

**DUE TO THE ONGOING EMERGENCY CONCERNING THE COVID-19 VIRUS, THIS CITY COUNCIL MEETING WILL BE CONDUCTED PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDER N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT.**

**RESIDENTS MAY OBSERVE THE MEETING REMOTELY VIA [LIVESTREAM](#) ON THE CITY WEBSITE OR ON SPECTRUM CABLE TV CHANNEL 3 AND FRONTIER CABLE TV CHANNEL 26**

**FOR DETAILED INFORMATION ON HOW TO PARTICIPATE IN REMOTE PUBLIC COMMENT PLEASE VISIT OUR WEBSITE AT: [www.uplandca.gov/city-council-agendasminutes](http://www.uplandca.gov/city-council-agendasminutes) OR CONTACT THE CITY CLERK'S OFFICE AT 909-931-4120**

**AGENDA ATTACHED**



## **UPLAND CITY COUNCIL**

### **AGENDA**

**March 23, 2020**

**City Council Chamber**

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

**ROSEMARY HOERNING, 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.

- 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 None**

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**7:00 PM**

**5. INVOCATION**

**6. PLEDGE OF ALLEGIANCE**

**7. PRESENTATIONS**

**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 Meeting Minutes of March 9, 2020, the Regular Meeting Minutes of March 9, 2020, and the Special Meeting Minutes of March 13, 2020. (Staff Person: Keri Johnson)

**B. APPROVAL OF WARRANT AND PAYROLL REGISTERS**

Approve the February Warrant Register and Direct Disbursements (check numbers 28839-29210) totaling \$3,446,620.27 and Payroll Registers totaling \$1,231,532.98 (check Numbers 161316-161338 and EFT's 19704-20465). (Staff Person: Londa Bock-Helms)

**C. APPROVAL OF FINAL MAP TPM 20023 AND ACCEPTANCE OF SUBDIVISION AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENT AND ENCROACHMENT LICENSE AGREEMENT BY ADC SAGE TH, LLC FOR TENTATIVE TRACT 20023**

Approve Tract Map No. 20023 and accept the subdivision improvement agreements with the corresponding performance bonds, labor and materials bonds, and the Encroachment License Agreement (ELA) with ADC Sage TTH, LLC. It is further recommended that the City Council authorize the City Manager to execute said agreements and authorize recordation of the Final Tract Map 20023 and ELA. (Staff Person: Steve Nix)

**D. CAL-ID SERVICE AGREEMENT FOR FINGERPRINT PROCESSING AND IDENTIFICATION SERVICES**

Approve a contract with the San Bernardino County Sheriff's Department to provide statewide fingerprint processing and identification services to the City; and authorize the City Manager to execute the contract. (Staff Person: Darren Goodman)

E. PROXY FOR SAN ANTONIO WATER COMPANY

Appoint Councilmember Rudy Zuniga as proxy to vote all shares at the annual stockholder's meeting of the San Antonio Water Company. (Staff Person: Rosemary Hoerning)

F. CONSIDERATION OF A CONTRACT BY AND BETWEEN THE COUNTY OF SAN BERNARDINO AND THE CITY OF UPLAND TO ACCEPT FUNDING FOR DESIRED 2020 CENSUS OUTREACH ACTIVITIES

Approve a contract with the County of San Bernardino to provide the City of Upland an allocation of \$32,079 to fund desired 2020 Census outreach activities; and authorize the City Manager to execute the agreement. (Staff Person: Robert Dalquest)

G. REVIEW OF THE 2019 HOUSING ELEMENT ANNUAL PROGRESS REPORT ON IMPLEMENTATION OF THE GENERAL PLAN HOUSING ELEMENT

Receive comments from the public on the 2019 Housing Element Annual Progress Report and direct staff to submit it to the Governor's Office of Planning and Research and the California Department of Housing and Community Development. (Staff Person: Robert Dalquest)

H. CALIFORNIA DEPARTMENT OF JUSTICE TOBACCO GRANT PROGRAM 2019-20

Adopt a Resolution accepting the grant funds in the amount of \$39,960 from the State of California Department of Justice, Office of the Attorney General, Tobacco Law Enforcement Grant Program; and authorize the appropriation of \$36,960 to increase operations and education of California and Upland Municipal Code governing the use and sale of tobacco through overtime enforcement activity, and the purchase of photoelectric or vape detectors; and authorize the Police Chief to execute the Memorandum of Understanding. (Staff Person: Darren Goodman)

**12. PUBLIC HEARINGS**

**13. COUNCIL COMMITTEE REPORTS**

**14. BUSINESS ITEMS**

A. APPROVAL OF A CITY MANAGER EMPLOYMENT AGREEMENT WITH ROSEMARY HOERNING

Approve City Manager Employment Agreement with Rosemary Hoerning. (Staff Person: Steven Flower)

**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, April 13, 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 March 18, 2020 a true and correct copy of this agenda was posted 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).