



UPLAND CITY COUNCIL

AGENDA

**October 14, 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.

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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. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(WORKER'S COMP CLAIM)
(Paragraph (1) of subdivision (d) of California Government Code Section 54956.9)
Claimant: Anthony Kabayan
Agency: City of Upland

- B. 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

- C. 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

- 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND CONSIDERATION OF PUBLIC EMPLOYEE DISMISSAL AND RELATED ACTIONS pursuant to California Government Code Section 54957
Title: City Attorney

7:00 PM

5. INVOCATION

Zayneb Shakely, City of Knowledge School

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Great ShakeOut and Earthquake Safety Presentation by San Bernardino County Fire Emergency Services Officer Klasha Ray

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

Presentation of Lemon Festival Grant Awards

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 September 23, 2019, the Regular Meeting Minutes of September 23, 2019, and the Special Meeting Minutes of October 1, 2019. (Staff Person: Keri Johnson)

B. APPROVAL OF WARRANT AND PAYROLL REGISTERS SEPTEMBER, 2019

It is recommended that the City Council approve the September Warrant Registers and Direct Disbursements (check numbers 26950-27278) totaling \$4,766,257.11 and Payroll Registers totaling \$1,220,929.87 (check Numbers 160848-160870 and EFTs 16963-17451). (Staff Person: Londa Bock-Helms)

C. TREASURER'S REPORT AUGUST 2019

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

D. OFFICE OF TRAFFIC SAFETY GRANT

Accept the grant funds and authorize the appropriation of \$166,200 (OTS Grant #PT20131). (Staff Person: Darren Goodman)

E. 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)

F. ACCEPTANCE OF IMPROVEMENT BY RANCHO MONTE VISTA ANNEX, LLC

Accept the public improvements for the Rancho Monte Vista Annex, LLC (CUP 16-35), and reduce the cash surety to fifty percent (50%) or \$52,185 for this project. (Staff Person: Rosemary Hoerning)

G. BUDGET AMENDMENT TO ACCEPT AND APPROPRIATE THE LEMON FESTIVAL PROCEEDS

Approve the budget amendment of \$74,760 to receive and appropriate the proceeds from the Upland Lemon Festival. (Staff Person: Doug Story)

12. PUBLIC HEARINGS

A. FORMATION OF A RESIDENTIAL PERMIT PARKING ZONE

The City Council will consider establishing a residential permit parking zone. (Staff Person: Rosemary Hoerning)

Recommendation: 1) Staff Presentation

- 2) Hold Public Hearing
- 3) Close Public Hearing
- 4) Adopt a Resolution establishing residential permit parking on south 2nd Avenue at 163 through 185 on the west side and 176 through 188 on the east side, including 208 east 8th Street; and authorize its implementation.

B. APPROVAL OF THE CITIZEN PARTICIPATION PLAN IN CONNECTION WITH THE CITY'S FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City Council will consider the adoption of a Citizens Participation Plan in connection with the City's Federal Community Development Block Grant Program. (Staff Person: Robert Dalquest)

Recommendation: 1) Staff Presentation

- 2) Hold Public Hearing
- 3) Close Public Hearing
- 4) Adopt a Resolution approving the Citizen Participation Plan in connection with the City's Federal Community Development Block Grant Program; and authorize the Interim City Manager or her designee to execute any and all necessary and related documents to implement the Plan.

13. COUNCIL COMMITTEE REPORTS

A. PUBLIC WORKS COMMITTEE, OCTOBER 8, 2019

14. BUSINESS ITEMS

A. APPROVAL OF LABOR AGREEMENT WITH UPLAND CITY EMPLOYEES ASSOCIATION

Adopt a Resolution approving a Memorandum of Understanding with the Upland City Employees Association. (Staff Person: Rosemary Hoerning)

B. APPROVAL OF LABOR AGREEMENT WITH UPLAND MID-MANAGEMENT EMPLOYEES ASSOCIATION

Adopt a Resolution approving a Memorandum of Understanding with the Upland Mid Management Employees Association. (Staff Person: Rosemary Hoerning)

C. APPROVAL OF LABOR AGREEMENT WITH UPLAND POLICE MANAGEMENT ASSOCIATION

Adopt a Resolution approving a Memorandum of Understanding with the Upland Police Management Association. (Staff Person: Rosemary Hoerning)

D. ADOPTION OF A RESOLUTION AMENDING THE COMPENSATION AND BENEFIT PLAN FOR EXECUTIVE EMPLOYEES

Adopt a Resolution amending the compensation and benefit plan for Executive Management employees. (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, October 28, 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 October 9, 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).