

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL
NOVEMBER 25, 2019**

OPENING

The regular meeting of the Upland City Council was called to order by Mayor Debbie Stone at 7:04 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: Interim 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 Mike Ingram, Christian Science Faith

6. PLEDGE OF ALLEGIANCE Councilmember Zuniga

7. PRESENTATIONS

Police Chief Goodman introduced Homeless Services Coordinator Ashley Esquivel.

8. CITY ATTORNEY

Interim City Attorney Flower stated there was nothing to report.

9. ORAL COMMUNICATIONS

Bob Cable, Upland, stated concern regarding the City's ability to pay back the loan for the reservoir construction.

James McJoynt, Upland, requested the Council call for a San Antonio Water Company shareholders meeting and oppose the proposed construction of a new facility.

Albert Pattison, Upland, stated opposition to the construction of a new headquarters for the San Antonio Water Company.

10. COUNCIL COMMUNICATIONS

Councilmembers announced various activities throughout the community.

11. CONSENT CALENDAR

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

A. APPROVAL OF MINUTES

Approved the Regular Meeting Minutes of November 11, 2019.

B. 2ND READING OF AN ORDINANCE OF THE CITY OF UPLAND ADDING A NEW CHAPTER 5.76 TO THE UPLAND MUNICIPAL CODE TO CREATE A SIDEWALK VENDING PROGRAM, AMENDING RELATED PROVISIONS OF THE UPLAND MUNICIPAL CODE, AND CONSIDERATION OF A RESOLUTION AMENDING THE MASTER FEE SCHEDULE TO ESTABLISH FEES FOR SIDEWALK VENDING PERMITS

Held second reading by number and title only, waived further reading, and adopted Ordinance No. 1934 adding a new Chapter 5.76 to the Upland Municipal Code to create a sidewalk vending program, amending related provisions of the Upland Municipal Code, and making a determination of exemption under CEQA.

C. ACCEPTANCE OF PUBLIC IMPROVEMENTS BY MBK HOMES AND REDUCTION OF BONDS

Accepted the public improvements constructed by MBK Homes, generally located on the southeast corner of Central Avenue and 11th Street; and approved the reduction of the faithful performance bond to twenty five percent (25%).

D. BOND REDUCTION REQUEST FOR TRACT 18274 BY LENNAR HOMES

Approved a bond reduction of the Public Performance Bond to fifty percent (50%) for Tract 18274 developed by Lennar Homes of California, Inc.

F. THIRD AMENDMENT TO THE AGREEMENT WITH THE ZAPPIA LAW FIRM FOR LABOR AND EMPLOYMENT LAW SERVICES

Authorized the City Manager to execute the third amendment to the original agreement with The Zappia Law Firm for labor and employment law services.

ITEMS REMOVED FOR SEPARATE ACTION

E. RESOLUTION APPROVING AS TO FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CONSTRUCTION FINANCING AGREEMENT FOR THE CONSTRUCTION COSTS OF A REPLACEMENT 7.5 MG WATER RESERVOIR

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

There was discussion on the interest rate on the loan, the payment schedule, the areas of the City serviced by the proposed reservoir, and the life expectancy of the proposed reservoir.

Motion by Councilmember Elliott to adopt Resolution No. 6517 approving as to form and authorizing the execution and delivery of a construction financing agreement for the construction of a replacement 7.5 MG water reservoir, seconded by Councilmember Velto, and carried unanimously.

- 12. PUBLIC HEARINGS** None
- 13. COUNCIL COMMITTEE REPORTS** None
- 14. BUSINESS ITEMS**

A. APPROVAL OF LABOR AGREEMENT WITH UPLAND POLICE OFFICERS' ASSOCIATION

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

Motion by Councilmember Felix to adopt Resolution No. 6518 approving a Memorandum of Understanding with the Upland Police Officers' Association, seconded by Councilmember Zuniga, and carried with Mayor Stone opposed.

B. CONSIDERATION OF AN ORDINANCE TO ADOPT, BY REFERENCE, THE 2019 CALIFORNIA BUILDING CODE STANDARDS

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

There was discussion on the training that building inspectors receive on code updates.

Motion by Councilmember Felix to hold first reading by number and title only, introduce an Ordinance adopting by reference the 2019 California Administrative, Building, Fire, Green Building Standards, Mechanical, Residential, Plumbing, Electrical, Energy, Existing Building, Historical Building, and Referenced Standards Codes, as set forth in Title 24, California Code of Regulations, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12, and as published as part of the California Building Standards Code; the 1997 Uniform Housing Code, and 1997 Uniform Code for the Abatement of Dangerous Buildings; including certain appendices and penalties; and set a public hearing for January 13, 2020, seconded by Councilmember Elliott, and carried unanimously.

C. CONSIDERATION OF A RESOLUTION AMENDING THE MASTER FEE SCHEDULE TO UPDATE WATER SERVICE CONNECTION FEES FOR LOW INCOME HOUSEHOLDS IN ACCORDANCE WITH SB998

Acting Administrative Services Director Bock-Helms presented the staff report, which is on file in the City Clerk's Office.

There was discussion on the restrictions on fees to low income residents based on SB998.

Motion by Councilmember Zuniga to adopt Resolution No. 6519 amending the master fee schedule to update the water service reconnection fee for low income households in accordance with Senate Bill 998, seconded by Councilmember Velto, and carried unanimously.

At 8:12 p.m. Councilmember Zuniga announced that he would abstain from Item 14D since he serves on the San Antonio Water Company Board. Councilmember Zuniga then left the Council Chamber.

D. SAN ANTONIO WATER COMPANY - PROPOSED NEW CENTRALIZED HEADQUARTERS

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

There was discussion on the cost to build the proposed headquarters for San Antonio Water Company, the water company's use of City facilities for meetings, and the need for transparency and community input.

Motion by Councilmember Velto to direct the City Manager and City Attorney to send a letter to San Antonio Water Company asking them to cease any further action regarding the relocation or design development for a new headquarters, seconded by Mayor Stone, and carried with Councilmember Zuniga abstaining.

At 8:31 p.m. Councilmember Zuniga returned to the Council Chamber and took his seat on the dais.

15. ORAL COMMUNICATION (items not on the agenda)

Elizabeth Skrzat, Director of the Chino Basin Water Conservation District introduced herself and provided information on the programs and services they provide.

Bob Cable, Upland, spoke in the support of the proposed Bridge development project.

Roger Stephenson, La Verne, stated that the City's infrastructure is insufficient to handle the truck traffic that would result from the proposed Bridge development project.

Colene Mathews, Upland, requested that the Council allow ice cream trucks to do business in City parks and near schools.

Natasha Walton, Upland, stated opposition to the sale of park land to San Antonio Regional Hospital.

David Wade, questioned the need for a sales tax measure if the City is considering a development that would not bring in point of sale taxes.

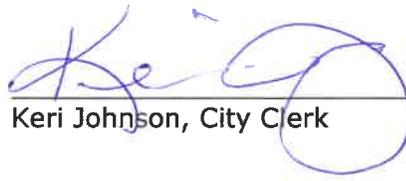
James Breitling, Upland, questioned information provided by Burrtec Waste Industries regarding the company's recycling processes.

16. CITY MANAGER

17. ADJOURNMENT

At 8:56 p.m., Mayor Stone adjourned the meeting in memory of Lillian Kunz, former board member of the Upland Sister City Association. The next regularly scheduled City Council meeting is Monday, December 9, 2019.

SUBMITTED BY



Keri Johnson, City Clerk

APPROVED

December 9, 2019
