



## **UPLAND CITY COUNCIL**

### **AGENDA**

**February 10, 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**

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#### **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 - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant paragraph 2 of subdivision (d) of Section 54956.9: 1 Potential Case
  
- B. CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Government Code Section 54956.8  
Property: Northerly portion of APN: 1045-181-04, also known as the Old Animal Shelter property  
  
Agency: Interim City Manager Hoerning and Development  
Negotiators: Services Director Dalquest  
  
Negotiating Parties: City of Upland and Frank Robertson  
  
Under Negotiation: Price and terms of lease
  
- C. CLOSED SESSION PUBLIC EMPLOYEE PERFORMANCE EVALUATION, APPOINTMENT, AND RELATED ACTIONS  
Pursuant to Government Code Section 54957  
Title: City Manager

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**7:00 PM**

**5. INVOCATION**

Mike Ingram, Christian Science Faith

**6. PLEDGE OF ALLEGIANCE**

**7. PRESENTATIONS**

Presentation of Certificates of Completion to the Upland Community Emergency Response Team (CERT)

**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 Regular Meeting Minutes of January 27, 2020. (Staff Person: Keri Johnson)

B. 2ND READING OF ORDINANCE 1936 A PROPOSED AMENDMENT TO THE ADMINISTRATIVE CITATION ORDINANCE

Hold second reading by number and title only, waive further reading, and adopt Ordinance No. 1936 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. (Staff Person: Darren Goodman)

C. APPROVAL OF WARRANT AND PAYROLL REGISTERS, JANUARY 2020

Approve the January Warrant Register and Direct Disbursements (check numbers 28415-28838) totaling \$6,033,267.34 and Payroll Registers totaling \$1,888,220.38 (check Numbers 161283-161315 and EFTs 18953-19703). (Staff Person: Londa Bock-Helms)

D. APPOINTMENT TO CITY COUNCIL ADVISORY COMMITTEE

Ratify the appointment of James Breitling to the City Council Advisory Committee, term to expire December 2022. (Staff Person: Keri Johnson)

E. ACCEPTANCE OF WORK FOR THE 9TH STREET PAVEMENT REHABILITATION AND WATER IMPROVEMENTS PROJECT

Accept the work; record the Notice of Completion; and, reduce the Faithful Performance Bond to 10% for the 9th Street Pavement Rehabilitation and Water Improvements Project. (Staff Person: Steve Nix)

F. SAN ANTONIO WATER COMPANY STOCK ACQUISITION

Authorize the City Manager to acquire 1/4 share of San Antonio Water Company Stock from Lucinda Newton for \$13,000. (Staff Person: Steve Nix)

G. ANNUAL WEED ABATEMENT PROGRAM

Adopt a Resolution declaring certain weeds, rubbish, refuse, and dirt in the public right-of-way and private property within the City to be public nuisances and provide for the abatement thereof; authorize the mailing of notices to all persons where such nuisances exist; and set a public hearing date for June 22, 2020. (Staff Person: Robert Dalquest)

**12. PUBLIC HEARINGS**

**13. COUNCIL COMMITTEE REPORTS**

- A. SPECIAL ECONOMIC DEVELOPMENT COMMITTEE MEETING, JANUARY 23, 2020

**14. BUSINESS ITEMS**

A. CONSIDERATION OF FINAL REPORT BY THE HISTORIC DOWNTOWN UPLAND AD HOC COMMITTEE

Receive and file the Final Report, and provide staff with direction on implementation. (Staff Person: Robert Dalquest)

B. DISCUSSION OF DISPOSITION OF THE CITY MANAGER POSITION

Discuss possible modifications to the Upland Municipal Code 2.04.240 Removal of the City Manager. (Staff Person: Rosemary Hoerning)

C. DISCUSSION OF THE DISPOSITION OF CITY COUNCIL APPOINTED COMMITTEE MEMBERS

Discuss possible modifications to Resolution No. 6504. (Staff Person: Rosemary Hoerning)

**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 24, 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](http://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 February 5, 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](http://www.uplandca.gov).