

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL
DECEMBER 10, 2018**

OPENING

The regular meeting of the Upland City Council was called to order by Mayor Debbie Stone at 7:01 p.m. in the Council Chamber of the Upland City Hall.

1. ROLL CALL

Present: Mayor Debbie Stone, Council Members Carol Timm, Gino Filippi, Janice Elliott, and Sid Robinson

Staff: Acting City Manager Jeannette Vagnozzi, City Attorney James L. Markman, and Deputy City Clerk Keri Johnson

2. ADDITIONS/DELETIONS TO AGENDA None

3. ORAL COMMUNICATIONS None

4. CLOSED SESSION None

5. INVOCATION Pastor Randy Gardner, Purpose Church

6. PLEDGE OF ALLEGIANCE Councilmember Timm

7. PRESENTATIONS

Certificates of Recognition were presented to the Upland High School Football Team CIF Division 2 Southern Section Champions.

CERTIFICATION OF GENERAL MUNICIPAL ELECTION RESULTS - NOVEMBER 6, 2018

Acting City Manager Vagnozzi presented the staff report, which is on file in the City Clerk's office.

Motion by Mayor Stone to adopt Resolution No. 6475 reciting the fact of the General Municipal Election held on November 6, 2018, declaring the results and such other matters as provided by law, seconded by Councilmember Robinson, and carried unanimously.

Members of the public spoke, thanking the Councilmembers for their years of service to the community and welcoming the new Councilmembers. The following spoke:

Dave Stevens, Upland
Eric Gavin, Upland
Felipe Calvez
Micah Giles
Ed Farraj
Larry Timm, Upland

Christy Mac
Jim Thomas
Pat Almazan, Upland
Yvette Walker
Eric Halsey

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

Comments were made by Councilmembers Gino Filippi, Carol Timm, and Sid Robinson.

Presentations were made by Mayor Stone, Supervisor Hagman, Supervisor Rutherford, and representatives for Assemblymember Holden, Congressman Aguilar, and Senator Portantino, honoring Councilmembers Gino Filippi, Carol Timm, and Sid Robinson for their years of dedicated and loyal service to the City of Upland.

At 8:06 p.m. Mayor Stone called a recess and the City Council reconvened in open session at 8:16 p.m.

ADMINISTRATION OF OATH OF OFFICE

Deputy City Clerk Johnson administered the Oath of Office to newly elected Councilmembers Janice Elliott and Rudy Zuniga. Jim Thomas administered a ceremonial Oath of Office to newly elected Councilmember Ricky Felix.

Comments were made by newly elected Councilmembers Janice Elliott, Ricky Felix, and Rudy Zuniga.

At 8:23 p.m. Mayor Stone called a recess and the City Council reconvened in open session at 8:35 p.m.

ROLL CALL

Present: Mayor Debbie Stone, Councilmembers Janice Elliott, Ricky Felix, and Rudy Zuniga.

8. CITY ATTORNEY None

9. ORAL COMMUNICATIONS

Hal Tanner, encouraged the Council to work together and put aside any differences.

Natasha Walton, Upland, requested that the residential developer at Sycamore Hills use native landscape in their development.

Steve Morris, Upland, spoke regarding the process to fill the Council vacancy.

Shannan Maust, Upland, requested the Council fill the Council vacancy by appointment.

Dan Morgan, Upland, requested the Council fill the Council vacancy by appointment.

Julie Bridge, Upland, requested the Council postpone the decision to repeal Resolution No. 6446 to ensure that they made an informed decision.

Bill Schuessler, spoke in favor of repealing Resolution No. 6446.

Bob Cable, Upland, spoke in favor of repealing the censure of Councilmember Elliott, and spoke regarding development fees for the Sycamore Hills development.

David Wade, Upland, requested the Council annul and repeal Resolution No. 6446 and further requested that the Council fill the Council vacancy by appointment.

10. COUNCIL COMMUNICATIONS

Councilmembers announced various activities throughout the community, including events they attended.

11. CONSENT CALENDAR

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

A. APPROVAL OF WARRANT AND PAYROLL REGISTERS NOVEMBER 2018

Approved 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).

C. SCHEDULED VACANCIES FOR COMMISSIONS, COMMITTEES, AND BOARDS FOR CALENDAR YEAR 2019

Accepted and filed the Local Appointments List for all City commissions, committees, and boards for calendar year 2019, and directed the City Clerk to post the list.

D. TREASURER'S REPORT OCTOBER 2018

Received and filed the October 2018 Treasurer's Report.

E. ACCEPTANCE OF WORK FOR PROJECT NO. 7066, CITYWIDE CONCRETE REPAIRS 2017-2018

Accepted the work; recorded the Notice of Completion; and, reduced the Faithful Performance Bond to 10% for Project No. 7066, Citywide Concrete Repairs 2017-2018.

F. RESIGNATION OF TRAFFIC SAFETY ADVISORY COMMITTEE MEMBER

Accepted the resignation from Traffic Safety Advisory Committee Member Jim Stewart.

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

Received and filed the status update.

H. DISPOSAL OF SURPLUS EQUIPMENT

Declared the items included on the attached list as surplus, and authorized the Acting City Manager to initiate disposal of the surplus equipment.

ITEMS REMOVED FOR SEPARATE ACTION

B. APPROVAL OF MINUTES

Councilmember Elliott requested a correction to the minutes to reflect the absence of Councilmember Timm.

Motion by Councilmember Elliott to approve the Regular Meeting Minutes of November 26, 2018, as corrected, seconded by Councilmember Felix, and carried unanimously.

12. PUBLIC HEARINGS

A. APPROVAL OF THE UPDATE TO THE CITY OF UPLAND'S ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FY 2019-23

Development Services Manager Chavez introduced Clint Whited of LDM and Associates, Inc. who presented the staff report, which is on file in the City Clerk's Office.

There was discussion on available land for affordable housing, the process for implementing the recommendations from the report, and potential transportation issues north of the 210 freeway.

Mayor Stone opened the public hearing.

Karen May, Upland, spoke regarding the connection between lack of affordable housing and homeless issues, and requested that there be more workshops or town hall meetings to discuss affordable housing needs.

Christina Schulz, Upland, spoke regarding vacant land near her property and questioned whether it would be considered for high density low income housing.

David Wade, Upland, questioned why the report did not include identifying potential properties for affordable housing and requested that the City provide town hall meetings to further discuss the subject.

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

Development Services Consultant Dukett clarified for Council that the decision before them was approval of the Analysis of Impediments and not a land use decision.

Motion by Councilmember Felix to adopt Resolution No. 6476 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, seconded by Councilmember Elliott, and carried unanimously.

13. COUNCIL COMMITTEE REPORTS None

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

Contract Planning Manager Guarracino presented the staff report, which is on file in the City Clerk's Office.

There was discussion on the avigation easement for Cable Airport and the future approval process for the development.

Motion by Councilmember Elliott to 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, seconded by Councilmember Zuniga, and carried unanimously.

- B. ACTION TO FILL CITY COUNCIL VACANCY

City Attorney Markman presented the staff report, which is on file in the City Clerk's Office.

There was discussion on the potential dates for a special election or a special all mail ballot election, the costs associated with an election, and the appointment process.

Motion by Mayor Stone to hold an all-mail ballot special election on May 7, 2019, seconded by Councilmember Felix. The motion failed with Councilmembers Elliott, Felix, and Zuniga opposed.

There was discussion on the application process for appointment.

Motion by Councilmember Felix to direct staff to initiate a process for appointment of a resident and registered voter of the City of Upland, seconded by Councilmember Elliott, and carried with Mayor Stone opposed.

- C. RESOLUTION REPEALING AND RESCINDING RESOLUTION NO. 6446

City Attorney presented the staff report, which is on file in the City Clerk's Office.

There was discussion on the history leading up to the adoption of Resolution No. 6446.

Motion by Councilmember Zuniga to adopt a resolution repealing Resolution No. 6446 with the addition of the word "annul" in the title and Section 1 of the resolution, seconded by Councilmember Elliott. The motion failed with

Councilmembers Elliott and Zuniga voting yes and Mayor Stone and Councilmember Felix voting no.

Motion by Councilmember Felix to adopt Resolution No. 6477 repealing and rescinding Resolution No. 6446, Censure of Council Member Janice Elliott, seconded by Councilmember Elliott, and carried with Mayor Stone opposed.

15. ORAL COMMUNICATION (items not on the agenda)

Bill Schuessler, requested that there be a screening process for contract employees.

Steve Bierbaum, Upland, questioned why the appointment of the Mayor Pro Tem was not on the agenda.

Garrett and Rondee Mullenau, spoke regarding truck traffic in their neighborhood.

Shannan Maust, Upland, announced upcoming community activities and stated she would be applying for the vacant Council position.

Bob Cable, Upland, spoke regarding issues he has experienced during the application process for an encroachment easement.

James Breitling, Upland, spoke regarding clean up issues after the Upland Christmas Parade.

Mike Pattison, Upland, congratulated the new Councilmembers and announced upcoming community activities.

David Wade, Upland, spoke regarding homelessness issues in the City and urged the Council to appoint a Mayor Pro Tem.

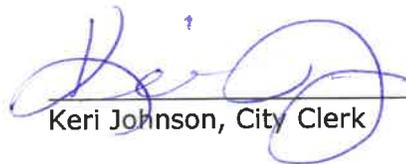
Christina Schulz, Upland, spoke regarding the refuse issue in the downtown after the Christmas Parade.

16. CITY MANAGER

17. ADJOURNMENT

Mayor Stone adjourned the meeting at 11:05 p.m. The meeting scheduled for December 24, 2018 will be cancelled. The next regularly scheduled City Council meeting is Monday, January 14, 2019.

SUBMITTED BY


Keri Johnson, City Clerk

APPROVED

January 14, 2019