

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL
FEBRUARY 24, 2020**

OPENING

The regular meeting of the Upland City Council was called to order by Mayor Debbie Stone at 6:00 p.m. in the Council Chamber of the Upland City Hall.

1. ROLL CALL

Present: Mayor Debbie Stone, Council Members Janice Elliott, Ricky Felix, Bill Velto, and Rudy Zuniga

Staff: City Manager Rosemary Hoerning, Interim City Attorney Steven Flower, and City Clerk Keri Johnson

2. ADDITIONS/DELETIONS TO AGENDA None

3. ORAL COMMUNICATIONS None

4. CLOSED SESSION

At 6:01 p.m. Mayor Stone announced the City Council would recess to Closed Session pursuant to Government Code Section

A. **CLOSED SESSION PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code Section 54957

Title: City Manager

B. **CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS**
Government Code Section 54957.6

Unrepresented employee: City Manager

City designated representative: Interim City Attorney

The City Council reconvened in open session at 7:03 p.m.

5. INVOCATION Pastor Wesley Menke, Grace Lutheran Church

6. PLEDGE OF ALLEGIANCE Mayor Pro Tem Felix

7. PRESENTATIONS

Omar Becerra of the U.S. Census Bureau presented an update on the 2020 Census.

San Bernardino County Transportation Authority Chief of Legislative and Public Affairs Tim Watkins presented an update on the San Bernardino County Transportation Authority.

Homeless Services Coordinator Ashley Esquivel presented an update on homeless services provided by the City.

8. CITY ATTORNEY

Interim City Attorney Flower announced there was nothing to report from Closed Session.

9. ORAL COMMUNICATIONS None

10. COUNCIL COMMUNICATIONS

Councilmembers announced various activities throughout the community, including providing an update on the meetings they attended.

11. CONSENT CALENDAR

Motion by Councilmember Elliott to approve the Consent Calendar, seconded by Councilmember Velto, and carried unanimously.

A. APPROVAL OF MINUTES

Approved the Special Workshop Minutes of February 8, 2020 and Regular Meeting Minutes of February 10, 2020.

B. APPROVAL OF FINAL MAP TPM 20045 AND ACCEPTANCE OF SUBDIVISION AGREEMENTS AND IMPROVEMENT BONDS FOR KB HOMES

Approved the final map for TPM 20045 and authorized the City Manager to execute the subdivision agreements, both public and private. The City Council also accepted the faithful performance and labor and materials security bonds for both public and private improvements and authorized recordation of the Final Tract Map 20045.

C. USED OIL PAYMENT PROGRAM (OPP CYCLE 10) GRANT

Accepted the Used Oil Payment Program Cycle 10 Grant Award of \$21,154.

D. REPLACEMENT OF PUBLIC WORKS SERVICE YARD FUEL ISLAND FUEL DISPENSERS

Authorized the purchase of four (4) Gasboy fuel dispensers from Western Pump in the amount of \$49,016.30, approved the installation of the Fuel Island Dispenser equipment by P. F. Services Inc. in the amount of \$16,710.00 and authorized a contingency in the amount of \$6,573.70, for a total amount of \$72,300.00. The City Council also un-reserved General Fund, fund balance of \$50,000.00 and transferred these funds to Fleet Maintenance and appropriated an additional \$22,300.00 from the Fleet Maintenance fund balance for these project expenses.

12. PUBLIC HEARINGS

A. CONSIDERATION OF A STREET VACATION, CONDITIONAL USE PERMIT, SITE PLAN REVIEW, DESIGN REVIEW AND ENVIRONMENTAL ASSESSMENT REVIEW FOR THE DEVELOPMENT OF A NEW DRIVE-THROUGH COFFEE SHOP WITHIN

THE EXISTING SHOPPING CENTER LOCATED AT 275 EAST FOOTHILL BOULEVARD (APN: 1045-551-04)

Associate Planner Winter presented the staff report along with a PowerPoint, which is on file in the City Clerk's Office. The City Council was provided with a breakdown of past funding and a low and moderate income area map.

There was discussion on the drive through design, parking, and the south facade of the building.

Mayor Stone opened the public hearing.

Allen Nicely, spoke in opposition of the project stating it was a horrible use of land and concerns about potential issues with long drive through lines.

There being no other speakers, Mayor Stone closed the public hearing.

The applicant, Matthew Bush with Upland Village Center, LLC, answered questions posed by the Council regarding the drive through design, minimizing traffic impacts on Foothill Boulevard, parking accessibility, and restrictions on the building location.

Motion by Councilmember Elliott to adopt Resolution No. 6526 approving Street Vacation No. SV-19-01, to vacate 3,983 square feet of a portion of the frontage road on the north side of Foothill Boulevard right-of-way, located approximately 175 linear feet east of the intersection of Foothill Boulevard and Second Avenue, seconded by Councilmember Zuniga, and carried unanimously.

Motion by Mayor Stone to adopt Resolution No. 6527 approving Conditional Use Permit No. CUP-19-08, Site Plan Review No. SP-19-05, Design Review No. DR-19-08, and Environmental Assessment Review No. EAR-0082 for the establishment of a new 2,049 square foot drive-through coffee shop (Starbucks) with outdoor seating located within an existing shopping center located at 275 E. Foothill Blvd (APN: 1045-551-04), seconded by Councilmember Elliott, and carried with Councilmembers Felix and Zuniga opposed.

13. COUNCIL COMMITTEE REPORTS None

14. BUSINESS ITEMS

A. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR GRAFFITI REMOVAL AND ABATEMENT

Operations Manager Smiderle presented the staff report, which is on file in the City Clerk's Office.

There was discussion on the cost to provide graffiti removal services utilizing city staff instead of contract services, the number of calls for graffiti removal, and the removal of graffiti on private properties.

Motion by Councilmember Felix to approve a Professional Services Agreement with Graffiti Protective Coatings, Inc. for graffiti removal and abatement; and

authorize the City Manager to execute any and all necessary and related documents to implement the agreement, seconded by Councilmember Zuniga, and carried unanimously.

15. ORAL COMMUNICATION (items not on the agenda)

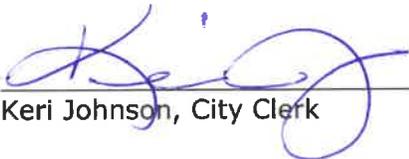
16. CITY MANAGER

City Manager Hoerning reminded the community that the weed abatement inspections were currently being conducted in the City.

17. ADJOURNMENT

Mayor Stone adjourned the meeting at 8:51 p.m. The next regularly scheduled City Council meeting is Monday, March 9, 2020.

SUBMITTED BY



Keri Johnson, City Clerk

APPROVED

March 9, 2020 _____