

**MINUTES
CITY COUNCIL REGULAR MEETING
OCTOBER 26, 2021**

CALL TO ORDER

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

The invocation was given by Mayor Pro Tem McCallon and the Pledge of Allegiance was led by Council Member Solano.

ROLL CALL

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

CITY COUNCIL PUBLIC HEARING – REDISTRICTING

Mayor Lilburn opened the public hearing.

City Clerk Hughes stated thank you, Mayor, and Members of City Council. This is the second public hearing of the four required by law. Tonight, you will receive a report from Todd Tatum of National Demographics Corporation regarding the process and permissible criteria to be considered to redraw district boundaries. Second, discuss neighborhoods and communities of interest, as well as receive public input on district boundaries. As stated in the staff report, a neighborhood describes a geographic location. Are there any neighborhoods defined by clear boundaries? Obviously, we know the freeway is a clear boundary, which is on the east side of District 3 and the west side of District 4. A community of interest is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. It should be noted that a community of interest does not include and cannot be based on relationships with political parties, incumbents, or political candidates. Possible features defining communities of interest might include, but are not limited to, school attendance areas or homeowner's association, common issues, neighborhood activities, recreational interests, or shared environmental concerns, and share demographic characteristics such as similar levels of income, education, or linguistic isolation, languages spoken at home or single family and multi-family housing unit areas. We know there is the East Highlands Ranch Homeowners Association predominately in District 5. So, while we listen to Todd's presentation, she would like Council to think are there any other neighborhoods or communities that you would like to be identified? So, with that said, if there are no other questions, she will turn this over to Todd Tatum of National Demographics.

Todd Tatum, National Demographics Corporation, stated thank you Mayor, Council Members, and City staff. Again, as City Clerk Hughes alluded to, this is our second of our four hearings. Our next hearing will be January 11 and final hearing February 22. Our deadline for adoption is April 17, 2022. The major challenge that we had this year and he talked about this in the first meeting was getting the US Census data in; it came in mid-August. We then had to wait for the State of California to review the data and produce the prisoner adjusted numbers which were released on September 21. However, there was a flaw in the data and the corrected numbers were not released by the State until September 27. He will briefly go over some of our redistricting rules and goals that we covered last time. Number one, we followed these three categories. The first category, being the federal laws, we have to adhere to all the federal laws, which means equal population. We followed the federal Voting Rights Act. We can have no racial gerrymandering as we draw districts. The second category is the California criteria for cities, and these are ranked in order, which is new, thanks to the California Voting Rights Act this year. Number one, the districts must be geographically contiguous and that is where to the extent practicable. Number two, we try not to un-divide neighborhoods or communities of interest. We try to keep socioeconomic geographic areas that should be kept together, and we do our best to keep those together. We also look to make sure that the districts have easily identifiable boundaries, and we want to keep the districts as compact as possible, meaning we do not want to bypass one group of people to get a more distant group of people together. What is prohibited, we shall not favor or discriminate against any political party, and as you will see, on any data that NDC produces, they show no political party affiliation whatsoever. The third traditional districting principles, we want to minimize voters shifted into different election years. Meaning if a voter believes right at this moment that they get to vote in 2022, we want to do our best to make sure they can stay in that district where they vote on 2022 versus moving to a new district that might be two years out. We want to respect the voter's choices and continuity in office. We look for future population growth and he knows this question came up last time in our first meeting. We do not count that in drawing the districts. We just like to know where that might be so they can let Council know if a certain district may look different, completely different in 10 years, and we want to preserve the core of your existing districts the best that we can, especially if Council is happy with them. Here is a demographic summary of the existing districts, and again, this is based on just our estimates. We have not loaded in the state adjusted demographics and what you can see is if you go across the line there, the deviation in the districts is 6.76%. The deviation needs to be 10% or less. So basically, looking now you all look like you have balanced districts and if that is the case when we get the final state numbers, the City Council could direct the City Clerk to come back at the next meeting with a resolution that formally decides to keep the existing district map, if you want no changes. Otherwise, each district should have roughly 11,400 people and as as you can see across there is one, that is a little light, and there is one that is a little heavy. But again, that deviation is under 10% and could be less once we get the final numbers in. Last time we talked about defining neighborhoods, what your neighborhoods are, what are those geographical boundaries, we really need you and the public to let us know if we do redraw districts what are your natural neighborhood dividing

lines? Major highways, major roads, drainage areas, hills any areas around parks or schools or any other neighborhood landmarks that might be unique to the City of Highland. If we do not have any public testimony and we do in fact have to make changes, and we go off planning records or other similar documents, that might help us. Beyond the neighborhoods, we wanted to find the communities of interest, those communities of interest, we asked this first of all, because the law requires us to and second, we want to emphasize that if we do have to make any changes in your districts to get them into balance, we want to know the best places to make those adjustments. We want to do what we can to prevent the dividing of a neighborhood or community of interest. The community of interest is defined, and City Clerk Hughes mentioned this before as a population that shares common social or economic interests and what you believe should be included within a single district for purposes of effective and fair representation. However, a community of interests could also believe that it should be in multiple districts and that is where we need your input. We are going to ask tonight should we have to make those changes and we need to define the communities of interest, we want to know who is a part of your community, what are some meaningful places your community recognizes or gathers at. Which means you know if some of the public considered themselves a community of interest because they all use the same park, for example, or they are all part of the same HOA or master planned community. Those are the meaningful places where they recognize and/or gather at. We also want to know what are some common concerns that you share with a group? What are some common cultural characteristics that unite a community? What are common work-related traits that bring a community together? What is significant about the physical environment of your community and what areas benefit from staying together in one single district? Your thoughts and ideas will become part of the record and will be recorded and written down and taken into consideration as we draft maps. When we draft maps, the public is, as well as you, will be able to use this online interactive review map, which basically allows you to take any draft maps that have been submitted. We will have them in the dedicated part of your website where people can go in and see how their map compares to others, how it compares to the existing map. You can do multiple maps and check them this way. It is just a great tool so that you can see where everything falls as far as population and demographics. So, again, a timeline for our redistricting process. We had our first public hearing in August, our second one today, October 26. All the mapping software basically is being populated so that it can be released, again that was delayed, and it should be out within the next week or two. If we are drawing maps for the third public hearing, we would need maps due from the public January 3 for consideration. February 14, we would need them for consideration for the February 22 and again if the numbers come back and you are basically where you are today, it is up to Council, but you can recommend that we keep the districts as is because at first look it does not look like there are any California voting rights violations based on your current districts. He will know that for sure as soon as we have all the data populated within your current district maps and he will let City Clerk Hughes know as soon as we have that and what it looks like. And with that he is here to answer any questions, and again, he thanks you all for the opportunity to make this presentation and for allowing NDC to work with you all during this process.

Mayor Lilburn stated thank you very much, appreciate your presentation. City Clerk Hughes, do we have any speakers in favor of or in opposition of this item?

City Clerk Hughes stated no, we do not.

Mayor Lilburn stated okay, at this time, City Clerk Hughes do you have any additional information you want to add?

City Clerk Hughes stated she does not unless Council has any questions.

Mayor Lilburn stated okay, she will go ahead and close the public hearing and open it up to the Council for questions or any comments.

Mayor Pro Tem McCallon stated thank you, Madam Mayor, question is, when can we legally decide that we are going to keep them like they are and move this process along.

City Clerk Hughes stated she may have to defer that to City Attorney Marroquin. She does believe the public has to be able to draw maps regardless of, if we continue forward with the process, or maybe City Attorney Marroquin, if you do not mind.

City Attorney Marroquin stated correct, so the public has to be given an opportunity, but we could nonetheless decide, she believes, at the third public hearing. We would be able to, she believes, at that point in time.

Mayor Pro Tem McCallon stated and the third one is in November.

City Attorney Marroquin stated in January. So, by that time we will have enough data to know whether or not it makes sense, but the public could still come at the fourth meeting with further options.

Mayor Lilburn stated okay, thank you, any other questions? Okay, at this time do we need to move this forward, or do we need to vote on anything or just accept the report?

City Clerk Hughes stated just accept the report and then just any comments that were made.

Mayor Lilburn stated alright, and you have that down for the record, okay, great.

City Clerk Hughes stated yes, we do.

REPORT FROM CLOSED SESSION

No meeting.

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA)

Mayor Lilburn asked if we have received any public comment via email.

City Clerk Hughes stated no, we have not received any comments via email.

Luis Ojeda spoke regarding his concerns for the potential changes in the community.

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 Chavez being absent.

2. Waive the Reading of All Ordinances
Waived the reading of all Ordinances in their entirety and read by title only.
3. Minutes – October 12, 2021 City Council Regular Meeting
Approved the Minutes as submitted.
4. Warrant Register
Approved Warrant Register No. 732 for October 26, 2021, in the amount of \$2,012,379.34 and Payroll of \$102,184.89.

CITY COUNCIL PUBLIC HEARING

No public hearing.

CITY COUNCIL LEGISLATIVE

5. Bid Award – Bid No. 2020-10, “Pavement Management Program – Sector E Pavement Rehabilitation” (Project str20001)

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

A MOTION was made by Council Member Solano, seconded by Mayor Pro Tem McCallon, to award the construction contract for Bid No. 2020-10, "Pavement Management Program – Sector E Pavement Rehabilitation, Project No. str20001" to the responsible low bidder, All American Asphalt (AAA), in the amount of \$2,082,099.00. Motion carried, 4-0, with Council Member Chavez being absent.

6. Construction Management and Inspection Services for Bid No. 2020-10, "Pavement Management Program – Sector E Pavement Rehabilitation (Project str20001)"

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

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

- 1) Approve proposal from Willdan Engineering to provide construction management and inspection Services for Bid No. 2020-10, "Pavement Management Program – Sector E Pavement Rehabilitation (Project No. str20001)," in an amount not-to-exceed \$110,986; and
- 2) Authorize the City Manager to approve contract amendments up to 10% of the proposal amount. Motion carried, 4-0, with Council Member Chavez being absent.

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

City Manager Hughes stated he will try to keep his report brief tonight. Just to bring the Council up to date on a couple of things. The safe route to school project that is currently under construction continues. The construction of curbs, gutters, driveways, sidewalk, infill paving has been completed on McKinley Avenue between 9th Street and Base Line. The in-pavement lighted crosswalks have also been completed at the intersections of Base Line and Valaria Avenue, Church Avenue and Norwood. Construction is underway to complete the street improvements on the north side of Ninth Street, between Cunningham and Hillview. It is anticipated that all of the work will be completed by mid-November of this year, and these safe route to school projects benefit Lankershim and Thompson Elementary schools. The City has hired a new planning technician. This position backfills our former planning technician, who is now our Assistant Planner, who replaced Associate Planner Quintanilla. So, we have hired Angelica Martinez and she will be our new planning technician. She is actually a resident of the City of Highland. On October 19, the Planning Commission conducted a freeway sign flag test for the proposed project at the Town Center on the north side of Base Line, between Buckeye and the 210. This is going to be a site for a proposed El Pollo Loco and Habit Burger Grill. It is right across the street from Starbucks, so it is making its way through the process. Just an update on the Coronavirus Recovery Fund business grant. The City has now received 85 applications for that program. The Emergency Mortgage Assistance program, we have still not received an application for those funds. The City has opened up the grocery delivery program to any eligible persons now regardless of age, it is no longer just limited

to senior citizens. We are trying to spread that out. We have received 21 inquiries right now and we have approved 13, so there is six pending and 2 were declined. So far through October 21, Burrtec has done 110 illegal dump pickups in the public right-of-way. Just for 21 days, it is crazy. The Sheriff's Department, from October 11 to 24, they responded to 1,717 calls for service, made 131 reports and made 75 arrests. So, they have been busy. As far as COVID is concerned, the numbers were kind of turning down in San Bernardino County and they have taken a little rise back up, slightly. The hospitalizations were dipping pretty good and then they kind of came back up a little bit again, and now they are kind of dipping back down again. Los Angeles and Orange County, both are down, but for some reason San Bernardino County had a little tick back up again, nothing major, but it is, and it is now starting to correct itself again, but there have been no significant changes in policies or anything at this point in time that would impact the City.

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

Mayor Pro Tem McCallon stated Madam Mayor, as you can see tonight was a very short meeting. We are going to go dark the next meeting in November.

City Manager Hughes stated well we are going dark in December. He was going to ask the Council for Thanksgiving week. We have been able to move things around to where we have been able to move items up to the first meeting in November or move it to the first meeting in December. He knows a lot of people like to travel that week of Thanksgiving, so he wanted to check with the Council to see if Council wanted to go dark. A lot of agencies go dark the week of Thanksgiving. Like he said we have been able to move things around so if that is the desire of the Council, we could go dark for the second meeting in November.

City Council Members discussed the option of going dark and unanimously agreed to go dark for the City Council meeting scheduled for November 23.

Mayor Pro Tem McCallon stated what he would propose that since our agendas seem to be very short lately, that we take another look at whether we ought to have our Council meetings once a month rather than twice a month, it would save staff time and money for us. He would suggest if it were okay with the Mayor, that she appoint an Ad Hoc Committee to look at that again and come back to the Council and see what the pros and cons are and if the Council wants to do it.

Mayor Lilburn stated is this something we want to do right now, or do we want to wait. She is okay with appointing an Ad Hoc committee, she does not have any problem with that. Is this something we want to tackle right now?

Mayor Pro Tem McCallon stated well, we could begin the process. You know, it is not something that is going to happen right away.

Mayor Lilburn stated she will appoint Mayor Pro Tem McCallon and Council Member Solano to the Ad Hoc Committee to discuss the probability of going to once a month City Council meeting. She also wants to remind everyone that the Veterans Day event is on Saturday, November 6 at starting at 1:30. So, if everyone gets that opportunity to go out, this would be our first inaugural one. Then also she wanted to thank Public Works Director/City Engineer Zamano and Community Development Director Mainez for always being responsive when people call you, meeting with them and accommodating their needs. Whether we think it is right or wrong, we still go through the process, and she appreciates that.

ANNOUNCEMENTS

None

CLOSED SESSION

None

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 6:33 p.m.

Submitted By:

Approved By:

Betty Hughes, MMC
City Clerk

Penny Lilburn
Mayor