



UPLAND CITY COUNCIL

AGENDA

**September 28, 2020
City Council Chamber**

**DEBBIE STONE, MAYOR
RUDY ZUNIGA, MAYOR PRO TEM
JANICE ELLIOTT, COUNCILMEMBER
BILL VELTO, COUNCILMEMBER**

**ROSEMARY HOERNING, CITY MANAGER
STEVEN FLOWER, INTERIM CITY ATTORNEY**

DISRUPTION OF MEETINGS

Individuals who demonstrate disruptive conduct during City Council meetings that prevent the City Council from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

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6:00 PM - Closed Session

- 1. CALL TO ORDER AND ROLL CALL**
- 2. ADDITIONS-DELETIONS TO AGENDA**
- 3. ORAL COMMUNICATIONS**

This is a time for any citizen to comment on item listed on the closed session agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit.

- 4. CLOSED SESSION**

- A. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - EXISTING**

LITIGATION

(Paragraph (1) of subdivision (d) of California Government Code Section 54956.9)

Case Name: Michael Wehner v. City of Upland

Case Number: 5:19-cv-01155-GW-E

B. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

(Paragraph (1) of subdivision (d) of California Government Code Section 54956.9)

Case Name: Chino Basin Municipal Water District v. City of Chino, et al (Case No. RCVRS 51010)

7:00 PM

5. INVOCATION

Very Reverend Keith Yamamoto, Rector, St. Marks Episcopal Church

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Certificate of Recognition presented to Bob Scudder for his 100th birthday on October 1, 2020

Proclamation declaring October 3-4, 2020 as National Fallen Firefighters Memorial Weekend

Update on the 2020 Census by Complete Counts Chairperson James Breitling

8. CITY ATTORNEY

9. ORAL COMMUNICATIONS

This is a time for any citizen to comment on any item listed on the agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. Speakers will be given five (5) minutes during public hearings. The use of visual aids will be included in the time limit.

10. COUNCIL COMMUNICATIONS

11. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the legislative body request specific items be removed from the Consent Calendar for separate action.

A. APPROVAL OF MINUTES

Approve the Special Workshop Minutes of September 10, 2020 and the Regular Meeting Minutes of September 14, 2020. (Staff Person: Keri Johnson)

B. BIENNIAL REVIEW OF CITY'S CONFLICT OF INTEREST CODE

Adopt a Resolution rescinding Resolution No. 6468 in its entirety and adopting a conflict of interest code applicable to designated positions, including members and staff of the Successor Agency to the Upland Community Redevelopment Agency, Upland Public Financing Authority, and Successor Agency to the Upland Housing Authority. (Staff Person: Keri Johnson)

C. DISPOSAL OF SURPLUS VEHICLES AND EQUIPMENT

Declare certain vehicles and equipment as surplus and authorize the Fleet Division of Public Works to initiate the disposal of the surplus items. (Staff Person: Steven Nix)

D. TREASURY REPORTS AUGUST, 2020

Receive and file the August 2020 Treasury Report. (Staff Person: Londa Bock-Helms)

12. PUBLIC HEARINGS

13. COUNCIL COMMITTEE REPORTS

14. BUSINESS ITEMS

A. AWARD OF BID FOR PROJECT NO. 7071 & 7080, CITYWIDE CONCRETE REPAIRS (BID NO. 2020-04)

Approve the specifications for Project No. 7071 & 7080; award the construction contract to C.P. Construction Co., Inc., in the amount of \$629,270.00; and, authorize a construction contingency in the amount of \$62,730.00, for a total amount of \$692,000.00 from the Gas Tax Fund. (Staff Person: Steven Nix)

15. ORAL COMMUNICATIONS

This is a time for any citizen to comment on any item not listed on the agenda. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit. Public comments and questions for the purpose of hearing current matters of concern in our community and to provide citizens a method for the public to hear those concerns in an open venue is encouraged. However, under the provisions of the Brown Act, the City Council is prohibited from discussion of items not listed on the agenda, and therefore, the City Council, City Manager, or City Attorney will take communications under advisement for consideration and appropriate response or discussion at a later time.

16. CITY MANAGER

17. ADJOURNMENT

The next regularly scheduled City Council meeting is Monday, October 12, 2020.

NOTE: If you challenge the public hearing(s) or the related environmental determinations in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at, or prior to, the public hearing.

All Agenda items and back-up materials are available for public review at the Upland Public Library, downstairs reference desk at 450 North Euclid Avenue, the City Clerk's Office at 460 North Euclid Avenue and the City website at www.uplandca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

POSTING STATEMENT: On September 23, 2020 a true and correct copy of this agenda was posted on the bulletin boards at 450 N. Euclid Avenue (Upland Public Library) and 460 N. Euclid Avenue (Upland City Hall) and the City website at www.uplandca.gov.