

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL AND THE SUCCESSOR AGENCY
TO THE UPLAND COMMUNITY REDEVELOPMENT AGENCY
JANUARY 14, 2019**

OPENING

The regular meeting of the Upland City Council and the Successor Agency to the Upland Community Redevelopment Agency was called to order by Mayor/Chairperson Debbie Stone at 6:00 p.m. in the Council Chamber of the Upland City Hall.

1. ROLL CALL

Present: Mayor/Chairperson Debbie Stone, Council/Agency Members Janice Elliott, Ricky Felix, and Rudy Zuniga

Staff: City Manager/Executive Director Jeannette Vagnozzi, City Attorney/Agency Counsel James L. Markman, and City Clerk/Agency Secretary Keri Johnson

2. ADDITIONS/DELETIONS TO AGENDA None

3. ORAL COMMUNICATIONS

Maurice Duran, Upland, spoke on behalf of the Upland Police Management Association regarding past negotiations and requested that the Council contact the bargaining units.

Nick Peelman, Upland, spoke on behalf of the Upland Police Officers Association requesting that the City continue negotiations with the bargaining group.

Rami, Asad, stated that employees have been working for 18 months without a contract and asked the City to continue negotiations with the bargaining groups.

Karen May, Upland, stated support for the city employees and urged the City to negotiate in good faith.

4. CLOSED SESSION

At 6:06 p.m. Mayor Stone announced the City Council would recess to Closed Session pursuant to Government Code Section

A. GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Legal Counsel Edward Zappia, City Manager Jeannette Vagnozzi

Employee organizations: Upland Mid-Management Association, Upland City Employees Association, Upland Police Officers Association, and Upland Police Management Association

The City Council reconvened in open session at 7:02 p.m.

5. INVOCATION Mike Ingram, Christian Science Faith

6. PLEDGE OF ALLEGIANCE Jim Thomas

7. PRESENTATIONS

Police Chief Goodman presented badges to Police Officers Gamboa, Jewell, Ortega, and Pierre

The winners of the City "Home for the Holidays" House Decorating Contest were announced.

Doreen Ivery, Children's Network Mentoring Resource Specialist, accepted a proclamation declaring January 2019 as National Mentoring Month.

8. CITY ATTORNEY

City Attorney Markman announced there was nothing to report from Closed Session.

9. ORAL COMMUNICATIONS

David Wade, suggested that the Council take their time choosing the applicant to fill the City Council vacancy.

10. COUNCIL COMMUNICATIONS

Councilmembers announced various events and activities throughout the community.

11. CONSENT CALENDAR

City Clerk Johnson stated that there was an error in the calculations on exhibit B for agenda item 11C and a corrected exhibit B had been provided to the Council and was also available for the public.

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

A. APPROVAL OF MINUTES

Approved the Regular Meeting Minutes of December 10, 2018 and the Special Meeting Minutes of January 7, 2019.

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

Received and filed the status update.

C. APPROVAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE 2019-20 AND ADMINISTRATIVE BUDGET

Successor Agency to the Upland Community Redevelopment Agency adopted Resolution No. 2019-1 approving the Recognized Obligation payment schedule 2019-20 for the period of July 2019 through June 2020, fiscal year 2019-20 administrative budget, and approving certain related actions.

- E. APPROVAL OF BOND REDUCTION FOR SYCAMORE COMMERCIAL DEVELOPMENT (LOCATED NORTH OF BASELINE ROAD AND EAST AND SOUTH OF THE 210 FREEWAY)

Approved the reduction of the Performance Bonds to twenty-five percent (25%) for the Sycamore Commercial Development, Bravepark Commercial Property, LLC.

- F. APPOINTMENT OF MAYOR PRO TEM

Adopted Resolution No. 6478 amending procedures for selecting a Mayor Pro Tem pursuant to provisions of California Government Code Section 36801 and rescinding Resolution No. 6376; and ratified the appointment of Councilmember Janice Elliott as Mayor Pro Tem, term to expire in December 2019.

ITEMS REMOVED FOR SEPARATE ACTION

- D. ACCEPTANCE OF WORK FOR PROJECT NO. 7061, LINDA WAY RECONSTRUCTION AND UTILITY IMPROVEMENTS

Council commended the staff on the improvements to Linda Way.

Motion by Councilmember Elliott to accept the work; record the Notice of Completion; and, reduce the Faithful Performance Bond to 10% for Project No. 7061, Linda Way Reconstruction, and Utility Improvements, seconded by Councilmember Felix, and carried unanimously.

12. PUBLIC HEARINGS

- A. ORDINANCE AMENDING SECTION 5.04.470 OF TITLE 5 OF THE UPLAND MUNICIPAL CODE PERTAINING TO THE RATE OF LEVY FOR THE PARKING AND BUSINESS IMPROVEMENT AREA

City Manager Vagnozzi announced that some members of the downtown business community had requested that staff meet with them so they could better understand the proposal. Staff suggested continuing the public hearing to January 28, 2019 to allow for time to meet with the downtown business owners.

Motion by Councilmember Elliott to continue the public hearing to January 28, 2019 at 7 p.m. in the Council Chamber, seconded by Councilmember Felix, and carried unanimously.

- B. UPLAND - SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT PROPERTY TAX EXCHANGE CORRECTION

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

There was discussion regarding the total operating budget for County Fire, the process for the property tax transfer, and the percentage of property tax transferred.

Mayor Stone opened the public hearing.

Steve Bierbaum, Upland, questioned what the City intended to do with the refunded portion of the taxes and suggested the money be used to fund employee contracts or be refunded to residents.

Brigitte James, stated that there is no need for an audit since there was nothing wrong with the financial accounting, and commended staff for catching the error.

Glenn Bozar, Upland, stated the history of the annexation process and expressed concern that the County would request additional funds in the future.

Steve Morris, Upland, thanked staff for finding the error and suggested the funds should go back into the general fund.

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

There was discussion on the formula used to calculate the percentage of tax sharing. Staff also clarified that the additional funds received from the County is not an increase to the budgeted revenue, but will cover the shortfall caused by the error in calculation.

Motion by Councilmember Zuniga to adopt Resolution No. 6479 approving the transfer of property tax revenue from the San Bernardino County Fire Protection District to the City of Upland to effectively revise the property tax transfer approved in LAFCO 3216, seconded by Councilmember Elliott, and carried unanimously.

13. COUNCIL COMMITTEE REPORTS None

14. BUSINESS ITEMS

A. PARTICIPATION IN SBCTA'S SB 743 COUNTYWIDE IMPLEMENTATION STUDY

Public Works Director Hoerning presented the staff report, which is on file in the City Clerk's Office.

There was discussion on the cost to participate in the study, cost savings by partnering with the County, and potential grants to offset the cost of phase 2 of the study.

Motion by Councilmember Elliott to authorize participation in the San Bernardino County Transportation Authority's (SBCTA'S) SB743 Countywide implementation study, seconded by Councilmember Felix, and carried unanimously.

15. ORAL COMMUNICATION (items not on the agenda)

Rami Asad, Upland City Employee Association former president, stated the characteristics of a good leader and requested the Council send the city back to the negotiation table.

April Flores, Upland City Employee Association president, spoke about leadership and stated the city employees have gone eleven years without a cost of living raise.

Maurice Duran, Upland Police Management Association president stated the City is at impasse with almost all bargaining units and spoke regarding past negotiations.

Nick Peelman, Upland Police Officers Association president, stated they have been in contract negotiations for over 18 months and the City will lose officers to other cities if not fairly compensated.

Mark Walters, Upland, questioned whether the City was considering the use of a third party vendor for police booking services and stated potential benefits of utilizing an outside vendor for this service.

David Wade, Upland, suggested the Council make an informed decision when appointing someone to the Council and stated support for Glenn Bozar to fill the vacancy.

Robert E Scudder, Upland, stated that he noticed large public transportation busses are underutilized and suggested the use of smaller vehicles.

Mike Pattison, announced upcoming community activities.

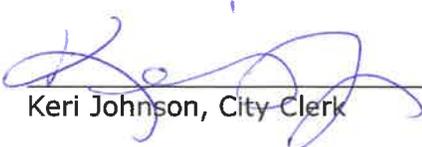
Steve Morris, Upland, stated that unfunded raises will bankrupt city and felt that an audit was not necessary.

16. CITY MANAGER None

17. ADJOURNMENT

Mayor/Chairperson Stone adjourned the meeting at 8:34 p.m. The next regularly scheduled City Council meeting is Monday, January 28, 2019.

SUBMITTED BY



Keri Johnson, City Clerk

APPROVED

January 28, 2019