

Marjorie Mikels, questioned why the Treasurer does not sign the Treasury report, stated opposition to the Planning Commission appointments, and requested the Council leave the City Council position vacant until the November election.

Cindy Phillips, requested the Council leave the City Council position vacant until the November election.

Tauvaga Hoching, resident of District 3 requested the Council appoint someone to fill the vacancy until the November Special Election to ensure that District 3 had representation on the Council.

Irmalinda Osuna, endorsed Carlos Garcia to fill the City Council vacancy by appointment and stated qualities that she felt would make him a good representative for the District.

John Ickis, District 3 resident. Requested the Council appoint someone to fill the City Council vacancy.

Christine Scovill, endorsed Carlos Garcia to fill the City Council vacancy by appointment and stated qualities that she felt would make him a good representative for the District.

10. COUNCIL COMMUNICATIONS

Councilmembers commented on current activities throughout the community.

Councilmember Elliott requested that the City conduct community workshops with the Police Department regarding Police procedures, Councilmember Velto seconded the request.

11. CONSENT CALENDAR

Councilmember Zuniga removed Consent Calendar Items 11F and 11I for separate action. Motion by Councilmember Elliott to approve the remainder of the Consent Calendar, seconded by Councilmember Velto, and carried unanimously.

A. APPROVAL OF MINUTES

Approved the Special Meeting Minutes of May 26, 2020 and the Special Meeting Minutes of June 1, 2020.

B. 2ND READING OF ORDINANCE 1940 APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT NO. DA-1501 FOR THE ENCLAVE AT UPLAND SPECIFIC PLAN, EXTENDING THE AGREEMENT TO JULY 27, 2022 FOR THE PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF FOOTHILL BOULEVARD AND BOUNDED BY DEWEY WAY, 11TH STREET, AND WEST OF CENTRAL AVENUE

Held second reading by number and title only, waived further reading, and adopted Ordinance No. 1940 approving and adopting an Amendment (File No. DA 20-0002) to Development Agreement No. DA 15-01 for The Enclave at Upland Specific Plan Project, between the City of Upland and Lewis Land Developers, LLC, extending the term of the Development Agreement from July 27, 2020, to July 27, 2022, for a 19-acre site located at on the south side of

Foothill Boulevard, the north side of 11th Street, with Central Avenue to the east, and adjacent on Dewey Avenue to the west (Assessor's Parcel Numbers 1007-051-02, 03, 04 and 1007-041-05, 06, 07).

C. 2ND READING OF ORDINANCE 1941 AMENDING CHAPTER 10.40 OF THE UPLAND MUNICIPAL CODE

Held second reading by number and title only, waived further reading, and adopted Ordinance No. 1941 amending Chapter 10.40 (stopping, standing, or parking restricted or prohibited on certain streets, publicly owned or operated off-street parking facilities, and in specified areas of city parks) of the Upland Municipal Code to incorporate state law provisions for enforcement of designated electric vehicle parking stalls or spaces exclusively for electric charging purposes.

D. 2ND READING OF ORDINANCE 1942 ADDING CHAPTER 9.60 TO THE UPLAND MUNICIPAL CODE PROHIBITING SMOKING AND VAPING IN PUBLIC SPACES

Held second reading by number and title only, waived further reading, and adopt Ordinance No. 1942 adding Chapter 9.60 (Smoking and Vaping Prohibited in Public Spaces) to the Upland Municipal Code.

E. ANNUAL ADOPTION OF INVESTMENT POLICY

Adopted Resolution No. 6546 approving and adopting the Annual Statement of Investment Policy for Fiscal Year 2020-21.

G. MAYORAL APPOINTMENTS FOR VARIOUS COMMITTEES

Ratified the Mayoral Appointments, appointing Council Members to City Council committees and City and regional boards, with terms expiring in December 2020.

H. RESIGNATION OF CITY COUNCIL ADVISORY COMMITTEE MEMBER

Accepted the resignation from City Council Advisory Committee Member Hydee Hall and instructed the City Clerk to post the vacancy pursuant to Government Code Section 54974.

J. NIBRS SOFTWARE SUPPORT FOR POLICE CAD/RMS

Approved the transition from Uniform Crime Reporting to National Incident Based Reporting System and authorized the City Manager to execute all related documents.

K. APPROVAL OF EXTENSION TO THE AGREEMENT FOR CLAIMS ADMINISTRATORS FOR THE CITY'S WORKERS' COMPENSATION AND SELF INSURANCE PROGRAMS

Directed the City Manager to exercise the option to extend the agreements for one (1) additional year for professional services of Keenan and Associates to provide Workers' Compensation Claims Management Services, and for Carl

Warren and Company to provide Claims Management Services for the City's Self Insurance Program.

ITEMS REMOVED FOR SEPARATE ACTION

F. TREASURY REPORT APRIL 2020

City Manager Hoerning answered questions posed by the Council regarding the process for reviewing and signing the Treasury Report.

Motion by Councilmember Zuniga to receive and file the April 2020 Treasury Report, seconded by Councilmember Velto, and carried unanimously.

I. REAPPOINTMENTS TO LIBRARY BOARD AND APPOINTMENTS TO THE PLANNING COMMISSION

The Mayor made a statement regarding the appointment process for the Planning Commissioners.

There was discussion regarding the current Commissioners, consideration for reappointment, the application and interview process, and the qualifications and potential conflict of interests of those nominated for appointment to the Planning Commission.

Motion by Councilmember Elliott to ratify the Mayor's reappointments of Renuka Balakrishnan and Wendy Slatkin to the Library Board, terms to expire June 2023, second by Councilmember Zuniga, and carried unanimously.

Motion by Councilmember Elliott to ratify the appointment of Thomas Grahn to the Planning Commission, term to expire June 2024, seconded by Councilmember Zuniga, and carried unanimously.

Motion by Mayor Stone to ratify the appointment of Lorraine Kindred to the Planning Commission, term to expire June 2024, seconded by Councilmember Velto. The motion failed with Councilmembers Zuniga and Elliott opposed.

12. PUBLIC HEARINGS None

13. COUNCIL COMMITTEE REPORTS

14. BUSINESS ITEMS

A. ACTION TO FILL CITY COUNCIL VACANCY CREATED BY THE RESIGNATION OF MAYOR PRO TEM FELIX

Interim City Attorney Flower presented the staff report, which is on file in the City Clerk's Office.

Motion by Councilmember Elliott to bring the item back for discussion at the next City Council meeting.

There was discussion on the timeline to call the Special Election and the term of the office.

Councilmember Elliott withdrew the motion to bring the item back for discussion at the next City Council meeting.

There was discussion regarding concerns that each District has a representative on the City Council and the process for appointment.

Motion by Councilmember Zuniga to direct staff to commence with the application process to fill the vacancy.

There was discussion whether an appointee would have an advantage if they ran in the Special Election.

Councilmember Zuniga withdrew his motion to direct staff to commence with the application process to fill the vacancy.

Motion by Mayor Stone to not to fill the vacancy until the Special Election, seconded by Councilmember Elliott, and carried unanimously.

Motion by Councilmember Elliott to adopt Resolution No. 6547 calling and giving notice of the holding of a Special Municipal Election on Tuesday, November 3, 2020, to fill a vacancy on the City Council (District 3), and requesting the Board of Supervisors of the County of San Bernardino consent to the consolidation of the Special Municipal Election of the City of Upland with the Statewide General Election to be held pursuant to Elections Code 10403, seconded by Councilmember Zuniga, and carried unanimously.

B. APPOINTMENT OF MAYOR PRO TEM

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

There was discussion on the rotation of the Mayor Pro Tem, the importance of the position, and the use of "Mayor Pro Tem" as a ballot designation.

Motion by Mayor Stone to appoint Councilmember Rudy Zuniga to serve as Mayor Pro Tem in order to fill the vacant position resulting from Council Member Felix's resignation, seconded by Councilmember Velto, and carried unanimously.

C. AWARD OF BID FOR 7TH STREET & HARRINGTON AVENUE REHABILITATION AND WATER IMPROVEMENTS (BID NO. 2020-03)

Interim Public Works Director Nix presented the staff report, which is on file in the City Clerk's Office.

Motion by Councilmember Elliott to approve the plans and specifications for the 7th Street & Harrington Avenue Rehabilitation and Water Improvements Project; award the construction contract to T.E. Roberts, Inc. in the amount of \$2,869,735; and, approve a construction contingency in the amount of \$345,265 for a total amount of \$3,215,000; and appropriate \$300,000 in Gas Tax Funds, \$1,150,000 in Measure I Funds, and \$1,275,000 in Water Funds as identified in the proposed Fiscal Year 2020-21 CIP Budget, seconded by Councilmember Zuniga, and carried unanimously.

D. UPDATE ON CURFEW ORDER AND CONSIDERATION OF ANY EXTENSION/AMENDMENTS

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

There was discussion regarding the protests in the community during the past week.

Motion by Councilmember Elliott to adopt Resolution No. 6548 terminating the local emergency proclaimed on June 1, 2020 and confirming the order of the City Manager/Director of Emergency Services terminating the related curfew, seconded by Councilmember Velto, and carried unanimously.

15. ORAL COMMUNICATION (items not on the agenda)

Sabrina Hernandez, stated she was interested in a community workshop with the Police Department, but she does not agree with greater funding for the Police Department.

Stephanie Mendoza, stated opposition to force used by the Police Department during protests in the City during the past week and further stated opposition to increased funding for the Police Department.

Marjorie Mikels, stated opposition to force used by the Police Department during protests in the City during the past week and requested the City Council meetings be open to the public again.

Stephen Roberts, stated he owns a roofing company and was upset that he was informed it may take a month for his roofing permit to be issued.

Alexander Novikov, questioned why he was not selected for reappointment to the Planning Commission.

16. CITY MANAGER

17. ADJOURNMENT

Mayor Stone adjourned the meeting at 9:30 p.m. The next regularly scheduled City Council meeting is Monday, June 22, 2020.

SUBMITTED BY


Keri Johnson, City Clerk

APPROVED

June 22, 2020