



UPLAND CITY COUNCIL
6:30 PM Tree Lighting Ceremony in the Civic Center
Courtyard
AGENDA
December 9, 2019
City Council Chamber

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

ROSEMARY HOERNING, INTERIM 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.

- 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**

5. INVOCATION

Alfredo Silvestre, Church of Jesus Christ of Latter-day Saints, Upland 4th Ward

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Introduction of San Bernardino County Fire Chief Dan Munsey by Assistant Chief Jeff Birchfield

Presentation by Assistant Fire Chief Birchfield on the Restoration of the Historic Fire Engine

Demonstration of Auto Pulse CPR Device by Jeff Serrano of San Bernardino County Fire Department

8. CITY ATTORNEY

9. ORAL COMMUNICATIONS

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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 November 25, 2019 and the Regular Meeting Minutes of November 25, 2019. (Staff Person: Keri Johnson)

B. APPROVAL OF WARRANT AND PAYROLL REGISTERS NOVEMBER, 2019

Approve the November Warrant Registers and Direct Disbursements (check numbers 27737-28105) totaling \$5,125,035.07 and Payroll Registers totaling \$1,338,394.82 (check Numbers 161053-161077 and EFTs 17946-18449). (Staff Person: Londa Bock-Helms)

C. TREASURY REPORT OCTOBER 2019

Receive and file the October 2019 Treasury Report. (Staff Person: Londa Bock-Helms)

D. SCHEDULED VACANCIES FOR COMMISSIONS, COMMITTEES, AND BOARDS FOR CALENDAR YEAR 2020

Accept and file the Local Appointments List for all City commissions, committees, and boards for calendar year 2020, and direct the City Clerk to post the list. (Staff Person: Keri Johnson)

- E. APPOINTMENT OF MAYOR PRO TEM
Ratify the appointment of Councilmember Ricky Felix as Mayor Pro Tem, term to expire in December 2020. (Staff Person: Keri Johnson)
- F. RESIGNATION OF CITY COUNCIL ADVISORY COMMITTEE MEMBER
Accept the resignation from City Council Advisory Committee Member Steve Bierbaum and instruct the City Clerk to post the vacancy pursuant to Government Code Section 54974. (Staff Person: Keri Johnson)
- G. 800 MHz RADIO SYSTEM ACCESS AND MAINTENANCE CONTRACT
Approve a contract with the County of San Bernardino to provide access and maintenance for the City of Upland 800 MHz radios effective July 1, 2019 to June 30, 2023; and authorize the Interim City Manager to execute the agreement. (Staff Person: Darren Goodman)
- H. CONSIDERATION OF A RESOLUTION TO PERMANENTLY CANCEL THE LAST REGULAR MEETINGS IN AUGUST AND DECEMBER OF THE CITY COUNCIL
Adopt a Resolution to rescind Resolution No. 6378 and permanently cancel the last regular meetings in August and December of the City Council. (Staff Person: Keri Johnson)
- I. 2019 MILLS ACT CONTRACTS FOR SEVEN HISTORIC PROPERTIES
Approve the Mills Act contracts for seven historic properties and authorize the Interim City Manager to execute the documents, subject to review and approval of the Mills Act contracts by the City Attorney. (Staff Person: Robert Dalquest)
- J. WATER RATE ADJUSTMENT - STATUS UPDATE
Defer the water rate increase scheduled for January 1, 2020 until the water rate check-in study is completed. (Staff Person: Rosemary Hoerning)
- K. APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) EMERGENCY REPAIRS PROGRAM GUIDELINES/POLICIES MODIFICATIONS
Approve the current modifications to the Emergency Repairs Program guidelines/policies. (Staff Person: Robert Dalquest)
- L. ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN BRAVEPARK PROPERTY, LLC, KB HOME, INC., 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, KB Home Coastal, Inc, a California corporation, and the City of Upland, pertaining to Planning Area 3 of the Sycamore Hills Specific Plan. (Staff Person: Rosemary Hoerning)
- M. ACCEPTANCE OF STREET RIGHT OF WAY DEDICATION AND ONSITE UTILITY AND ACCESS EASEMENTS FROM THE RANCHO MONTEVISTA ANNEX, LLC LOCATED AT 365 NORTH CENTRAL AVENUE
Accept the Offer of Dedication in Fee and dedication of onsite utility and access easements from RMV Annex, LLC and authorize the recordation of the documents. (Staff Person: Rosemary Hoerning)
- N. ACCEPTANCE OF PUBLIC IMPROVEMENTS AT BENSON AVENUE AND 13TH STREET AND SECURITY REDUCTION (1301 BENSON AVENUE)
Accept the sewer and street intersection restoration work and authorize the

Interim City Manager to release the cash security posted for the project and further to authorize the Interim City Manager to accept a substitute guaranty bond of twenty five percent (25%) and Labor and Materials bond of fifty percent (50%) (Staff Person: Rosemary Hoerning)

- O. APPROVAL OF FINAL TRACT MAP 20151 FOR A CONDOMINIUM DEVELOPMENT LOCATED ON THE NORTHSIDE OF FOOTHILL BOULEVARD APPROXIMATELY 365 FEET EAST OF BENSON AVENUE AND ACCEPTANCE OF SUBDIVISION AGREEMENTS WITH GFR HOMES
Approve the Final Tract Map 20151 for 20151, LLC (a.k.a. GFR Homes), and authorize the Interim City Manager to execute the Subdivision Improvement Agreements, both public and private improvements, and an Encroachment License Agreement with GFR Homes. It is further recommended that the City Council accept the faithful performance and labor and materials security bonds for both public and private improvements and authorize recordation of the Final Tract Map 20151 and Encroachment License Agreement. (Staff Person: Rosemary Hoerning)
- P. AMEND THE COMPENSATION PLAN FOR PART-TIME EMPLOYEES
Adopt a Resolution amending the Compensation Plan for Part-Time Employees to comply with California Minimum Wage Law. (Staff Person: Londa Bock-Helms)
- Q. CONSIDERATION OF AN ENCROACHMENT LICENSE AGREEMENT FOR THE INSTALLATION OF AN ELECTRONIC CHANGEABLE-COPY SIGN FOR UPLAND HIGH SCHOOL LOCATED WITHIN THE CITY RIGHT-OF-WAY AT THE SOUTHEAST CORNER OF FOOTHILL BOULEVARD AND SAN ANTONIO AVENUE
Approve the Encroachment License Agreement to allow Upland Unified School District to install and maintain an electronic changeable-copy sign, that is seventeen feet in height with a sign area of 80 square feet, for Upland High School located within City right-of-way at the southeast corner of Foothill Boulevard and San Antonio Avenue. (Staff Person: Robert Dalquest)

12. PUBLIC HEARINGS

13. COUNCIL COMMITTEE REPORTS

- A. SPECIAL PUBLIC WORKS COMMITTEE MEETING, NOVEMBER 26, 2019
1) **Proposed Solid Waste Rate Adjustment**, the Committee recommends the City Council direct staff to proceed forward with the Proposition 218 public notification processes to consider solid waste rate adjustments.
- B. ECONOMIC DEVELOPMENT COMMITTEE MEETING, DECEMBER 2, 2019

14. BUSINESS ITEMS

- A. ADMINISTRATIVE SERVICES DEPARTMENT STAFFING LEVELS
Approve the addition of one position to the current staffing levels, allowing the Human Resources Division to hire a permanent full-time administrative assistant. (Staff Person: Londa Bock-Helms)
- B. POTENTIAL ORDINANCE PROHIBITING SMOKING AND VAPING ON PUBLIC PROPERTIES (CITY GROUNDS AND PARKS)
Provide direction to the Interim City Manager on whether to prepare modifications to the Upland Municipal Code to prohibit smoking and vaping on public property for future consideration. (Staff Person: Rosemary Hoerning)

C. AWARD OF BID FOR PROJECT NO. 7070 AND 7079, CITYWIDE CONCRETE MAINTENANCE PROJECT (BID NO. 2019-04)

Award Project No. 7070 & 7079, Citywide Concrete Maintenance Contract for an initial three (3) year contract beginning January 1, 2020 to D.M. Contracting Inc., in the amount of \$ 484,550.00, and approve a construction contingency of \$75,450.00, for a total amount of \$560,000.00. (Staff Person: Rosemary Hoerning)

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 23, 2019 will be cancelled. The next regularly scheduled City Council meeting is Monday, January 13, 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.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 4, 2019 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).