



UPLAND CITY COUNCIL

AGENDA

**September 9, 2019
City Council Chamber**

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

**ROSEMARY HOERNING, INTERIM CITY MANAGER
JAMES L. MARKMAN, 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. GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Legal Counsel Edward Zappia and Interim City Manager Rosemary Hoerning

Employee organizations: Upland Mid-Management Association, Upland City Employees Association, Upland Police Officers Association, and Upland Police Management Association

Unrepresented group: Executive Management

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (WORKER'S COMP CLAIM)

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

Claimant: Joseph Barna

Agency: City of Upland

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Case L. Filpi v. City of Upland

Name: San Bernardino County Superior Court of California Case No. CIV-DS-172-4985

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Case Yoakum v. City of Upland

Name: San Bernardino County Superior Court of California Case No. CIV-DS-172-1778

E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Case Yoakum v. City of Upland

Name: San Bernardino County Superior Court of California Case No. CIV-DS-181-7026

F. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Case Simpson v. City of Upland

Name: San Bernardino County Superior Court of California Case No. CIV-DS-180-9093

7:00 PM

5. INVOCATION

Pastor Wesley Menke, Grace Lutheran Church

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Certificates of Recognition Presented to Upland Foothill Little League District Champions

Road to the 2020 Census Presentation by Lupe Camacho, Partnership Specialist, Los Angeles Regional Census Center

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 August 12, 2019 and the Regular Meeting Minutes of August 12, 2019. (Staff Person: Keri Johnson)

B. APPROVAL OF WARRANT AND PAYROLL REGISTERS AUGUST

Approve the August Warrant Registers and Direct Disbursements (check numbers 26490-26949) totaling \$8,103850.71 and Payroll Registers totaling \$1,854,319.55 (check Numbers 160819-160847 and EFTs 16235-16962). (Staff Person: Londa Bock-Helms)

C. TREASURER'S REPORT JULY 2019

Receive and file the July 2019 Treasurer's Report. (Staff Person: Londa Bock-Helms)

D. APPOINTMENT TO THE AIRPORT LAND USE COMMITTEE

Ratify the Mayor's appointment of Howard Bunte to the Airport Land Use Committee. (Staff Person: Keri Johnson)

12. PUBLIC HEARINGS

13. COUNCIL COMMITTEE REPORTS

14. BUSINESS ITEMS

A. MEASURE I CAPITAL IMPROVEMENT PLAN AND CAPITAL PROJECT NEEDS ANALYSIS

Approve a Resolution adopting the Measure I Five-Year Capital Improvement Plan for Fiscal Years 2019/2020 through 2023/2024, and approve a Resolution adopting the Measure I Five-Year Capital Project

Needs Analysis for Fiscal Years 2020/2021 through 2024/2025. (Staff Person: Rosemary Hoerning)

B. AWARD OF BID FOR PROJECT NO. 7072 & 7081, CITYWIDE SLURRY SEALS (BID NO. 2019-02)

Approve the specifications for Project No. 7072 & 7081; award the construction contract to Doug Martin Contracting Company, Inc., in the amount of \$472,508.80; and, authorize a construction contingency in the amount of \$72,491.20, for a total amount of \$545,000.00 from the Gas Tax Fund. (Staff Person: Rosemary Hoerning)

C. PROFESSIONAL SERVICES AGREEMENT FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES WITH TIERRA WEST ADVISORS, INC.

Approve a Professional Services Agreement with Tierra West Advisors, Inc. for economic development services and authorize the Interim City Manager to execute the agreement. (Staff Person: Robert Dalquest)

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, September 23, 2019.

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 September 4, 2019 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).