” (Project Nos. swk16001 & swk17001)
 1. Accepted Bid No. 2019-08, “Sterling Avenue & Water Street Sidewalk and Bike Lane Improvements” and “Base Line, Central Avenue and Sterling Avenue ADA and Bus Stops Access Improvements” (Project Nos. swk16001 & swk17001) as complete;
 2. Authorized the Mayor to sign the Notice of Completion; and
 3. Directed the City Clerk to file the Notice of Completion.
7. An Appeal (APP No. 20-001) of the Planning Commission’s Denial of Conditional Use Permit (CUP) No. 20-004; a Request for an Expansion of an Existing State of California Department of Alcohol Beverage Control (ABC) Type 47 (On-Sale General – Eating Place) License for an Approximate 420 square-foot Outdoor Dining Area for an Existing Restaurant (JJ’s Sports Bar and Grill) in the Carino Plaza. The Appellant is asking the City Council to overturn the Planning Commission’s decision and permit the sale and consumption of alcohol within the existing outdoor dining area (Continued from August 25, 2020).
Adopted Resolution No. 2020-047 approving Appeal No. 2020-001 thereby approving Conditional Use Permit No. 20-004; a request for an expansion of a Type 47 ABC license into an outdoor dining area at JJ’s Sports Bar and Grill.

RESOLUTION NO. 2020-047

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING APPEAL NO. 20-001 OVERTURNING THE PLANNING COMMISSION’S DENIAL, AND APPROVING CONDITIONAL USE PERMIT NO. 20-004 FOR THE EXPANSION OF AN EXISTING STATE OF CALIFORNIA DEPARTMENT OF ALCOHOL BEVERAGE CONTROL (ABC) TYPE 47 (ON-SALE GENERAL - EATING PLACE) LICENSE WITHIN AN 420 SQUARE-FOOT OUTDOOR DINING AREA AT AN EXISTING RESTAURANT (JJ’S SPORTS BAR & GRILL), LOCATED AT 7955 WEBSTER STREET, UNIT NO. 1. (APN: 1201-361-23)

8. Community Development Block Grant (CDBG) Subrecipient Contract between the City of Highland and Highland District Council on Aging, Inc., to Provide for Senior Services, Transportation Service and Senior Visitation to Low- and Moderate-Income Seniors
Approved the contract and authorized execution by the Community Development Director.

9. Agreement with Siemens Industry, Inc., Intelligent Traffic Systems (Siemens) for Maintenance of Traffic Signal Maintenance
 1. Found that traffic signal maintenance is part of the routine work to preserve publicly owned traffic signals per Public Contract Code Section 22002(d)(1) which is not a public project and is thus exempt from bidding requirements;
 2. Approved a contract with Siemens to provide maintenance of the City's Traffic Signals, subject to the City Attorney's final review and approval; and
 3. Authorized the Mayor to sign the agreement.

10. Selection of an Event Date and Budget for the 24th Annual Citrus Harvest Festival
 1. Selected March 27, 2021, as the event date for the Citrus Harvest Festival; and
 2. Adopted the budget.

11. Trail Fence Replacement and Trail Repairs
 1. Approved purchase and installation of 240 linear feet of 8-foot high wrought iron fencing and two 14 linear feet sections of 8-foot high wrought iron fence with access gates adjacent to Emmerton Lane from UC Fence of San Bernardino for a total cost of \$28,000;
 2. Authorized the City Manager to approve change orders with UC Fence up to 10% of cost to address any unforeseen conditions; and
 3. Approved moving \$90,000 that was previously budgeted for in FY 2019/2020 and not expended, to FY 2020/2021 with the following budget adjustment; Transfer \$90,000 from 023-2100 (General Capital Financing-Fund Balance) to be expended from 023-3890-4592 Trails Maintenance.

CITY COUNCIL PUBLIC HEARING

No public hearing.

CITY COUNCIL LEGISLATIVE

12. Public Improvement Reimbursement Agreement with East Valley Water District for Traffic Signal Modifications at 5th Street and Del Rosa Drive

Public Works Director/City Engineer Zamano gave a brief review of the staff report.

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

1. Approve the Public Improvement Reimbursement Agreement with East Valley Water District (EVWD) for Traffic Signal Modifications at 5th Street and Del Rosa Drive;
2. Authorize the Mayor to sign the agreement; and
3. Approve the following budget adjustment: Transfer \$316,000 from 007-2100 (DIF-Fund Balance) to be expended from 007-8330-6550 (Traffic Improvements). Motion carried on a roll call vote, 4-0, with Council Member Timmer being absent.

13. Land Lease Agreement between the City of Highland and New Cingular Wireless PCS, LLC, a Delaware Limited Liability Company (AT&T Mobility) to Install a New Wireless Telecommunication Equipment Building within the City's Aurantia Park Property

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

A MOTION was made by Council Member Chavez, seconded by Council Member Solano, to authorize the City Manager to execute the subject Land Lease Agreement with New Cingular Wireless PCS, LLC, a Delaware Limited Liability Company (AT&T Mobility) to install a new wireless telecommunication building on the City's Aurantia Park property, subject to final review and approval by the City Attorney. Motion carried on a roll call vote, 4-0, with Council Member Timmer being absent.

14. Dennis Johnson Memorial Bench, Monument and Tree

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

A MOTION was made by Mayor Pro Tem Lilburn, seconded by Mayor McCallon, to apply monetary donations received from the friends and family of Dennis Johnson (to date \$1,220) for the purchase and installation of a monument to be located near the Streater trailhead (southwest corner of Church Street and Lemon Street). Motion carried on a roll call vote, 4-0, with Council Member Timmer being absent.

15. Review of the City's Planning Commission Recruitment and Appointment Process

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

City Clerk Hughes read public comment received from Fred Yauger in support of this item.

A MOTION was made by Council Member Solano, seconded by Mayor Pro Tem Lilburn, to implement the following actions related to the City's Planning Commission recruitment and appointment process:

1. Institute a public interview process for all Planning Commission applicants during a regularly scheduled City Council hearing;
2. Add a short summary of the roles and responsibilities of the Planning Commission to future Notices of Vacancy;
3. Require all Planning Commissioners attend a mandatory roles and responsibilities training conducted by the City Attorney and Community Development Director during a regularly scheduled Planning Commission meeting; and
4. Reboot the current Planning Commission appointments effective immediately and direct the City Clerk to publish a Notice regarding Planning Commission recruitment and direct the Community Development Director to invite the current Planning Commissioners to participate in the reboot and interview process. Motion carried on a roll call vote, 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 give a brief update on what is happening with COVID-19 in the community and he has one other additional item regarding the upcoming November election. Regarding the COVID-19 update, county-wide there are 49,691 confirmed cases of COVID-19. The City of Highland now has 1,399 confirmed cases. County-wide there have been 525,000 tests conducted and in the City of Highland there have been 13,000. County-wide, there have been 765 deaths and 16 in the City of Highland, attributed to COVID-19. City Hall lobby continues to remain open with face coverings being required and we are continuing to limit five people at a time. Parks are still open for passive use only. The County still has funding of \$2,500 per business for the COVID-19 Compliant Business Program. Staff will be bringing forward a proposed program for the City of Highland CARES Act funding for a Highland Business COVID Compliant Program at the next Council meeting. Essentially, we will be looking at a match of the County dollars. Please visit our new City of Highland website for links to County, State and Federal guidelines. Also, follow the City of Highland on Facebook for any COVID-19 updates. The County still has its COVID-19 hotline at (909) 387-3911. Also, he wanted to make the Council aware, and he is sure Council has heard of this, but there is a new way that the State is now looking at cases state-wide. There are now four categories: widespread, substantial, moderate, and minimal. Right now the County of San Bernardino, for daily new cases, we are still in the widespread category. The positive rate, we are just barely getting into substantial. We are doing well regarding the hospitalization. Hospitalization, the ICU beds and the ventilator availability are all looking good but there is still work to be done on the daily new cases and the positive rate in the County. That is what the County and Health Department will be targeting. We are still in the top category regarding daily new cases and we have to start getting down into the red, orange and yellow in order for more businesses to open up. That is what will be targeted in the future. One other item he wanted to bring up to the Council is regarding the elections. During this next election, in November, there will be four polling locations in the City of Highland. One will be at City Hall, one will be at the San Manuel Events Center on Boulder, one will be at Immanuel Baptist Church and the final one will be at the Highland YMCA. Because of COVID-19 there are some new, very strict guidelines for polling places and the amount of time that those facilities have to be open and dedicated to voting. Each of those locations will be open for four days for people to come in and vote. It will start Saturday, Sunday, Monday and Tuesday for the election, rather than just Tuesday, so there will be four days to vote. However, there is a requirement of each location that they will need to get into those facilities early in order to install voting machines and those areas will have to be locked down. Additionally, there is a day after the election where the voting machines will have to be removed. So it is a very long commitment of these facilities to meet the new state guidelines to be a polling place. We were able to get four in Highland and they were looking for a minimum of three, but we got four, so that is what we will be looking at for the November 3 election.

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

Mayor McCallon gave a brief update regarding SBCTA's transit connection from the Metrolink Rancho Cucamonga station to the Ontario airport. In July, the Express West high speed rail connection between Victor Valley and Las Vegas had a MOU for development of a privately funded high speed rail connection between Victor Valley and Rancho Cucamonga Metrolink Station which is a continuation of Phase I Las Vegas to Victorville segment currently under development. Omnitrans Consolidation Study, the board agreed not to pursue consolidation of SBCTA and Omnitrans at this time. After considering the few areas of overlap, the eliminated options for savings, the increased risks and potential additional costs managing through a complete consolidation, the concerns were considered significant and far outweighed any identified benefits, opportunities or savings. At SBCTA, the county-wide vision was reviewed and an element dealing with equity and to continue the work within the existing vision elements through the lines of equity. At SCAG, the final 2020/2045 RTPSCS in its entirety and approved it to be submitted to the ARB for confirmation that the plan meets the greenhouse gas reduction targets. Also approved were the 2020/2021 Sustained Ability Community Program guidelines and authorized staff to release the active transportation safety call for applications which he is hopeful the City of Highland will put an application in for.

ANNOUNCEMENTS

City Manager Hughes stated the City of Highland in cooperation with San Manuel and IVDA was just awarded a CARES grant in the amount of a little over \$2 million which will be used for the Third Street/Fifth Street Corridor Project.

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor McCallon adjourned the meeting at 6:36 p.m. in memory of Al Harris.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Larry McCallon
Mayor