

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL
AUGUST 10, 2020**

OPENING

The regular meeting of the Upland City Council was called to order by Mayor Debbie Stone at 7:00 p.m. in the Council Chamber of the Upland City Hall.

1. ROLL CALL

Present: Mayor Debbie Stone, Council Members Janice Elliott, Bill Velto, and Rudy Zuniga

Staff: City Manager Rosemary Hoerning, Interim City Attorney Steven Flower, and City Clerk Keri Johnson

2. ADDITIONS/DELETIONS TO AGENDA None

3. ORAL COMMUNICATIONS None

4. CLOSED SESSION None

5. INVOCATION Rev. Dr. Benjamin Ellis, First United Methodist Church

6. PLEDGE OF ALLEGIANCE Councilmember Elliott

7. PRESENTATIONS None

8. CITY ATTORNEY

Interim City Attorney Flower announced there was nothing to report.

9. ORAL COMMUNICATIONS

Kati Parker, Upland, asked the Council to consider tabling the Regional Water Policy Memorandum of Understanding until they have had proper time to vet the item and stated that staff at IEUA is available for discussion.

Terry Kent, Crestwood Communities, offered to answer any questions the Council may have regarding the development of the property at Euclid Avenue, south of the 210 freeway.

10. COUNCIL COMMUNICATIONS

Councilmembers commented on recent events and activities throughout the community.

11. CONSENT CALENDAR

Councilmember Elliott removed Consent Calendar Item 11E for separate action. Motion by Councilmember Zuniga to approve the remainder of the Consent Calendar, seconded by Councilmember Velto, and carried unanimously.

A. APPROVAL OF MINUTES

Approved the Regular Meeting Minutes of July 27, 2020.

B. APPROVAL OF JULY WARRANT AND PAYROLL REGISTERS

Approved the July Warrant Registers (check numbers 30942-31365 and Direct Disbursements totaling \$13,856,305.05 and Payroll Registers totaling \$1,911,057.03 (check Numbers 161550-161582 and EFT's 22152-22853).

C. DESIGNATION OF VOTING DELEGATE FOR THE ANNUAL LEAGUE OF CALIFORNIA CITIES CONFERENCE

Appointed Mayor Pro Tem Rudy Zuniga as the voting delegate to represent the City of Upland at the League of California Cities General Assembly Meeting on October 9, 2020.

D. SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT LICENSE AGREEMENT EXTENSION FOR SEWER EASEMENT

Authorized the execution of the Third Amendment to License Agreement No. 91-623 with the San Bernardino County Flood Control District.

F. APPROVAL OF PARCEL MAP 20122 (LOCATED ON THE SOUTH EAST CORNER OF ARROW BLVD AND MOUNTAIN AVENUE)

Authorized the City Manager to approve the Parcel Map 20122 for recordation.

G. POLICE DEPARTMENT HVAC BOILER REPLACEMENT PROJECT

Awarded the Police Department HVAC Boiler replacement Project to Western Allied Corporation, in the amount of \$367,331 base bid plus a 5% contingency of \$18,366, for a total amount of \$385,700.

H. REJECT ALL BIDS AND RE-ADVERTISE PROJECT NO. 9128, REPLACEMENT OF 7.5 MG RESERVOIR AND WATER IMPROVEMENTS

Rejected all bids for Project No. 9128, Replacement of 7.5 MG Reservoir and Water Improvements.

I. MEASURE I CAPITAL IMPROVEMENT PLAN AND CAPITAL PROJECT NEEDS ANALYSIS

Adopted Resolution No. 6561 approving the Measure I Five-Year Capital Improvement Plan for Fiscal Years 2020/2021 through 2024/2025, and adopted Resolution No. 6562 approving the Measure I Five Year Capital Project Needs Analysis for Fiscal Years 2021/2022 through 2025/2026.

J. DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY IS SURPLUS LAND

Adopted Resolution No. 6563 declaring pursuant to Government Code Section 54221 that real property owned by the City attached hereto is surplus land and not necessary for the City's use, finding that such declaration is exempt from environmental review under the California Environmental Quality Act, and taking related actions.

K. MODIFICATION TO EXISTING AGREEMENT WITH LIBRARY SYSTEMS AND SERVICES, LLC

Approved the First Amendment to the professional agreement with Library Systems & Services, LLC for professional consulting services; and authorized the City Manager to execute the amendment.

L. PLANNED USE OF CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) FUNDS

Approved staff's approach for dutifully utilizing the Coronavirus Aid, Relief, and Economic Security (CARES Act) funding.

ITEMS REMOVED FOR SEPARATE ACTION

E. REGIONAL WATER POLICY MEMORANDUM OF UNDERSTANDING

Interim Public Works Director Steven Nix presented the staff report which is on file in the City Clerk's office. He then answered questions posed by the Council regarding any potential fiscal impact associated with approving the Memorandum of Understanding and collective issues the agencies are facing.

Motion by Councilmember Elliott to approve the Regional Water Policy and Management Memorandum of Understanding and authorize the City Manager to execute said Memorandum of Understanding, seconded by Councilmember Zuniga, and carried unanimously.

12. PUBLIC HEARINGS

A. CONSIDERATION OF A RESOLUTION ADOPTING "VEHICLE MILES TRAVELED" BASELINE AND THRESHOLDS OF SIGNIFICANCE AND GUIDELINES FOR THE PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Contract Planning Manager Poland presented the staff report along with a PowerPoint presentation, which is on file in the City Clerk's office.

Mayor Stone opened the public hearing and hearing no testimony, closed the public hearing.

There was discussion on the different thresholds options and the legal defense of them, what thresholds surrounding cities had adopted, and how these would affect future development.

Motion by Councilmember Zuniga to find that the adoption of the Vehicle Miles Traveled Baseline and Thresholds of Significance and Guidelines for the purposes of analyzing transportation impacts will not have a significant environmental impact and is exempt from CEQA pursuant to Section 15308 (Class 8) of the CEQA Guidelines because this action is undertaken by the City for the protection of the environment; and approve Resolution No. 6564 adopting "Vehicle Miles Traveled" thresholds of significance for purposes of analyzing transportation impacts under the California Environmental Quality

Act., seconded by Councilmember Velto, and carried with Councilmember Elliott opposed.

B. ZONING CODE AMENDMENT NO. ZA-20-0003 TO AMEND TITLE 17 OF THE UPLAND MUNICIPAL CODE FOR THE ESTABLISHMENT OF NEW REGULATIONS FOR WIRELESS TELECOMMUNICATION FACILITIES

Interim City Attorney Flower provided a brief overview of the legal aspects of the Ordinance along with a PowerPoint presentation, which is on file in the City Clerk's office.

There was discussion on monitoring of RF frequencies.

Associate Planner Winter presented the staff report, which is on file in the City Clerk's office.

There was discussion on the minimum length of leases and the process for removal of a facility if it is abandoned before the lease term ends.

Mayor Stone opened the public hearing and hearing no testimony, closed the public hearing.

Motion by Councilmember Elliott to hold first reading by title only, waive further reading and introduce Ordinance No. 1944 amending Title 17 and Title 5 of the Upland Municipal Code in order to establish new regulations for Wireless Telecommunication Facilities, seconded by Councilmember Velto, and carried unanimously.

C. CONSIDERATION OF AN ORDINANCE ADDING CHAPTER 17.23.1 TO THE UPLAND MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR SHORT-TERM RENTALS IN THE RESIDENTIAL SINGLE-FAMILY (RS) AND RESIDENTIAL MULTI-FAMILY ZONES (RM) AND RESIDENTIAL SPECIFIC PLANS

Development Services Director Dalquest presented the staff report along with a PowerPoint presentation, which is on file in the City Clerk's office.

There was discussion regarding the need to regulate rentals to prevent issues in residential neighborhoods.

Mayor Stone opened the public hearing.

Michelle Alvarez, Upland, stated her home is near a short term rental and she has experienced numerous issues with renters, including renters being on the roof, loud parties, and trash in her yard. She requested the Council approve the proposed ordinance.

There being no other speakers, Mayor Stone closed the public hearing.

At 9:03 p.m. Mayor Stone called a recess and the City Council reconvened in open session at 9:06 p.m.

Motion by Councilmember Zuniga to hold first reading by title only, waive further reading, and introduce 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, seconded by Councilmember Velto, and carried unanimously.

13. COUNCIL COMMITTEE REPORTS

A. FINANCE COMMITTEE MEETING, JULY 22, 2020

Councilmember Elliott provided a recap of the meeting, which is on file in the City Clerk's Office. This was for information only and no action was required.

14. BUSINESS ITEMS

A. APPROVE THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY AND CRESTWOOD COMMUNITIES INC. WITH RESPECT TO PROPERTY LOCATED AT EUCLID AVENUE, SOUTH OF THE 210 FREEWAY AT THE TERMINUS OF LAUREL AVENUE (APNS: 1044-061-42, 43, 44, 45)

Economic Development Coordinator Picazo presented the staff report, which is on file in the City Clerk's Office.

Motion by Councilmember Velto to adopt Resolution No. 6565 approving a Disposition and Development Agreement between the City of Upland and Crestwood Communities, Inc. for the sale of city-owned property located at Euclid Avenue, south of the 210 Freeway at the terminus of Laurel Avenue (APNS: 1044-061-42, 43, 44, 45), seconded by Councilmember Elliott, and carried unanimously.

15. ORAL COMMUNICATION (items not on the agenda) None

16. CITY MANAGER

City Manager Hoerning announced economic relief program grants available for small businesses and reminded residents to complete their Census questionnaire.

17. ADJOURNMENT

Mayor Stone adjourned the meeting at 9:15 p.m. The next regularly scheduled City Council meeting is Monday, September 14, 2020.

SUBMITTED BY



Keri Johnson, City Clerk

APPROVED

September 14, 2020