

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL
MAY 28, 2019**

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, Ricky Felix, Bill Velto, and Rudy Zuniga

Staff: Acting City Manager Rosemary Hoerning, Assistant 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 Jim Thomas, Church of Jesus Christ of Latter-Day Saints

6. PLEDGE OF ALLEGIANCE Councilmember Velto

7. PRESENTATIONS None

8. CITY ATTORNEY None

9. ORAL COMMUNICATIONS

Dylan White, asked questions regarding the grant requirements and the odds of the City receiving grant funding; and requested clarification on whether the grant was contingent upon the sale of park land to San Antonio Regional Hospital.

Lois Sicking Dieter, spoke in opposition of the adoption of Ordinance 1933 and requested the Council adopt an ordinance similar to the Mill Valley ordinance.

Brinda Sarathy, Upland, questioned what community groups were involved in the development of the concept plan for Memorial Park and whether the grant application could be submitted without the conceptual plan.

Natasha Walton, stated that she supported the grant, but not the sale of Memorial Park land. She further requested more public input and workshops regarding the conceptual master plan.

Glenn Bozar, spoke in support of Rosemary Hoerning as the Acting City Manager, but stated the Council needed to consider someone with more financial experience for the permanent position of City Manager.

April McCormick, stated opposition to Ordinance 1933 as written and requested the Council adopt an ordinance amending the Zoning Code.

Ralph Cavallo, Upland, spoke in support of the Memorial Park concept master plan and stated park renovations would increase park use.

10. COUNCIL COMMUNICATIONS

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

11. CONSENT CALENDAR

Councilmember Elliott removed Consent Calendar Item 11B for separate action. Motion by Councilmember Felix 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 May 13, 2019

C. CONTINUED ITEM - APPROVAL OF AN AGREEMENT WITH ACCOUNTEMPS FOR TEMPORARY ACCOUNTING SERVICES AND UPDATE FINANCE DEPARTMENT STAFFING

Authorized the Acting City Manager to execute an amendment to the current agreement with Accountemps (A Robert Half Company) providing temporary accounting assistance and extend the agreement through June 30, 2020; and it is further recommended the City Council amend the personnel budget to eliminate one accounting clerk position and add a senior accounting technician position for the finance department.

D. DISPOSAL OF SURPLUS EQUIPMENT

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

ITEMS REMOVED FOR SEPARATE ACTION

B. 2nd READING OF ORDINANCE 1933 REGARDING "SMALL WIRELESS FACILITIES", AMENDING SECTION 5.36.190 OF THE UPLAND MUNICIPAL CODE REGARDING THE SAME

Development Services Director Dalquest presented the staff report, which is on file in the City Clerk's Office. Assistant City Attorney Flower provided a brief report on the legal aspects and the urgent need for the City to act on this item.

Motion by Councilmember Elliott to table this item until the June 10, 2019 City Council meeting.

There was discussion on restrictions in residential zones, the time required to prepare a fee study, and FCC regulations prohibiting a moratorium. Assistant City Attorney Flower answered Council's questions regarding any legal vulnerability to the City if the Ordinance was not adopted.

Councilmember Elliott withdrew her motion to table the item until the June 10, 2019 City Council meeting.

Council requested that staff draft an amended policy regarding small wireless facilities and place it on the June 10, 2019 City Council agenda.

Motion by Councilmember Elliott to hold second reading by number and title only, waive further reading, and adopt Ordinance No. 1933 regarding small wireless facilities, amending Section 5.36.190 of the Upland Municipal Code regarding the same, seconded by Councilmember Zuniga, and carried unanimously.

12. PUBLIC HEARINGS

A. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL AMENDING THE MASTER FEE SCHEDULE TO ESTABLISH FEES FOR SMALL WIRELESS FACILITIES PERMITS

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

Mayor Stone opened the public hearing.

City Clerk Johnson announced that the City Clerk's office had received 58 emails in opposition of this item.

Lois Sicking Dieter, spoke in opposition of the proposed fee schedule and stated the City needed to ensure that the fees covered the cost of providing the service.

April McCormick, spoke in opposition of the proposed fee schedule and stated that there is nothing stopping wireless companies from coming in and pulling permits in residential zones. She further requested the Council adopt an ordinance amending Chapter 17 of the Municipal Code to include small wireless facilities.

Glenn Bozar, referred to a Wall Street Journal article about a company launching a mobile service and requested the Council protect the City by adding language in the Zoning Code to address these issues.

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

There was discussion regarding the FCC safe harbor rates, the need for a fee study before adjusting the fee schedule, and the application process.

Motion by Councilmember Velto to adopt Resolution No. 6490 amending the Master Fee Schedule to establish fees for small wireless facilities permits; and that staff return to Council in 90 days with a fee analysis, seconded by Councilmember Elliott, and carried unanimously.

13. COUNCIL COMMITTEE REPORTS

A. PUBLIC WORKS COMMITTEE, MAY 14, 2019

Councilmember Velto provided a recap of the meeting and introduced Recreation Services Manager Story.

1) MEMORIAL PARK - PROPOSITION 68 GRANT OPPORTUNITY

Recreation Services Manager Story presented the staff report along with an updated recommendation, which is on file in the City Clerk's Office.

There was discussion on the grant requirements, the timeline for public workshops, the importance of community outreach, and the development of the concept master plan.

Motion by Councilmember Elliott to take the following preliminary actions to enable the City to apply for a Prop 68 grant for the revitalization of Memorial Park: (1) approve a preliminary Memorial Park Master Plan Concept Plan; (2) approve retaining the grant writing services of Avant Garde in the amount of \$13,000; and (3) approve retaining the professional landscape architectural support services of Architerra Design Group in the amount of \$12,000, seconded by Councilmember Felix, and carried unanimously.

14. BUSINESS ITEMS

A. BOOKING SERVICE AGREEMENT

Police Chief Goodman presented the staff report along with a PowerPoint presentation, which is on file in the City Clerk's Office.

There was discussion on the time required to take detainees to West Valley Detention Center for booking, the use of a City vehicle for transport, and liability insurance requirements of the contractor.

Motion by Councilmember Felix to authorize the Acting City Manager to sign a contract with G4S to provide a booking service for the City in the amount up to \$204,000 for FY 19/20, up to \$208,000 for FY 20/21 and up to \$222,000 for FY 21/22, seconded by Councilmember Zuniga, and carried unanimously.

B. POLICE MOBILE APPLICATION

Police Chief Goodman introduced Joe Ramirez of Apex Mobile who provided an overview the mobile application.

There was discussion on the applications features and capabilities, how police department staff will update information on the application, and how other cities utilize the application.

Motion by Councilmember Elliott to authorize the Acting City Manager, or designee, to execute an agreement with Apex Mobile for purchase of a law enforcement based mobile application, seconded by Councilmember Velto, and carried unanimously.

Acting City Manager Hoerning left the Council Chamber at 10:02 p.m.

C. CONSIDERATION OF INCREASING THE COMPENSATION LEVEL FOR THE ACTING CITY MANAGER

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

Motion by Councilmember Elliott to approve a compensation grade of Grade 9094/step 4, which is a compensation of \$16,696 monthly, seconded by Councilmember Felix, and carried unanimously.

Acting City Manager Hoerning returned to the Council Chamber at 10:04 p.m.

D. CONSIDERATION OF THE PROCESS FOR FILLING THE POSITION OF PERMANENT CITY MANAGER

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

Motion by Councilmember Velto to table the item to the June 10, 2019 at a special closed session meeting at 5 p.m., seconded by Mayor Stone, and carried unanimously.

15. ORAL COMMUNICATION (items not on the agenda)

Steve Morris, Upland, questioned how the City vets proposals and stated opposition to the Council's approval of the G4S contract.

Carlos Garcia, Upland, thanked the Police Department for providing a neighborhood watch meeting for his neighborhood and also referred to negative comments from residents and stated that they divide the community.

Glenn Bozar, commented on the proposed Fiscal Year 2019-20 budget and requested the unfunded pension liability be included in the budget.

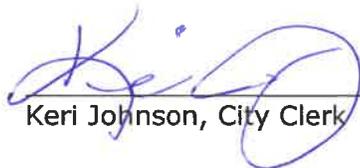
Mike Pattison, President of Upland Pride, stated that Upland Pride was now a 501(c)(3) and announced recent activities of the group.

16. CITY MANAGER

17. ADJOURNMENT

Mayor Stone adjourned the meeting at 10:20 p.m. The next regularly scheduled City Council meeting is Monday, June 10, 2019.

SUBMITTED BY


Keri Johnson, City Clerk

APPROVED

June 10, 2019