



UPLAND CITY COUNCIL
6:30 PM Tree Lighting Ceremony in the Civic Center
Courtyard
AGENDA
November 26, 2018
City Council Chamber

DEBBIE STONE, MAYOR
CAROL TIMM, MAYOR PRO TEM
GINO L. FILIPPI, COUNCILMEMBER
JANICE ELLIOTT, COUNCILMEMBER
SID ROBINSON, COUNCILMEMBER

JEANNETTE VAGNOZZI, ACTING CITY MANAGER
JAMES L. MARKMAN, 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.

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. GOVERNMENT CODE SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: APN 0201-201-36

Agency Negotiator: Acting City Manager Vagnozzi and Development Services Consultant Dukett

Negotiating Parties: City of Upland and Ford of Upland

Under Negotiation: Price and terms

- B. GOVERNMENT CODE SECTION 54956.9 (d) (1) EXISTING LITIGATION (WORKER'S COMP CLAIM)

Claimant: Thomas Melendrez

Agency: City of Upland

- C. GOVERNMENT CODE SECTION 54956.9 (d) (1) EXISTING LITIGATION (WORKER'S COMP CLAIM)

Claimant: Kenneth Bonson

Agencies: City of Upland

- D. GOVERNMENT CODE SECTION 54956.9 (d) (1) EXISTING LITIGATION (WORKER'S COMP CLAIM)

Claimant: Lawrence Latimer

Agencies: City of Upland

- E. GOVERNMENT CODE SECTION 54956.9 (d) (1) EXISTING LITIGATION (WORKER'S COMP CLAIM)

Claimant: William Diamond

Agencies: City of Upland

7:00 PM

5. INVOCATION

Alfredo Silvestre, Church of Jesus Christ of Latter-day Saints, President of the Upland 4th Branch

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Presentation of Certified Municipal Clerk designation to Deputy City Clerk Keri Johnson by CCAC President Stephanie Smith, MMC

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 WARRANT AND PAYROLL REGISTERS OCTOBER 2018

Approve the October Warrant Registers and Direct Disbursements (check numbers 22485-22936) totaling \$4,914,649.61 and Payroll Registers totaling \$1,183,058.40 (check numbers 160271-160298 and EFTs 11103-11580). (Staff Person: Londa Bock-Helms)

B. APPROVAL OF MINUTES

Approve the Regular Meeting Minutes of November 12, 2018. (Staff Person: Jeannette Vagnozzi)

C. FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES WITH INTERWEST CONSULTING GROUP, INC.

Approve the First Amendment to Agreement for Consulting Services with Interwest Consulting Group, Inc. ("Interwest") and authorize the Acting City Manager to sign. Also, it is recommended that City Council authorize a budget adjustment to reduce building and safety and housing salaries and benefits by \$98,110 and \$55,949 respectively (salary savings for unfilled positions) and increase professional services in both departments by the same amount for the contracted positions. (Staff Person: Steven H. Dukett)

D. RESIGNATION OF PERSONNEL BOARD OF REVIEW MEMBER

Accept the resignation of Marni Bobich, who serves on the Personnel Board of Review. (Staff Person: Jeannette Vagnozzi)

E. APPROVAL OF FINAL TRACT MAP 18274 BY LENNAR HOMES (LOCATED SOUTH OF FOOTHILL BOULEVARD AND EAST OF SAN ANTONIO CHANNEL)

Authorize the Acting City Manager to accept and execute Subdivision Improvement Agreement and the accompanying bonds being posted by Lennar Homes. Furthermore, it is also recommended to authorize the Acting City Manager to record Final Map 18274. (Staff Person: Rosemary Hoerning)

F. ACCEPTANCE OF SEWER EASEMENT FOR TRACT 20034

Authorize the Acting City Manager to execute the sewer easement dedication and allow for its recordation. (Staff Person: Rosemary Hoerning)

G. EMERGENCY PURCHASE AND INSTALLATION OF EQUIPMENT AND PROFESSIONAL SERVICES FOR WATER SYSTEM IMPROVEMENTS

Receive and file the status update. (Staff Person: Rosemary Hoerning)

12. PUBLIC HEARINGS

13. COUNCIL COMMITTEE REPORTS

14. BUSINESS ITEMS

- A. 2018 MILLS ACT CONTRACTS FOR ELEVEN HISTORIC PROPERTIES
Approve the Mills Act contracts for eleven historic properties and authorize the Acting City Manager to execute the documents, subject to review and approval of the Mills Act contracts by the City Attorney. (Staff Person: Joshua Winter)
- B. APPROVAL OF A CITY MANAGER EMPLOYMENT AGREEMENT WITH JEANNETTE VAGNOZZI
Approve a City Manager Employment Agreement with Jeannette Vagnozzi. (Staff person: James L. Markman)
- C. RESOLUTION FOR THE AMENDMENT TO THE PARKING AND BUSINESS IMPROVEMENT AREA ORDINANCES
Adopt the Resolution declaring its intention to amend the Parking and Business Improvement Area Ordinances to reduce the tax levy to zero, set January 14, 2019 at 7:00 PM as the public hearing date to consider such amendment and approve certain related actions. (Staff Person: Steven H. Dukett)
- D. APPROVAL OF A PROPOSED PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS WITH THE POMONA VALLEY HABITAT FOR HUMANITY, INC. WITH RESPECT TO REAL PROPERTY LOCATED AT THE SOUTHWEST CORNER OF WASHINGTON STREET AND 6TH AVENUE (A PORTION OF APN 1046-433-23)
Approve a proposed Purchase and Sale Agreement and Escrow Instructions with the Pomona Valley Habitat for Humanity, Inc. with respect to an 8,090 square foot vacant parcel of real property located at the southwest corner of Washington Street and 6th Avenue (a portion of APN 1046-433-23) and authorize the Acting City Manager to execute said Agreement and make ministerial changes if required. (Staff Person: Liz Chavez)

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, December 10, 2018.

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.ci.upland.ca.us, subject to staff's ability to post the documents before the meeting.

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 November 21, 2018 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).