



UPLAND CITY COUNCIL

AGENDA

**January 27, 2020
City Council Chamber**

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

**ROSEMARY HOERNING, INTERIM 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 PUBLIC EMPLOYEE PERFORMANCE EVALUATION, APPOINTMENT, AND RELATED ACTIONS

Pursuant to Government Code Section 54957
Title: City Manager

B. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Case Name: Inland Oversight Committee v. City of Upland
Case San Bernardino County Superior Court Case No. CIVDS
Number: 1936887

C. GOVERNMENT CODE SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN 1044-061-41, 1044-061-42, 1044-061-43
(vacant land)

Agency Interim City Manager Hoerning, Development Services
Negotiators: Director Dalquest, Development Services Manager Chavez, and Economic Development Coordinator Picazo

Negotiating Parties: City of Upland and prospective buyers

Under Negotiation: Price and terms - Instructions in dealing with prospective buyers

7:00 PM

5. INVOCATION

Jim Thomas, Church of Jesus Christ of Latter-Day Saints

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Informational Presentation on the Omni Trans Proposed Service Level Modifications to Bus Routes 83 & 85 by Jeremiah P. Bryant Director of Strategic Development

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 Joint Workshop Minutes of January 9, 2020 and the Regular Meeting Minutes of January 13, 2020. (Staff Person: Keri Johnson)

B. DESIGNATION OF A DELEGATE TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS GENERAL ASSEMBLY MEETING

Appoint Councilmember Janice Elliott as the delegate to represent the City of Upland at the Southern California Association of Governments General Assembly Meeting on May 7, 2020. (Staff Person: Keri Johnson)

C. DISPOSAL OF SURPLUS EQUIPMENT

Declare items as surplus, and authorize the Interim City Manager to initiate disposal of the surplus equipment. (Staff Person: Rosemary Hoerning)

D. ACCEPTANCE OF WORK FOR THE 3RD AVENUE PAVEMENT REHABILITATION AND WATER IMPROVEMENTS PROJECT

Accept the work; record the Notice of Completion; and, reduce the Faithful Performance Bond to 10% for the 3rd Avenue Pavement Rehabilitation and Water Improvements Project. (Staff Person: Steve Nix)

E. INTENTION TO VACATE A PORTION OF THE FRONTAGE ROAD ON THE NORTH SIDE OF FOOTHILL BOULEVARD RIGHT-OF-WAY PER APPLICATION FOR STREET VACATION 19-01, AND IN RELATION TO A PROPOSED STARBUCKS LOCATED AT 275 EAST FOOTHILL BOULEVARD

Declare its intention to vacate 3,983 square feet of a portion of the frontage road on the north side of Foothill Boulevard right-of-way, located approximately 175 linear feet east of the intersection of Foothill Boulevard and Second Avenue, per application for Street Vacation 19-01. It is further recommended the City Council set a Public Hearing for February 24, 2020 concerning the vacation. (Staff Person: Robert Dalquest)

12. PUBLIC HEARINGS

A. PROPOSED AMENDMENT TO THE ADMINISTRATIVE CITATION ORDINANCE AND THE ADMINISTRATIVE CITATION FINE SCHEDULE

The City Council will consider an Ordinance create and implement a comprehensive and transparent process for the issuance, collection, and appeals of administrative citations; and a Resolution establishing fines for certain violations of the Upland Municipal Code. (Staff Person: Darren Goodman)

Recommendation: 1) Staff presentation

2) Hold public hearing

3) Close public hearing

4) Hold first reading by title only, waive further reading, and introduce an Ordinance repealing Upland Municipal Code Chapter 1.10 regarding administrative fines and adding Chapter 1.22 regarding administrative citations to create and implement a comprehensive and transparent process

for the issuance, collection, and appeals of administrative citations.

- 5) Adopt a Resolution amending the master fee schedule and establishing administrative fines for certain violations of the Upland Municipal Code.

B. PROPOSED SOLID WASTE RATE ADJUSTMENT

The City Council will consider the proposed solid waste rate adjustments.
(Staff Person: Rosemary Hoerning)

Recommendation: 1) Staff presentation

2) Hold public hearing

3) Close public hearing

4) Approve a resolution adopting revisions to the schedule of solid waste rates.

13. COUNCIL COMMITTEE REPORTS

14. BUSINESS ITEMS

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, February 10, 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.ci.upland.ca.us, subject to staff's ability to post the documents before the meeting.

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 January 22, 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).