



UPLAND CITY COUNCIL

AGENDA

July 13, 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.

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: Friends of the Upland Wetlands v. City of Upland
San Bernardino County Superior Court of California Case No.CVIDS2010521

B. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one case).

C. CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Secion 54956.8

Property: APNs 1046-591-13, 1046-591-12, 1046-591-11, 1046-591-10, 1046-591-09, 1046-591-08

Agency City Manager Hoerning and Development Services
Negotiators: Director Dalquest

Negotiating Parties: City of Upland and prospective buyers

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

7:00 PM

5. INVOCATION

Rev. Jan Chase, Unity Church of Pomona

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 June 19, 2020, the Special Meeting Minutes of June 22, 2020, the Regular Meeting Minutes of June 22, 2020, and the Special Meeting Minutes of June 25, 2020. (Staff Person: Keri Johnson)

B. APPROVAL OF JUNE WARRANT AND PAYROLL REGISTERS

Approve the June Warrant Registers (check numbers 30575-30941 and Direct Disbursements totaling \$6,497,841.40 and Payroll Registers totaling \$1,430,978.79 (check Numbers 161396-161549 and EFT's 21915-22151). (Staff Person: Londa Bock-Helms)

C. TREASURY REPORT MAY 2020

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

D. FOURTH AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT WITH TKE ENGINEERING, INC.

Authorize an amendment to the professional services agreement with TKE Engineering for an amount of \$200,000 to provide map and improvement plan checking services and an additional amount of \$150,000 to provide special engineering and staff augmentation services for a total amount authorized for \$350,000 for fiscal year 2020/21. (Staff Person: Bob Critchfield)

E. PROFESSIONAL SERVICES AGREEMENT FOR THE DESIGN OF STREET AND UTILITY IMPROVEMENTS ON ARROW HIGHWAY, BETWEEN BENSON AVENUE AND SAN ANTONIO AVENUE

Approve a Professional Services Agreement for the preparation of street and utility improvement construction documents for Arrow Highway, between Benson Avenue and San Antonio Avenue, with KOA Corporation in the amount of \$177,145.00, and authorize a contingency of \$15,855.00, for a total amount of \$193,000.00; and authorize the City Manager to execute the agreement. (Staff Person: Steven Nix)

F. SENATE BILL 1 (SB1) ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUNDING AND PROJECT LIST

Adopt a Resolution approving a list of projects for Fiscal Year 2020-2021 funded by SB 1: the Road Repair and Accountability Act of 2017. (Staff Person: Steven Nix)

G. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ECONOLITE SYSTEMS, INC. FOR TRAFFIC SIGNAL MAINTENANCE SERVICES

Approve an Amendment to the Professional Services Agreement with Econolite Systems, Inc. and authorize the City Manager to execute the amendment. (Staff Person: Steven Nix)

H. AMENDMENTS TO THE PROGRAM GUIDELINES/POLICIES FOR THE UPLAND HOMELESS OUTREACH PREVENTION AND EDUCATION PROGRAM

Approve and adopt the amended Program guidelines/policies with respect to the Upland – Homeless Outreach Prevention and Education (U-HOPE) Program. (Staff Person: Robert Dalquest)

I. CONSIDERATION TO ADOPT A RESOLUTION OF THE CITY COUNCIL RATIFYING EXECUTIVE ORDER 2020-5 OF THE DIRECTOR OF EMERGENCY SERVICES

Adopt a Resolution ratifying the Director of Emergency Services Executive Order 2020-5 permitting temporary outdoor dining until October 31, 2020 for the purpose of complying with public health orders during the local

emergency caused by the COVID-19 pandemic. It is further recommended the City Council authorize the establishment of a small business grant program to assist business with establishing suitable outdoor dining space at \$1,000 per business & authorize up to \$29,000 for use by the Downtown Merchant Board for private security funding in the downtown during street closure operations (through October 31, 2020). (Staff Person: Robert Dalquest)

12. PUBLIC HEARINGS

A. PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FIVE-YEAR APPLICATION AND PLAN

The City Council will consider adoption of a Resolution approving the City of Upland Permanent Local Housing Allocation Application and Plan. (Staff Person: Robert Dalquest)

Recommendation 1) Staff presentation

2) Hold public hearing

3) Close public hearing

4) Adopt a Resolution approving the City of Upland Five-Year Permanent Local Housing Allocation (PLHA) Application and Plan; and authorize the City Manager to execute any and all necessary and related documents to implement the PLHA Application and Plan.

13. COUNCIL COMMITTEE REPORTS

A. SPECIAL ECONOMIC DEVELOPMENT COMMITTEE MEETING, JUNE 29, 2020

14. BUSINESS ITEMS

A. RESOLUTION AUTHORIZING AN EXCEPTION TO THE 180 DAY WAITING PERIOD WHEN HIRING A RETIREE FOR A CRITICAL POSITION

Adopt a Resolution authorizing an exception to the 180-day wait period when hiring a retiree for a critical position pursuant to Government Code Sections 7522.56 and 21224. (Staff Person: Stephen Parker)

B. PRESENTATION OF A HOTEL MARKET DEMAND ANALYSIS PREPARED BY KOSMONT COMPANIES

Receive the presentation from a representative of Kosmont Companies, and receive and file the Hotel Market Demand Study. (Staff Person: Robert Dalquest)

C. POLICY DISCUSSION CONCERNING THE REQUIREMENTS IN THE HISTORIC DOWNTOWN UPLAND SPECIFIC PLAN REGARDING MURALS

Discuss the development standards and any modifications to the development standards to allow for non-historic art murals within the Downtown Specific Plan Area. (Staff Person: Robert Dalquest)

15. ORAL COMMUNICATIONS

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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, July 27, 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 July 8, 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.