

**MINUTES OF THE REGULAR MEETING OF THE  
UPLAND CITY COUNCIL  
MARCH 11, 2019**

**OPENING**

The regular meeting of the Upland City Council was called to order by Mayor Debbie Stone at 6:00 p.m. in the Council Chamber of the Upland City Hall.

**1. ROLL CALL**

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

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

**2. ADDITIONS/DELETIONS TO AGENDA** None

**3. ORAL COMMUNICATIONS** None

**4. CLOSED SESSION**

At 6:01 p.m. Mayor Stone announced the City Council would recess to Closed Session pursuant to Government Code Section

- A. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of California Government Code Section 54956.9: 1 case.

The City Council reconvened in open session at 7:04 p.m.

**5. INVOCATION** Pastor Julius West, Sunergeo Christian Fellowship Church

**6. PLEDGE OF ALLEGIANCE** Councilmember Felix

**7. PRESENTATIONS**

Assistant Chief Birchfield introduced Fire Battalion Chief Jason Serrano.

Certificates of Recognition were presented to the volunteers responsible for the Green Belt Park improvements.

David Moore, President of the Historic Downtown Upland Board, invited the Council and the public to attend the upcoming Irish Festival being held in the downtown.

**8. CITY ATTORNEY**

City Attorney Markman announced there was no reportable action from Closed Session

**9. ORAL COMMUNICATIONS**

Luz Barrett, spoke in support of the appointment of Steve Bierbaum to the Personnel Board of Review.

John Goss, Upland, spoke in support of the construction of a reservoir to replace an existing reservoir that does not meet current seismic codes.

April McCormick, spoke in support of the appointment of Steve Bierbaum to the Personnel Board of Review.

Brigitte James, stated concerns over the process to appoint someone to the Personnel Board of Review; and spoke in support of Don Smith of SBC Pathways to Housing Network.

Jim Thomas, Upland, stated that homelessness is a complicated issue and few are willing to get involved. He suggested the Council use the progress of previous groups as a springboard moving forward.

G. Martin, spoke regarding property damage and other issues she experienced when she rented her property to homeless individuals.

Dede Ramella, stated concerns with the previous program the City implemented to deal with homeless issues and thanked the Police Chief for starting the impact team.

Cathy Warshaw, Upland, expressed concern over social media activities by individuals who also serve on City Committees; and stated support for Don Smith and SBC Pathways to Housing Network.

Hydee Hall, Upland, stated support for Don Smith and urged the Council to approve the agreement with SBC Pathways to Housing Network.

Glenn Bozar, Upland, stated opposition to cronyism and suggested the Council make informed decisions.

Steve Morris, Upland, stated opposition to the appointment of Steve Bierbaum to the Personnel Board of Review and further stated the need for a homeless program in Upland.

Barbara Papa, Upland, suggested that the City not spend funds on homeless programs and instead have charitable organizations administer homeless programs.

James Breitling, Upland, requested clarification on expenditures for the proposed SBC Pathways to Housing Network agreement.

Helena Landecena, Upland, read a letter submitted by Bill Landecena in opposition of the renewal of the Animal Shelter agreement with the Friends of the Upland Animal Shelter.

Remigio Torres, Riverside, stated his positive experiences when interacting with the Friends of the Upland Animal Shelter and requested the Council consider extending the lease agreement.

Andy Peterson, President of the Friends of the Upland Animal Shelter, provided an overview of their activities and services over the length of the lease agreement and requested a 5 year renewal of the lease agreement.

Angela Durham, Corona, requested the Council make a wise decision when appointing someone to the Personnel Board of Review.

Irmalinda Osuna, stated support for the approval of an agreement with SBC Pathways to Housing Network.

**10. COUNCIL COMMUNICATIONS**

Councilmembers announced various activities throughout the community, including providing an update on the meetings they attended.

**11. CONSENT CALENDAR**

Motion by Councilmember Zuniga to approve the Consent Calendar, seconded by Councilmember Elliott, and carried unanimously.

A. APPROVAL OF WARRANT AND PAYROLL REGISTERS FEBRUARY 2019

Approved the February Warrant Registers and Direct Disbursements (check numbers 24032-24367) totaling \$5,575,107.27 and Payroll Registers totaling \$1,167,423.73 (check Numbers 160511-160543 and EFTs 13297-13790).

B. APPROVAL OF MINUTES

Approved the Regular Meeting Minutes of February 25, 2019 and the Special Meeting Minutes of March 4, 2019.

C. YEARLY SOFTWARE SUPPORT FOR POLICE CAD/RMS

Authorized the City Manager to execute a one year Software Support Agreement with Tritech in the amount of \$94,236.87 for continued software support of police computer aided dispatch software.

**12. PUBLIC HEARINGS** None

**13. COUNCIL COMMITTEE REPORTS**

A. SPECIAL INVESTMENTS COMMITTEE MEETING, FEBRUARY 27, 2019

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.

B. ECONOMIC DEVELOPMENT COMMITTEE MEETING, MARCH 4, 2019

Councilmember Felix 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. CONTINUED DISCUSSION OF AN APPOINTMENT TO THE PERSONNEL BOARD OF REVIEW

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

There was discussion regarding the nominees to fill the vacant position on the board being the choice of the employee associations and the need to respect their choice.

Motion by Councilmember Felix to appoint Steve Bierbaum to the Personnel Board of Review; and ratify the appointment, term to expire June, 2019, seconded by Councilmember Elliott, and carried with Mayor Stone opposed.

- B. RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS BETWEEN THE CITY AND THE SAN ANTONIO WATER COMPANY FOR THE CITY'S PURCHASE OF PROPERTY (A PORTION OF ASSESSOR'S PARCEL NO. 1005-271-03, 1723 N. BENSON AVENUE) TO FACILITATE THE CONSTRUCTION OF A REPLACEMENT 7.5 MG WATER RESERVOIR

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

There was discussion on the structural deficiencies of the current reservoir and the need for a replacement reservoir.

Public Works Director Hoerning stated that phase 1 of the emergency work program was completed and phase 2 would include the construction of the reservoir, which will follow the normal bidding process.

Motion by Councilmember Zuniga to adopt Resolution No. 6482 approving the purchase and sale agreement and escrow instructions between the City and the San Antonio Water Company for the purchase (by the City) of property to facilitate the construction of a 7.5 MG replacement reservoir (Project No. 9128) for a purchase price of \$1,720,000 and authorize a contingency in the amount of \$30,000. The purchase price will be payable in five annual installments with interest at a rate of 1.88% per annum, seconded by Councilmember Velto, and carried unanimously.

- C. REVIEW OF THE 2018 HOUSING ELEMENT ANNUAL PROGRESS REPORT ON IMPLEMENTATION OF THE GENERAL PLAN HOUSING ELEMENT

Development Services Manager Chavez presented the staff report, which is on file in the City Clerk's Office.

No action was necessary on this item. The information was received and filed.

- D. CONSIDER APPROVAL OF AN AGREEMENT FOR HOMELESS SERVICES COORDINATOR

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

Recreation Services Manager Story provided additional background information and introduced Don Smith of SBC Pathways to Housing Network who provided a PowerPoint presentation.

There was discussion on the percentage of funds that would go toward administration versus the end user, the request for proposal process, and contracting with other groups for cooperative services.

City Manager Vagnozzi provided clarification on the HEAP grant process, qualifications and timeline for funding.

There was a suggestion to form an adhoc committee to further refine the services to be provided.

Motion by Councilmember Elliott to direct staff to reissue the request for proposals and allow for a six week response period, seconded by Councilmember Zuniga, and carried with Mayor Stone and Councilmember Velto opposed.

**E. CONSIDER RENEWAL OF ANIMAL SHELTER AGREEMENT**

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

There was discussion on whether or not there is a need to issue a request for proposals if negotiating new terms.

Motion by Mayor Stone to issue a request for proposals for Animal Care & Adoption Services, seconded by Councilmember Velto, and carried with Councilmembers Elliott and Zuniga opposed.

**15. ORAL COMMUNICATION (items not on the agenda)**

Robert Kamansky, spoke regarding the power of Upland pride. He also mentioned areas of City streets in need of repair.

Joe Blackstock, Upland, announced an upcoming event at the Ontario Museum of History and Art.

April Flores, Upland City Employees Association President, stated a lack of trust and confidence in the City Manager.

Rami Asad, Upland Employees Association Board Member, spoke regarding an incident of alleged workplace harassment and requested the Council hire a neutral investigator to handle the investigation.

Moe Duran, Upland Police Management Association President, requested the Council clarify what their role is in the negotiations process.

April McCormick, thanked the Council for listening to the employees and residents and urged them to move forward with filling the Planning Commission vacancy.

Natasha Walton, Upland, urged residents to get involved in a campaign to stop the sale of a portion of Memorial Park.

Sharon Frasca Williams, Upland, spoke regarding a recent incident in her neighborhood where she witnessed a street vendor, using unsanitary conditions, selling food to minors.

Glenn Bozar, referenced a letter to the editor he wrote regarding the Fire annexation, which was published in the newspaper.

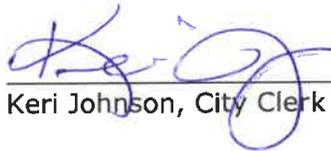
**16. CITY MANAGER**

City Manager Vagnozzi announced the next Open Government Workshop.

**17. ADJOURNMENT**

Mayor Stone adjourned the meeting at 11:11 p.m. The next regularly scheduled City Council meeting is Monday, March 25, 2019.

**SUBMITTED BY**



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Keri Johnson, City Clerk

**APPROVED**

March 25, 2019