



UPLAND CITY COUNCIL

AGENDA

**September 14, 2020
City Council Chamber**

**DEBBIE STONE, MAYOR
RUDY ZUNIGA, MAYOR PRO TEM
JANICE ELLIOTT, COUNCILMEMBER
BILL VELTO, COUNCILMEMBER**

**ROSEMARY HOERNING, CITY MANAGER
STEVEN FLOWER, INTERIM CITY ATTORNEY**

DISRUPTION OF MEETINGS

Individuals who demonstrate disruptive conduct during City Council meetings that prevent the City Council from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

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6:00 PM - Closed Session

- 1. CALL TO ORDER AND ROLL CALL**
- 2. ADDITIONS-DELETIONS TO AGENDA**
- 3. ORAL COMMUNICATIONS**

This is a time for any citizen to comment on item listed on the closed session agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit.

- 4. CLOSED SESSION**

- A. CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

Property: A.029-acre vacant lot located at the northwest corner of 9th Street and Bodenhamer Street, Upland, CA 91786; APN: 1046-493-31 & 321

Agency: City Manager Hoerning, Development Services
Negotiators: Director Dalquest, Development Services Manager Chavez, Economic Development Coordinator Picazo

Negotiating Parties: City of Upland and potential buyers

Under Negotiation: Price and terms

7:00 PM

5. INVOCATION

Bishop Silvestre-Zamora, Church of Jesus Christ of Latter-day Saints

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Introduction of Upland Unified School District Superintendent Lynn Carmen Day

Volunteer Appreciation Recognition for 2019

Southern California Edison Public Safety Power Shutoff Program presented by Jennifer Shaw, SCE Government Relations Manager

8. CITY ATTORNEY

9. ORAL COMMUNICATIONS

This is a time for any citizen to comment on any item listed on the agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. Speakers will be given five (5) minutes during public hearings. The use of visual aids will be included in the time limit.

10. COUNCIL COMMUNICATIONS

11. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the legislative body request specific items be removed from the Consent Calendar for separate action.

A. APPROVAL OF MINUTES

Approve the Special Meeting Minutes of August 10, 2020, the Regular Meeting Minutes of August 10, 2020, the Special Meeting Minutes of August 13, 2020, the Special Meeting Minutes of August 24, 2020, and the Special Meeting Minutes of August 26, 2020. (Staff Person: Keri Johnson)

B. 2ND READING OF ORDINANCE 1944 ZONING CODE AMENDMENT NO.

ZA-20-0003 TO AMEND TITLE 17 OF THE UPLAND MUNICIPAL CODE FOR THE ESTABLISHMENT OF NEW REGULATIONS FOR WIRELESS TELECOMMUNICATIONS FACILITIES

Hold second reading by number and title only, waive further reading, and adopt Ordinance No. 1944 amending Title 17 and Title 5 of the Upland Municipal Code in order to establish new regulations for Wireless Telecommunication Facilities. (Staff Person: Robert Dalquest)

- C. 2ND READING OF ORDINANCE 1945 CHAPTER 17.23.1 TO THE UPLAND MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR SHORT-TERM RENTALS IN THE RESIDENTIAL SINGLE-FAMILY (RS), RESIDENTIAL MULTI-FAMILY ZONES (RM) AND RESIDENTIAL SPECIFIC PLANS

Hold second reading by number and title only, waive further reading, and adopt Ordinance No. 1945 adding Chapter 17.23.1 (Short-Term Rentals) to the Upland Municipal Code to establish regulations for Short-Term Rentals in Residential Single-Family (RS) zones, Residential Multi-Family (RM) zones and residential specific plans which contain single-family detached and/or single-family attached (Townhomes) dwelling units. (Staff Person: Robert Dalquest)

- D. APPROVAL OF AUGUST WARRANT AND PAYROLL REGISTERS

Approve the August Warrant Registers (check numbers 31366-31663 and Direct Disbursements totaling \$8,979,865.49 and Payroll Registers totaling \$1,297,756.63 (check Numbers 161583-161605 and EFT's 22854-23328). (Staff Person: Londa Bock-Helms)

- E. TREASURY REPORTS JUNE AND JULY, 2020

Receive and file the June and July 2020 Treasury Reports. (Staff Person: Londa Bock-Helms)

- F. BIENNIAL REVIEW OF CITY'S CONFLICT OF INTEREST CODE

Accept notice that the Conflict of Interest Code for the City requires amendments. (Staff Person: Keri Johnson)

- G. CONSIDERATION OF A RESOLUTION IN SUPPORT OF PROPOSITION 20

Adopt a Resolution supporting a qualified statewide measure entitled "Proposition 20: Restricts parole for non-violent offenders. Authorizes felony sentences for certain offenses currently treated as misdemeanors," also known as the Reducing Crime and Keeping California Safe Act of 2020. (Staff Person: Darren Goodman)

- H. HOMELESS SERVICES REALLOCATION OF FUNDS

Approve a budget adjustment to purchase a vehicle for the Homeless Coordinator with unspent funds budgeted for the homeless coordinator position for FY 19/20 and FY 20/21 in the Housing Fund. (Staff Person: Darren Goodman)

- I. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF UPLAND AND THE UPLAND UNIFIED SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER

Authorize the Police Chief to execute a Memorandum of Understanding with the Upland Unified School District to provide one (1) Upland Police Department School Resource Officer to the School District. (Staff Person: Darren Goodman)

J. ACCEPTANCE OF UNDERGROUNDING IN LIEU FEE REQUEST FOR CLAREMONT COLLEGES

Adopt a Resolution approving an in-lieu fee in satisfaction of Condition No. 26 of TPM 18989, CUP 14-19 and SP 08-10 concerning the undergrounding of overhead utility lines for the Claremont Colleges East Campus Project located on the south west corner of Monte Vista Avenue and Foothill Blvd.. (Staff Person: Steven Nix)

K. ACCEPTANCE OF UNDERGROUNDING IN LIEU FEE REQUEST FOR MESA COURT APARTMENTS

Adopt a Resolution approving an in-lieu fee in satisfaction of Condition No. 30.22 of TPM 19435, Site Plan No. 19-02, Conditional Use Permit No. 19-05, and Design Review 19-02 concerning the undergrounding of overhead utility lines for the Mesa Court Apartments Project located on 790 East Mesa Court, east of Campus Ave. and south of Foothill Blvd. (Staff Person: Steven Nix)

L. ACCEPTANCE OF WORK FOR PROJECT NO. 9128, PUMP STATION DEMOLITION

Accept the work; record the Notice of Completion; and, reduce the Faithful Performance Bond to 10% for Warrantee purposes for the Pump Station Demolition Project. (Staff Person: Steven Nix)

M. SAN ANTONIO REGIONAL HOSPITAL AGREEMENT: AMENDMENT TO PURCHASE AND SALE AGREEMENT (MEMORIAL PARK, 1299 SAN BERNARDINO ROAD, A PORTION OF ASSESSORS PARCEL NUMBER 1046-183-01)

Consider approval of a Second Amendment to the Purchase and Sale Agreement (PSA) with San Antonio Regional Hospital (SARH) regarding a 4.63-acre portion of Memorial Park, 1299 San Bernardino Road (portion of APN 1046-183-01). (Staff Person: Rosemary Hoerning)

12. PUBLIC HEARINGS

13. COUNCIL COMMITTEE REPORTS

14. BUSINESS ITEMS

A. CONSIDER THE APPOINTMENT OF SOMEONE TO FILL THE CITY TREASURER VACANCY CREATED BY THE RESIGNATION OF LARRY KINLEY

Consider the appointment of someone to fill the vacancy left by the resignation of the City Treasurer until it is filled by the voters at the General Municipal Election on November 3, 2020. (Staff Person: Keri Johnson)

B. CONSIDERATION OF A PARK DEVELOPMENT IMPACT FEE CREDIT AGREEMENT WITH ADC SAGE TH, LLC. FOR THE DESIGN AND CONSTRUCTION OF A PUBLIC PARK FOR THE SAGE PARK PROJECT LOCATED ON THE EAST SIDE OF BODENHAMMER STREET, SOUTH OF 9TH STREET

Adopt a Resolution to approving a park development impact fee credit agreement with ADC Sage TH, LLC.; and approving the cost estimate of \$381,645.69 and specifications for the Sage Park Project by ADC Sage TH, LLC; 2) approve the Sage Park Project Development Impact Fee Credit Agreement with ADC Sage TH, LLC, for the Sage Park Site and authorize the City Manager to execute the agreement; and, 3) require payment of \$95,818.31 pursuant to the Park Development Impact Fee Credit Agreement from ADC Sage TH, LLC, to be deposited in the City's Park

Development Impact Fee Fund. (Staff Person: Robert Dalquest)

- C. CONSIDERATION TO PROVIDE DIRECTION TO PROCEED WITH THE DESIGN AND DEVELOPMENT OF A NEW URBAN PUBLIC SPACE IN THE DOWNTOWN ON 0.69 ACRE LOCATED BETWEEN SECOND AVENUE AND THIRD AVENUE, ADJACENT TO THE PACIFIC ELECTRIC TRAIL

Direct staff to proceed with the design and development of a new urban public space in downtown on 0.69 acre, and appropriate and amend the Capital Improvement Program in the amount of \$300,000 from Park Development fund for design and construction of the project. (Staff Person: Robert Dalquest)

15. ORAL COMMUNICATIONS

This is a time for any citizen to comment on any item not listed on the agenda. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit. Public comments and questions for the purpose of hearing current matters of concern in our community and to provide citizens a method for the public to hear those concerns in an open venue is encouraged. However, under the provisions of the Brown Act, the City Council is prohibited from discussion of items not listed on the agenda, and therefore, the City Council, City Manager, or City Attorney will take communications under advisement for consideration and appropriate response or discussion at a later time.

16. CITY MANAGER

17. ADJOURNMENT

The next regularly scheduled City Council meeting is Monday, September 28, 2020.

NOTE: If you challenge the public hearing(s) or the related environmental determinations in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at, or prior to, the public hearing.

All Agenda items and back-up materials are available for public review at the Upland Public Library, downstairs reference desk at 450 North Euclid Avenue, the City Clerk's Office at 460 North Euclid Avenue and the City website at www.uplandca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

POSTING STATEMENT: On September 9, 2020 a true and correct copy of this agenda was posted on the bulletin boards at 450 N. Euclid Avenue (Upland Public Library) and 460 N. Euclid Avenue (Upland City Hall) and the City website at www.uplandca.gov.