



## **UPLAND CITY COUNCIL**

### **AGENDA**

**December 10, 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.

- 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 None**

\*\*\*\*\*

**7:00 PM**

**5. INVOCATION**

Pastor Randy Gardner, Purpose Church

**6. PLEDGE OF ALLEGIANCE**

**7. PRESENTATIONS**

Recognition of the Upland High School Football Team CIF Division 2 Southern Section Championship

CERTIFICATION OF GENERAL MUNICIPAL ELECTION RESULTS - NOVEMBER 6, 2018

Adopt a Resolution reciting the fact of the General Municipal Election held on November 6, 2018, declaring the results and such other matters as provided by law. (Staff Person: Jeannette Vagnozzi)

RECOGNITION OF CITY COUNCIL MEMBERS GINO FILIPPI, CAROL TIMM, AND SID ROBINSON

Proclamations honoring Councilmembers Gino Filippi, Carol Timm, and Sid Robinson for their years of dedicated and loyal service to the City of Upland.

ADMINISTRATION OF OATH OF OFFICE

Janice Elliott, Member of the City Council, District 2

Ricky Felix, Member of the City Council, District 3

Rudy Zuniga, Member of the City Council, District 4

REMARKS FROM NEWLY ELECTED OFFICIALS

ROLL CALL

**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 NOVEMBER 2018**

Approve the November Warrant Registers and Direct Disbursements (check numbers 22937-23277) totaling \$4,771,947.48 and Payroll Registers totaling \$1,194,501.29 (check Numbers 160299-160324 and EFTs 11581-12066). (Staff Person: Londa Bock-Helms)

**B. APPROVAL OF MINUTES**

Approve the Regular Meeting Minutes of November 26, 2018. (Staff Person: Jeannette Vagnozzi)

- C. SCHEDULED VACANCIES FOR COMMISSIONS, COMMITTEES, AND BOARDS FOR CALENDAR YEAR 2019  
Accept and file the Local Appointments List for all City commissions, committees, and boards for calendar year 2019, and direct the City Clerk to post the list. (Staff Person: Jeannette Vagnozzi)
- D. TREASURER'S REPORT OCTOBER 2018  
Receive and file the October 2018 Treasurer's Report. (Staff Person: Londa Bock-Helms)
- E. ACCEPTANCE OF WORK FOR PROJECT NO. 7066, CITYWIDE CONCRETE REPAIRS 2017-2018  
Accept the work; record the Notice of Completion; and, reduce the Faithful Performance Bond to 10% for Project No. 7066, Citywide Concrete Repairs 2017-2018. (Staff Person: Rosemary Hoerning)
- F. RESIGNATION OF TRAFFIC SAFETY ADVISORY COMMITTEE MEMBER  
Accept the resignation from Traffic Safety Advisory Committee Member Jim Stewart. (Staff Person: Jeannette Vagnozzi)
- G. EMERGENCY PURCHASE AND INSTALLATION OF EQUIPMENT AND PROFESSIONAL SERVICES FOR WATER SYSTEM IMPROVEMENTS  
Receive and file the status update. (Staff Person: Rosemary Hoerning)
- H. DISPOSAL OF SURPLUS EQUIPMENT  
Declare the items included on the attached list as surplus, and authorize the Acting City Manager to initiate disposal of the surplus equipment. (Staff Person: Jeannette Vagnozzi)

## **12. PUBLIC HEARINGS**

- A. APPROVAL OF THE UPDATE TO THE CITY OF UPLAND'S ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FY 2019-23  
Adopt a Resolution approving the update to the City of Upland's Analysis of Impediments to Fair Housing Choice FY 2019-23 (the "AI") as required by the Federal Department of Housing and Urban Development; and, authorize the City Manager or her designee to execute all related documents to effectuate the acceptance of the AI. (Staff Person: Steven H. Dukett)

## **13. COUNCIL COMMITTEE REPORTS**

## **14. BUSINESS ITEMS**

- A. ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN BRAVEPARK PROPERTY, LLC, TAYLOR MORRISON OF CALIFORNIA, LLC, AND THE CITY OF UPLAND, PERTAINING TO PORTIONS OF PLANNING AREA 3 OF THE SYCAMORE HILLS SPECIFIC PLAN, LOCATED NORTH OF BASELINE ROAD, SOUTH OF THE 1-210 FREEWAY AND WEST OF THE MOUNTAIN SHADOWS HOUSING DEVELOPMENT.  
Approve the Assignment and Assumption Agreement by and between Bravepark Property, LLC, a Delaware limited liability company, Taylor Morrison of California, LLC, a California limited liability company, and the City of Upland, pertaining to Planning Area 3 of the Sycamore Hills Specific Plan. (Staff Person: Steven H. Dukett)
- B. ACTION TO FILL CITY COUNCIL VACANCY  
Consider the following options to fill the City Council Vacancy. (Staff Person: Jeannette Vagnozzi)

- 1) Direct staff to initiate a process for appointment of a resident and registered voter of the City of Upland; or
- 2) Direct staff to bring back the required resolutions to call for an all-mail ballot special election; or
- 3) Direct staff to bring back required resolutions to call for a special election.

- C. RESOLUTION REPEALING AND RESCINDING RESOLUTION NO. 6446  
Adopt a Resolution repealing and rescinding Resolution No. 6446, Censure of Council Member Janice Elliott. (Staff Person: Jeannette Vagnozzi)

## **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 regular City Council meeting scheduled for December 24, 2018 will be cancelled. The next regularly scheduled City Council meeting is Monday, January 14, 2019.

**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](http://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 December 6, 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).