



UPLAND CITY COUNCIL

AGENDA

**February 10, 2020
City Council Chamber**

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

**ROSEMARY HOERNING, INTERIM 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 - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant paragraph 2 of subdivision (d) of Section 54956.9: 1 Potential Case

B. CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code Section 54956.8

Property: Northerly portion of APN: 1045-181-04, also known as the Old Animal Shelter property

Agency: Interim City Manager Hoerning and Development
Negotiators: Services Director Dalquest

Negotiating Parties: City of Upland and Frank Robertson

Under Negotiation: Price and terms of lease

C. CLOSED SESSION PUBLIC EMPLOYEE PERFORMANCE EVALUATION, APPOINTMENT, AND RELATED ACTIONS

Pursuant to Government Code Section 54957
Title: City Manager

7:00 PM

5. INVOCATION

Mike Ingram, Christian Science Faith

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

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

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 Regular Meeting Minutes of January 27, 2020. (Staff Person: Keri Johnson)

B. 2ND READING OF ORDINANCE 1936 A PROPOSED AMENDMENT TO THE ADMINISTRATIVE CITATION ORDINANCE

Hold second reading by number and title only, waive further reading, and adopt Ordinance No. 1936 repealing Upland Municipal Code Chapter 1.10 regarding administrative fines and adding Chapter 1.22 regarding administrative citations to create and implement a comprehensive and transparent process for the issuance, collection, and appeals of administrative citations. (Staff Person: Darren Goodman)

C. APPROVAL OF WARRANT AND PAYROLL REGISTERS, JANUARY 2020

Approve the January Warrant Register and Direct Disbursements (check numbers 28415-28838) totaling \$6,033,267.34 and Payroll Registers totaling \$1,888,220.38 (check Numbers 161283-161315 and EFTs 18953-19703). (Staff Person: Londa Bock-Helms)

D. APPOINTMENT TO CITY COUNCIL ADVISORY COMMITTEE

Ratify the appointment of James Breitling to the City Council Advisory Committee, term to expire December 2022. (Staff Person: Keri Johnson)

E. ACCEPTANCE OF WORK FOR THE 9TH STREET PAVEMENT REHABILITATION AND WATER IMPROVEMENTS PROJECT

Accept the work; record the Notice of Completion; and, reduce the Faithful Performance Bond to 10% for the 9th Street Pavement Rehabilitation and Water Improvements Project. (Staff Person: Steve Nix)

F. SAN ANTONIO WATER COMPANY STOCK ACQUISITION

Authorize the City Manager to acquire 1/4 share of San Antonio Water Company Stock from Lucinda Newton for \$13,000. (Staff Person: Steve Nix)

G. ANNUAL WEED ABATEMENT PROGRAM

Adopt a Resolution declaring certain weeds, rubbish, refuse, and dirt in the public right-of-way and private property within the City to be public nuisances and provide for the abatement thereof; authorize the mailing of notices to all persons where such nuisances exist; and set a public hearing date for June 22, 2020. (Staff Person: Robert Dalquest)

12. PUBLIC HEARINGS

13. COUNCIL COMMITTEE REPORTS

- A. SPECIAL ECONOMIC DEVELOPMENT COMMITTEE MEETING, JANUARY 23, 2020

14. BUSINESS ITEMS

A. CONSIDERATION OF FINAL REPORT BY THE HISTORIC DOWNTOWN UPLAND AD HOC COMMITTEE

Receive and file the Final Report, and provide staff with direction on implementation. (Staff Person: Robert Dalquest)

B. DISCUSSION OF DISPOSITION OF THE CITY MANAGER POSITION

Discuss possible modifications to the Upland Municipal Code 2.04.240 Removal of the City Manager. (Staff Person: Rosemary Hoerning)

C. DISCUSSION OF THE DISPOSITION OF CITY COUNCIL APPOINTED COMMITTEE MEMBERS

Discuss possible modifications to Resolution No. 6504. (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, February 24, 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 February 5, 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.

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL
JANUARY 27, 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: Interim City Manager Rosemary Hoerning, Interim City Attorney Steven Flower, and City Clerk Keri Johnson

2. ADDITIONS/DELETIONS TO AGENDA None

3. ORAL COMMUNICATIONS

Bob Cable, Upland, requested the Council recruit for a City Manager to ensure that the City hires the most qualified candidate.

Natasha Walton, requested that the City prepare an environmental study for the Memorial Park Master Plan to allow the community the opportunity to provide input and comments.

4. CLOSED SESSION

At 6:05 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, APPOINTMENT, AND RELATED ACTIONS

Pursuant to Government Code Section 54957
Title: City Manager

B. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Case Name: Inland Oversight Committee v. City of Upland

Case Number: San Bernardino County Superior Court Case No. CIVDS 1936887

C. GOVERNMENT CODE SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN 1044-061-41, 1044-061-42, 1044-061-43 (vacant land)

Agency Negotiators: Interim City Manager Hoerning, Development Services Director Dalquest, Development Services Manager Chavez, and Economic Development Coordinator Picazo

Negotiating Parties: City of Upland and prospective buyers

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

The City Council reconvened in open session at 7:00 p.m.

5. INVOCATION Jim Thomas, Church of Jesus Christ of Latter-Day Saints

6. PLEDGE OF ALLEGIANCE Mayor Stone

7. PRESENTATIONS

An informational presentation was given by Jeremiah P. Bryant, Director of Strategic Development, on the Omni Trans proposed service level modifications to bus routes 83 and 85.

8. CITY ATTORNEY

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

9. ORAL COMMUNICATIONS

Oswaldo Leo Diaz, Upland, questioned whether the SCAG General Assembly meeting would address homelessness and stated that he needed help with his housing issues.

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 Joint Workshop Minutes of January 9, 2020 and the Regular Meeting Minutes of January 13, 2020.

B. DESIGNATION OF A DELEGATE TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS GENERAL ASSEMBLY MEETING

Appointed Councilmember Janice Elliott as the delegate to represent the City of Upland at the Southern California Association of Governments General Assembly Meeting on May 7, 2020.

C. DISPOSAL OF SURPLUS EQUIPMENT

Declared items as surplus, and authorized the Interim City Manager to initiate disposal of the surplus equipment.

D. ACCEPTANCE OF WORK FOR THE 3RD AVENUE PAVEMENT REHABILITATION AND WATER IMPROVEMENTS PROJECT

Accepted the work; authorized the recordation of the Notice of Completion; and, reduced the Faithful Performance Bond to 10% for the 3rd Avenue Pavement Rehabilitation and Water Improvements Project.

E. INTENTION TO VACATE A PORTION OF THE FRONTAGE ROAD ON THE NORTH SIDE OF FOOTHILL BOULEVARD RIGHT-OF-WAY PER APPLICATION FOR STREET VACATION 19-01, AND IN RELATION TO A PROPOSED STARBUCKS LOCATED AT 275 EAST FOOTHILL BOULEVARD

Declared its intention 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, per application for Street Vacation 19-01; and set a Public Hearing for February 24, 2020 concerning the vacation.

12. PUBLIC HEARINGS

A. PROPOSED AMENDMENT TO THE ADMINISTRATIVE CITATION ORDINANCE AND THE ADMINISTRATIVE CITATION FINE SCHEDULE

Police Chief Goodman introduced Lieutenant Dodt and City Prosecutor Wright who presented the staff report, which is on file in the City Clerk's Office.

There was discussion regarding the grace period and the differences between minor violations and egregious violations.

Mayor Stone opened the public hearing and hearing no testimony, closed the public hearing.

There was the suggestion to post the fine schedule on the City's website.

Motion by Councilmember Felix to hold first reading by title only, waive further reading, and introduce Ordinance No. 1936 repealing Upland Municipal Code Chapter 1.10 regarding administrative fines and adding Chapter 1.22 regarding administrative citations to create and implement a comprehensive and transparent process for the issuance, collection, and appeals of administrative citations; and adopt Resolution No. 6523 amending the master fee schedule and establishing administrative fines for certain violations of the Upland Municipal Code, seconded by Councilmember Zuniga, and carried unanimously.

B. PROPOSED SOLID WASTE RATE ADJUSTMENT

Interim City Manager Hoerning presented the staff report along with a PowerPoint presentation, which is on file in the City Clerk's Office.

There was discussion on the different levels of pricing for different size residential trash bins, the cost per ton for tipping fees, changes to recycling requirements, contamination fees, and the "dump and destroy" fee.

Mayor Stone opened the public hearing.

Warren Stewart, board member of Upland Hills Country Club, stated opposition to the rate increase, mentioning the loss of discounts the country club previously received on waste disposal and the effects the increases have on the board's finances.

Amy Valdivia, Upland, spoke in support of the rate increase and stated that the cost is a great value considering the services provided.

John DiBiase, Upland, questioned the cost differences for the trash barrel sizes and felt that Upland Hills Country Club should receive a discount since Burrtec does not bill individual residents, but instead bill's the homeowners association.

Dori Ferranto, Upland, spoke in support of the fee increase and stated she is a business owner in the downtown area and Burrtec has always been responsive to customers.

Terri DiMarco, Rancho Cucamonga, stated that she was speaking on behalf of the Upland Chamber of Commerce in support of the proposed rate increase.

Todd D'Braunstein, suggested that the Council use this as an opportunity to reopen the contract with Burrtec and renegotiate services.

James Breitling, Upland, questioned the contamination fee and how residents would be notified regarding the charge.

Victor Jackson, Upland, stated opposition to the rate increase and felt the Council should fight for the best rate possible for customers.

Ray Musser, Upland, stated opposition to the rate increase and questioned why the residents of Upland Hills Country Club pay for green waste disposal when they do not have green waste barrels.

Mark Walters, Upland, noted that speakers in support of the rate increase were also supporters of the State of the City event which includes Burrtec as a sponsor.

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

There was discussion regarding trash barrel charges, contamination fees, pass through costs, possible repercussions of postponing a rate increase, and the Burrtec contract.

Motion by Mayor Stone to approve Resolution No. 6524 adopting revisions to the schedule of solid waste rates, seconded by Councilmember Velto with the stipulation that the contamination fee be removed from the fee schedule, and carried with Councilmember Zuniga opposed.

13. COUNCIL COMMITTEE REPORTS None

14. BUSINESS ITEMS None

15. ORAL COMMUNICATION (items not on the agenda)

Terri Galdo, Upland Chamber, reminded the Community to use the Shop Upland application and shop local.

Jeanette Wheeler, Oak Hills, stated that she is the owner of a dance studio in the downtown and was concerned about the safety of her students after two recent incidents in the area.

Osvaldo Leo Diaz, Upland spoke regarding his living situation and the need for homelessness assistance.

Todd D’Braunstein, thanked the Council for their service and stated that the Council should give clear direction to staff.

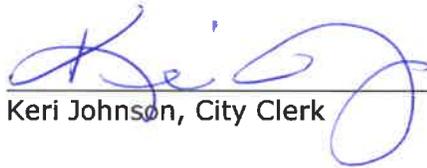
16. CITY MANAGER

Interim City Manager Hoerning announced the date of an upcoming City Council goals workshop.

17. ADJOURNMENT

Mayor Stone adjourned the meeting at 9:57 p.m. The next regularly scheduled City Council meeting is Monday, February, 10, 2020.

SUBMITTED BY



Keri Johnson, City Clerk

APPROVED

February 10, 2020



SECOND READING AND ADOPTION
Ord No. 1934 Date 2/10/20 Item No. 11B

STAFF REPORT

ITEM NO. 12.A.

DATE: January 27, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING, INTERIM CITY MANAGER
PREPARED BY: DARREN L. GOODMAN, POLICE CHIEF
DON DODT, POLICE LIEUTENANT
SUBJECT: PROPOSED AMENDMENT TO THE ADMINISTRATIVE CITATION
ORDINANCE AND THE ADMINISTRATIVE CITATION FINE
SCHEDULE

RECOMMENDED ACTION

It is recommended that the City Council hold first reading by title only, waive further reading, and introduce an Ordinance repealing Upland Municipal Code Chapter 1.10 regarding administrative fines and adding Chapter 1.22 regarding administrative citations to create and implement a comprehensive and transparent process for the issuance, collection, and appeals of administrative citations; and adopt a Resolution amending the master fee schedule and establishing administrative fines for certain violations of the Upland Municipal Code.

GOAL STATEMENT

The proposed action supports the City's goal to protect property values and eliminate blight in the City of Upland.

BACKGROUND

The City of Upland has an adopted Municipal Code with a stated purpose, among other things, to promote and protect public peace, health, safety, and welfare, and to guide growth and development in keeping with the City's General Plan. Code Enforcement is the process by which the City gains compliance with the laws and regulations of the Upland Municipal Code ("UMC").

On April 8, 2013, the City Council adopted Ordinance 1892, establishing Chapter 1.10 of the UMC, creating a process for imposing administrative fines for violation of the UMC, and developing procedures for such fines.

On October 24, 2017, the City Council adopted Ordinance 1914, amending Chapter 1.10 of the UMC, and set fines for UMC Administrative Violations at \$500 per day for residential violations and \$1,000 per day for commercial violations.

At a special meeting of the Police and Fire Committee held on December 16, 2019, the Committee reviewed the proposed Ordinance and provided input to staff regarding the proposed changes.

ISSUES/ANALYSIS

In the three years since the adoption of Ordinance 1914, Code Enforcement has utilized the Administrative Citation process with mixed success. The major problems are the excessive fine amounts and the daily compounding of fines for violation(s) that go uncorrected. Many times homeowners, and small business owners, have faced overdue fines ranging from the tens of thousands to hundreds of thousands of dollars. To resolve these exorbitant fine amounts, staff often holds settlement conferences where the fines are reduced to a fine commensurate to the seriousness of the violation.

FISCAL IMPACTS

Staff anticipates that the proposed ordinance will result in an overall savings to the City by increasing collections and reducing staff time and legal costs.

ALTERNATIVES

Provide alternative direction to staff.

ATTACHMENTS:

Admin Citation Ordinance

ORDINANCE NO. 1936

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UPLAND, REPEALING UPLAND MUNICIPAL CODE CHAPTER 1.10 REGARDING ADMINISTRATIVE FINES AND ADDING CHAPTER 1.22 REGARDING ADMINISTRATIVE CITATIONS TO CREATE AND IMPLEMENT A COMPREHENSIVE AND TRANSPARENT PROCESS FOR THE ISSUANCE, COLLECTION, AND APPEALS OF ADMINISTRATIVE CITATIONS

THE CITY COUNCIL OF THE CITY OF UPLAND DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings.

A. California Constitution, article XI, section 7, authorizes the City of Upland ("City") to adopt and enforce local police, sanitary, and other ordinances and regulations that are not in conflict with the general laws.

B. Government Code section 53069.4(a)(1) authorizes the City to make any violation of its ordinances subject to an administrative fine or penalty and to set forth procedures for the imposition, enforcement, collection, and review of such administrative fine or penalty.

C. The City has previously adopted Upland Municipal Code ("UMC") Chapter 1.10 (Administrative Fines) to regulate issues related to administrative citations and fines within the City; however, the City now desires to streamline and update the processes in UMC chapter 1.10 to conform with recent changes in State law.

D. The City now desires to adopt this Ordinance to create and implement an effective, streamlined, transparent, and fair process to issue, collect, and appeal administrative citations that complies with all State laws concerning the imposition of administrative fines and penalties.

E. This Ordinance will also enhance the operational efficiency of the City's code enforcement and nuisance abatement efforts and provide for a greater level of public trust in the administrative citation process by providing individuals the ability to correct violations before administrative fines are imposed and the opportunity to conveniently appeal administrative citations.

SECTION 2. UMC chapter 1.10 (Administrative Fines) is hereby repealed in its entirety.

SECTION 3. UMC chapter 1.22 (Administrative Citations) is hereby added, and is to read in its entirety as follows:

Chapter 1.22

ADMINISTRATIVE CITATIONS

Sections:

- 1.22.010 Applicability**
- 1.22.020 Definitions**
- 1.22.030 Administrative Citations**
- 1.22.040 Administrative Fines and Fees**
- 1.22.050 Payment of Administrative Fines**
- 1.22.060 Hearing Request**
- 1.22.070 Hearing Officer**
- 1.22.080 Hearing Procedure**
- 1.22.090 Hearing Officer's Decision**
- 1.22.100 Recovery of Administrative Fines and Costs**
- 1.22.110 Right to Judicial Review**
- 1.22.120 Service of Notice**

1.22.010 Applicability

This Chapter provides for administrative citations, which are in addition to all other legal penalties and remedies, whether administrative, criminal, or civil, that may be imposed in connection with any violation of this Code. Any person violating, or who has violated, any provision of this Code may be issued an administrative citation by an Enforcement Official as provided for in this Chapter.

1.22.020 Definitions

For purposes of this Chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

A. "City Manager's Designee" means and includes the City Manager or the person designated by the City Manager to fulfill the responsibilities required by this Chapter.

B. "Continuing Violation" means a violation of this Code that persists for more than 24 hours.

C. "Decision" means the decision of the Hearing Officer at the conclusion of an administrative hearing held in accordance with this Chapter.

D. "Enforcement Agency" means and includes any agency, department, or unit authorized to enforce any provision of this Code.

E. "Enforcement Official" means and includes any City employee or agent of the City authorized by this Code, the City Council, or the City Manager to issue administrative citations to enforce any provision of this Code.

F. "Grace Period" means the reasonable timeframe provided to a Responsible Party to correct a violation of this Code in accordance with this Chapter.

G. "Grace Period Exception" mean a code violation that is any of the following:

1. Not a Continuing Violation.
2. An Immediate Danger.
3. The result of, or used to facilitate, the illegal cultivation of cannabis, unless all the following are true:
 - a. The Nuisance Property is a rental property.
 - b. The relevant Responsible Party is the Nuisance Property owner or owner's agent.
 - c. A tenant is in possession of the Nuisance Property.
 - d. The relevant Responsible Party can provide evidence that the rental or lease agreement prohibits the cultivation of cannabis.
 - e. The relevant Responsible Party did not know the tenant was illegally cultivating cannabis and no complaint, property inspection, or other information caused the Responsible Party to have actual notice of the illegal cannabis cultivation.

H. "Hearing Officer" means the neutral and impartial hearing officer appointed to hold and conduct an administrative hearing in accordance with this Chapter.

I. "Immediate Danger" means that the cited condition poses a reasonable risk of causing immediate harm or damage to the health or safety of a person or property.

J. "Nuisance Property" means the parcel of real property upon which the violations cited in an administrative citation occurred.

K. "Person" means any natural person, business, organization, corporation, or other legal entity.

L. "Responsible Party" or "Responsible Parties" means and includes any of the following:

1. Any person or entity that causes, maintains, permits, or allows a violation of this Code.
2. Any person or entity that owns, possesses, or controls any parcel of real property in the City upon which a violation of this Code is maintained.
3. Any trustee of any trust that holds legal title to any parcel of real property in the City upon which a violation of this Code is maintained.
4. Any person or entity that owns, possesses, operates, manages, or controls any business within the City that is responsible for causing or maintaining a violation of this Code.

1.22.030 Administrative Citations

A. Whenever an Enforcement Official determines that a violation of this Code has occurred, the Enforcement Official shall have the authority to issue an administrative citation to each Responsible Party for that violation.

B. Each administrative citation shall contain the following information:

1. The date of the violations.
2. The address or a description of the location where the violations occurred.
3. The names of the Responsible Parties.
4. The Code sections violated and a description of the violations.
5. Designation per cited violation whether it poses an Immediate Danger.
6. Designation per cited violation whether it is a Continuing Violation.
7. Designation per cited violation whether it is the result of, or used to facilitate, the illegal cultivation of cannabis.
8. Grace Period (if any) to cure each cited violation in order to avoid the administrative fine.

9. The amount of the administrative fine for each cited violation that will be imposed if the cited violation is not cured within the Grace Period (if any). If there is no Grace Period, the administrative fine shall be immediately imposed.

10. The amount (if any) of the Administrative Fee.

11. An order prohibiting the continuation or repeated occurrence of the cited violations.

12. A notice that the administrative fine amount may automatically re-accrue and double each day beyond the Grace Period (if any) that the cited violation persists, up to the statutory maximum per day.

13. An order to the Responsible Parties that they must report to the relevant Enforcement Agency when each cited violation is cured, along with the necessary contact information for the relevant Enforcement Agency to verify.

14. A description of the administrative citation review process, including the timeframe within which the administrative citation may be contested and the place to obtain a hearing request form.

15. A description of the administrative fine payment process, including the timeframe to pay the administrative fine and Administrative Fee, the Late Fee for failure to pay on time, and any other consequences of failing to pay as required.

16. The name and signature of the citing Enforcement Official.

C. If a cited violation is a Grace Period Exception, then the administrative fine for that cited violation shall be immediately imposed.

D. If a cited violation is not a Grace Period Exception, then the Responsible Parties shall be given a reasonable Grace Period to cure that cited violation in order to avoid the administrative fine for that cited violation.

E. The Responsible Parties must cure each cited violation and must report to the relevant Enforcement Agency when each cited violation is cured within 24 hours of curing the violation. When reporting to the Enforcement Agency, the Responsible Parties must provide their contact information and make accommodations for the Enforcement Agency to verify compliance within 72 hours, unless further delay is permitted by the Enforcement Agency.

1.22.040 Administrative Fines and Fees

A. Administrative Fine. The administrative fines imposed pursuant to this Chapter for violations of this Code shall be in the amount set forth in this Code or an Administrative Fine Schedule established by resolution of the City Council.

B. Infractions.

1. For any infraction violation of a building and safety code pertaining to a property that is a commercial property that has an existing building at the time of the violation and the violation is due to failure by the owner to remove visible refuse or failure to prohibit unauthorized use of the property, and no lesser specific administrative fine is established in this Code or by the City Council, the maximum administrative fine shall be \$130 for the first offense and \$2,500 for each subsequent offense within 12 months.
2. For any other infraction violation of a building and safety code, for which no specific administrative fine is established in this Code or by the City Council, the maximum administrative fine shall be \$130 for the first offense, \$700 for the second offense within 12 months, and \$1,300 for each subsequent offense within 12 months.
3. For any other violation of this Code that is expressly punishable only as an infraction, and for which no specific administrative fine is established in this Code or by the City Council, the maximum administrative fine shall be \$100 for the first offense, \$200 for the second offense within 12 months, and \$500 for each subsequent offense within 12 months.

C. Misdemeanors. All violations of this Code are misdemeanors unless expressly stated otherwise. For any violation of this Code that is punishable as a misdemeanor, and for which no specific administrative fine is established in this Code or by the City Council, the maximum administrative fine shall be \$1,000 for each offense.

D. Continuing Violations. Each day a violation persists is a separate offense.

E. Grace Period. The Responsible Parties for any violations that are not a Grace Period Exception shall be given a reasonable Grace Period to cure the violation of not less than three calendar days, or as otherwise set by resolution of the City Council, in order to avoid the administrative fine for that violation.

F. Re-accruing Administrative Fines. The administrative fine for a cited violation shall automatically re-accrue and double, up to the statutory maximum (unless a lesser maximum has been expressly established by this Code or by resolution of the City Council), each day beyond the Grace Period (if any) that a cited violation persists.

G. Administrative Fee. The City may adopt an Administrative Fee to recover the administrative expenses associated with the issuance, enforcement, processing, and collection of administrative citations. The Administrative Fee shall be established by resolution of the City Council. The Administrative Fee shall be assessed on each administrative citation and collected in the same manner and at the same time as the administrative fine; however, the Administrative Fee shall be assessed only once per administrative citation.

H. Late Fee. Any person who fails to pay any administrative fine and Administrative Fee imposed pursuant to the provisions of this Chapter shall be liable for the payment of a Late Fee. The Late Fee shall be in an amount established by resolution of the City Council.

I. Nuisance Abatement Costs. In addition to the Administrative Fee, the City is entitled to recover all other code enforcement and nuisance abatement costs associated with enforcing this Code or abating any nuisances ("Nuisance Abatement Costs"). However, Nuisance Abatement Costs shall not include salary, fees, and hourly rates paid to attorneys, law enforcement, and inspectors for hours spent either investigating or enforcing a charged crime in relation to any criminal investigation, criminal prosecution, or criminal appeal in a criminal action pursuant to Penal Code section 688.5, unless specifically authorized by statute or ordered by a court.

J. Collection Costs. In addition to the Administrative Fee and Late Fee, the City is entitled to recover all costs, expenses, fees, and attorneys' fees associated with collecting upon any administrative fines, fees, or costs authorized by this Chapter.

1.22.050 Payment of Administrative Fines

A. Administrative fines shall be paid to the City within 30 days from the date of service of the administrative citation, unless a hearing is properly requested.

B. If a hearing is properly requested, and the fine is upheld or modified at that administrative hearing, then the confirmed fine amount shall be paid to the City within 30 days from the date of service of the Decision.

C. Payment of an administrative fine under this Chapter shall not excuse or discharge the obligation to cure the underlying violations.

1.22.060 Hearing Request

A. Any recipient of an administrative citation identified as a Responsible Party may contest the administrative citation by completing a hearing request form and returning it to the City, or the City's designated agent as specified on the administrative citation, within 15 days from the date of service of the administrative citation.

B. A hearing request form may be obtained from the City Clerk, the department specified on the administrative citation, or the City's designated agent as specified on the administrative citation. The request may be for an in-person hearing or a hearing by written declaration.

C. If an in-person hearing is requested, then the City shall set the date and time for the administrative hearing. The Responsible Party requesting the in-person hearing shall be served written notice of the time and place set for the administrative hearing at least 10 days prior to the date of the administrative hearing.

D. If a request for hearing by written declaration is made, then the written declaration must be made under penalty of perjury and attached to the hearing request form. The written declaration must establish all defenses the contesting party may have and must attach all evidence the contesting party wishes the Hearing Officer to consider. The written declaration may not be augmented or supplemented unless permission to do so is obtained from the Hearing Officer prior to the issuance of the Decision.

E. Other than coordinating and scheduling the administrative hearing, no ex parte communications may occur with the Hearing Officer. Any other communications with the Hearing Officer must be in writing and submitted to all parties either prior to, or contemporaneously with, the written communication to the Hearing Officer.

F. The Enforcement Agency may submit a written report concerning the administrative citation to the Hearing Officer for consideration. If an in-person hearing is requested, then the report may be submitted at any time prior to the in-person hearing. If a hearing by written declaration is requested, then the report may be submitted within 30 days to the Hearing Officer.

G. Failure to timely and properly request a hearing as required by this Chapter, including the proper submission of a written declaration under penalty of perjury when a hearing by declaration is requested, shall constitute an admission to the existence of the cited violations, an admission to the cited party's liability for the cited violations, a waiver of the right to contest the administrative citation, and a failure to exhaust administrative remedies. The administrative citation, along with any imposed administrative fines and fees, shall be deemed final.

H. Upon the proper filing of a hearing request, the administrative fines and the Administrative Fee associated with the contested administrative citation shall be stayed pending the outcome of the administrative hearing.

1.22.070 Hearing Officer

The City Manager's Designee shall establish procedures for the selection of a Hearing Officer required in this Chapter. A Hearing Officer shall be a neutral third party contracted by the City and selected in a manner that avoids the potential for any bias against any parties to the hearing. The Hearing Officer's compensation, if any, shall be paid by the City; however, the non-prevailing party shall be liable to the City for the costs of the hearing and the Hearing Officer's compensation. The Hearing Officer's compensation shall not be directly or indirectly conditioned upon the outcome of the hearing.

1.22.080 Hearing Procedure

A. An in-person hearing before the Hearing Officer shall be set for a date that is not less than 15 days and not more than 60 days from the date that the request for an in-person hearing is submitted in accordance with the provisions of this Chapter. This timeframe may be extended by necessity or stipulation of the parties. Failure to hold the hearing within this timeframe shall not invalidate the administrative citation, shall not preclude proceeding with the hearing at a later date, and shall not invalidate the Hearing Officer's Decision.

B. If the Responsible Party requesting the in-person hearing fails to attend the scheduled hearing, it shall constitute an admission to the existence of the cited violations, an admission to that Responsible Party's liability for the cited violations, a waiver of the right to contest the administrative citation, and a failure to exhaust administrative remedies.

C. If an in-person hearing is requested, the Hearing Officer may continue the hearing and request additional evidence from the Enforcement Agency or the Responsible Party that requested the hearing prior to issuing a Decision. The Hearing Officer shall issue a Decision within 30 days from the date all necessary evidence is obtained. Failure by the Hearing Officer to strictly comply with this provision shall not invalidate the administrative citation nor the Hearing Officer's Decision.

D. If a hearing by written declaration is requested, the Hearing Officer shall review the requesting Responsible Party's written declaration and the enforcement agencies' report within 30 days of receipt. Within those 30 days, the Hearing Officer may request additional evidence from the Enforcement Agency or the requesting Responsible Party as necessary to render a Decision. Failure by the requesting Responsible Party to respond or produce additional evidence requested by the Hearing Officer may be deemed by the Hearing Officer as an abandonment of the hearing request. Failure by

the Enforcement Agency to respond or produce additional evidence requested by the Hearing Officer may be deemed by the Hearing Officer as admissions in the relevant Responsible Party's favor. The Hearing Officer shall issue a Decision within 30 days from the date all necessary evidence is obtained. Failure by the Hearing Officer to strictly comply with this provision shall not invalidate the administrative citation nor the Hearing Officer's Decision.

E. Administrative hearings are informal, and formal rules of evidence and discovery shall not apply. Each party shall have the opportunity to present evidence in support of that party's case and to cross-examine witnesses. The City bears the burden of proof at an administrative hearing to establish a violation of this Code by a preponderance of the evidence. The administrative citation, and any additional reports submitted by the Enforcement Agency, shall constitute prima facie evidence of the facts contained in those documents.

1.22.090 Hearing Officer's Decision

A. Not later than 30 days after the date on which the administrative hearing concludes—or in the case of a hearing by written declaration, not later than 30 days after all necessary evidence is received—the Hearing Officer shall issue a written Decision to uphold, modify, or dismiss the contested administrative citation. Failure by the Hearing Officer to strictly comply with this provision shall not invalidate the administrative citation nor the Decision.

B. The Decision shall set forth the reasons for the Decision along with notice of the right to appeal pursuant to this Chapter. The Decision shall be final.

C. The Decision shall be served by first-class mail to all parties and shall be deemed to be served on the date the Decision is deposited with the United States Postal Service. Failure to receive a properly addressed Decision shall not invalidate the administrative citation nor the Decision.

D. If the administrative citation is upheld, the Hearing Officer shall award the City reimbursement of the Hearing Costs, including the Hearing Officer's compensation. If the administrative citation is only partially upheld, the Hearing Officer may reduce the reimbursement for Hearing Costs that the City is awarded as the Hearing Officer deems appropriate. If the administrative citation is dismissed entirely, then the City shall bear the Hearing Costs.

E. All upheld and awarded administrative fines, Administrative Fees, and Hearing Costs shall be paid by the Responsible Parties to the City within 30 days from the date the Decision is served.

F. If the Hearing Officer determines that an administrative citation should be dismissed, the City shall retain the authority to issue additional

administrative citations for additional violations, or to take any other enforcement action authorized by law.

1.20.100 Recovery of Administrative Fines and Costs

The City may collect any past due administrative fines, Administrative Fees, Late Fees, Nuisance Abatement Costs, Collection Costs, and Hearing Costs by use of all available legal means, including, but not limited to, personal collection from the Responsible Parties and special assessment against the Nuisance Property if the Responsible Parties have or control title to the Nuisance Property. The procedures provided in this Section are in addition to all other remedies and cost recovery options available to the City by law or in equity, including, but not limited to, those provided in Chapter 1.20 of this Code.

1.22.110 Right to Judicial Review

Within 20 days after service of the Decision upon a Responsible Party, that Responsible Party may seek review of the Decision by filing an appeal with the Superior Court of the State of California, in the County of San Bernardino, in accordance with Government Code section 53069.4. That Responsible Party shall serve upon the City Clerk, either in person or by first-class mail, a copy of the notice of appeal. If a Responsible Party fails to timely file a notice of appeal, the Hearing Officer's Decision shall be final and that Responsible Party's right to appeal shall be deemed waived and terminated.

1.22.120 Service of Notice

A. The administrative citation and all notices required to be given by this Chapter may be served on the Responsible Parties in accordance with any of the following methods:

1. Personal service to the Responsible Parties.
2. First-class or certified mail to the Responsible Parties at each Responsible Parties' last known address.
3. For any Responsible Parties that reside at, or occupy, the Nuisance Property, by posting the administrative citation in a conspicuous place on the Nuisance Property, and then mailing a copy of the administrative citation to those Responsible Parties by first-class mail at that address.
4. If any Responsible Parties are an entity registered with the Secretary of State, then by certified mail to those Responsible Parties' agents for service of process at the address registered with the Secretary of State, or as otherwise permitted by law.

5. If a valid address for any Responsible Parties cannot be determined, then by posting the administrative citation in a conspicuous place on the Nuisance Property, and then mailing a copy of the administrative citation to those Responsible Parties at the Nuisance Property's address by first-class mail.

B. Service by posting shall be deemed effective at the time of posting. Service by mail in any manner described in this Section shall be deemed effective upon deposit in the mail.

C. The failure of any Responsible Party, or any other person with a legal or equitable interest in the Nuisance Property, to receive any administrative citation or notice served in accordance with this Section shall not affect the validity of the notice nor any proceeding conducted under this Code.

SECTION 4. Compliance with California Environmental Quality Act. The Upland City Council ("City Council") finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to California Code of Regulations, title 14, chapter 3 ("CEQA Guidelines"), sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project, the City Council finds that this Ordinance is exempt pursuant to CEQA Guidelines section 15061(b)(3).

SECTION 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 6. Effective Date. This Ordinance shall become effective 30 days from its adoption.

SECTION 7. Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published in a newspaper of general circulation printed and published within the City, pursuant to all legal requirements.

PASSED, APPROVED, and ADOPTED this 10th day of February, 2020.

Debbie Stone, Mayor

I, Keri Johnson, City Clerk of the City of Upland, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Upland held on the 27th day of January, 2020, and was adopted at a regular meeting of the City Council of the City of Upland on the 10th day of February, 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

Keri Johnson, City Clerk



STAFF REPORT

ITEM NO. 11.C.

DATE: February 10, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING, INTERIM CITY MANAGER
PREPARED BY: LONDA BOCK-HELMS, CPA, ACTING ADMINISTRATIVE SERVICES DIRECTOR
SUBJECT: APPROVAL OF WARRANT AND PAYROLL REGISTERS, JANUARY 2020

RECOMMENDED ACTION

It is recommended that the City Council approve the January Warrant Register and Direct Disbursements (check numbers 28415-28838) totaling \$6,033,267.34 and Payroll Registers totaling \$1,888,220.38 (check Numbers 161283-161315 and EFTs 18953-19703).

GOAL STATEMENT

The proposed action supports the City's goal to manage the City's resources in a fiscally responsible and transparent manner.

BACKGROUND

The City Council is presented with the financial disbursements for the purchase of materials, supplies, services, capital projects, and payroll warrants issued in the prior month. This process provides the City Council the opportunity to review the expenses of the City.

ISSUES/ANALYSIS

In accordance with Government Code Section 37208, the Finance Officer hereby certifies that the attached Warrant Registers, Direct Disbursements, and Payroll Registers have been found to conform to the approved budget and have been paid. These demands are submitted to the City Council for review and approval.

FISCAL IMPACTS

Funds are available for the payment of the Warrant Registers, Direct Disbursements, and Payroll Registers.

ALTERNATIVES

Provide alternative direction to staff.

ATTACHMENTS:

Disbursement Register January 2020



City of Upland
Accounts Payable Check Reconciliation Register
01/01/20-01/31/20

CHECK #	CHECK DATE	CHECK TYPE	VENDOR	VENDOR NAME	AMOUNT
28415	01/01/2020	PRINTED	82591	1-800 RADIATOR	217.66
28416	01/01/2020	PRINTED	303	3SI SECURITY SYSTEMS, INC	432.00
28417	01/01/2020	PRINTED	37	5 STAR JANITORIAL	1,500.00
28418	01/01/2020	PRINTED	17278	A T & T	329.68
28419	01/01/2020	PRINTED	99181	ACCONTEMPS	666.50
28420	01/01/2020	PRINTED	12564	ALL CITY MANAGEMENT SERVICES INC	9,870.01
28421	01/01/2020	PRINTED	1291	AMTECH ELEVATOR SERVICES	2,722.53
28422	01/01/2020	PRINTED	117291	ANDERSON, CAROLYN	100.00
28423	01/01/2020	PRINTED	59121	ARMORCAST	10,567.63
28424	01/01/2020	PRINTED	308	ASPINALL, ROBIN JEAN	100.00
28425	01/01/2020	PRINTED	15308	AUTOMATED GATE SERVICES	178.00
28426	01/01/2020	PRINTED	119831	AXON ENTERPRISE INC	14,223.00
28427	01/01/2020	PRINTED	128001	BEYONDTRUST CORPORATION	1,796.24
28428	01/01/2020	PRINTED	120021	BRIGHTVIEW	55,786.95
28429	01/01/2020	PRINTED	325	CALIFORNIA ASSOCIATION OF CODE ENFORCEM	95.00
28430	01/01/2020	PRINTED	325	CALIFORNIA ASSOCIATION OF CODE ENFORCEM	95.00
28431	01/01/2020	PRINTED	118781	CARD INTEGRATORS CORPORATION	1,645.00
28432	01/01/2020	PRINTED	29561	CAROLLO ENGINEERS	5,896.00
28433	01/01/2020	PRINTED	291	CARQUEST AUTO PARTS	465.82
28434	01/01/2020	PRINTED	177	CONSOLIDATED ELECTRICAL DISTRIBUTORS, INC	838.77
28435	01/01/2020	PRINTED	363	CHINO MOWER & ENGINE SERVICE	186.34
28436	01/01/2020	PRINTED	4503	COALE, RICHARD	36.99
28437	01/01/2020	PRINTED	15814	CRIME SCENE STERI-CLEAN, LLC	440.00
28438	01/01/2020	PRINTED	126011	DEPT OF INDUSTRIAL RELATIONS	675.00
28439	01/01/2020	PRINTED	40011	DIVINCENZO, ERIC	88.47
28440	01/01/2020	PRINTED	19101	DURAN, MAURICE	185.52
28441	01/01/2020	PRINTED	82651	ECONOLITE SYSTEMS	19,876.81
28442	01/01/2020	PRINTED	4402	VARGAS, LUPE B	160.00
28443	01/01/2020	PRINTED	2435	EVERSOFT	928.26
28444	01/01/2020	PRINTED	96251	FORD OF UPLAND	1,229.64
28445	01/01/2020	PRINTED	78	FRONTIER	121.71
28446	01/01/2020	PRINTED	290	GRAINGER	190.12
28447	01/01/2020	PRINTED	4501	HARMON, PAUL	1,290.60
28448	01/01/2020	PRINTED	377	HEILMAN, VERA	66.01
28449	01/01/2020	PRINTED	329	HOLLIDAY ROCK CO INC	994.55
28450	01/01/2020	PRINTED	604	IMPACT IMAGES INC	522.02
28451	01/01/2020	PRINTED	16340	INFOSEND INC	7,765.94
28452	01/01/2020	PRINTED	4137	INLAND FAIR HOUSING MEDIATION BOARD/FHI	3,992.62
28453	01/01/2020	PRINTED	195	INLAND VALLEY DAILY BULLETIN	1,626.96
28454	01/01/2020	PRINTED	114501	INTERWEST CONSULTING GROUP	17,652.50
28455	01/01/2020	PRINTED	32791	J J KELLER & ASSOCIATES INC	40.61

28456	01/01/2020 PRINTED	529	KAISER FOUNDATION HEALTH PLAN	12,821.48
28457	01/01/2020 PRINTED	529	KAISER FOUNDATION HEALTH PLAN	25,650.54
28458	01/01/2020 PRINTED	529	KAISER FOUNDATION HEALTH PLAN	115,352.11
28459	01/01/2020 PRINTED	4500	KOONTZ, CLYDE	1,133.70
28460	01/01/2020 PRINTED	469	LONDA BOCK-HELMS	255.30
28461	01/01/2020 PRINTED	122601	LOWE'S	4,501.24
28462	01/01/2020 PRINTED	62081	MAILFINANCE	1,863.42
28463	01/01/2020 PRINTED	445	MATHISEN OIL CO INC	609.54
28464	01/01/2020 PRINTED	569	MCMURRAY STERN, INC	23,382.10
28465	01/01/2020 PRINTED	461	MJS ALARM	36.00
28466	01/01/2020 PRINTED	273	MOORE PHOTOGRAPHY	324.76
28467	01/01/2020 PRINTED	808	NOVIKOV, ALEXANDER	100.00
28468	01/01/2020 PRINTED	42771	OCCU-MED LTD	356.50
28469	01/01/2020 PRINTED	515	PACIFIC WESTERN BANK	90,159.33
28470	01/01/2020 PRINTED	119	PRISTINE UNIFORMS LLC	30.32
28471	01/01/2020 PRINTED	93211	R & R INDUSTRIES, INC	865.78
28472	01/01/2020 PRINTED	10638	RICHARDS, WATSON & GERSHON	26,574.77
28473	01/01/2020 PRINTED	612	RIDE ON POWEPWERSPORTS, INC	187.50
28474	01/01/2020 PRINTED	90591	S & J SUPPLY CO INC	4,210.72
28475	01/01/2020 PRINTED	11671	SAN BERNARDINO COUNTY	662.87
28476	01/01/2020 PRINTED	234	SAN BERNARDINO LAFCO	668.75
28477	01/01/2020 PRINTED	653	SAVANT SOLUTIONS INC	7,000.00
28478	01/01/2020 PRINTED	17582	SCHWARY, GARY	100.00
28479	01/01/2020 PRINTED	859	SETSCAN	39,393.99
28480	01/01/2020 PRINTED	131121	SHRED-IT USA JV LLC	359.04
28481	01/01/2020 PRINTED	507	SILVER & WRIGHT LLP	15,177.70
28482	01/01/2020 PRINTED	43011	SMITH-EMERY LABORATORIES	100.00
28483	01/01/2020 PRINTED	93401	SOUTHERN CALIFORNIA EDISON	1,400.00
28484	01/01/2020 PRINTED	90177	SWRCB	28,461.00
28485	01/01/2020 PRINTED	2439	T K E ENGINEERING INC	15,900.00
28486	01/01/2020 PRINTED	7627	TAYLOR, NORMAN	291.72
28487	01/01/2020 PRINTED	935	TERMINIX INTERNATIONAL	127.00
28488	01/01/2020 PRINTED	4463	THE COUNSELING TEAM	275.00
28489	01/01/2020 PRINTED	126761	THE LINCOLN NATIONAL LIFE INS	2,402.08
28490	01/01/2020 PRINTED	45851	THE PRINTERS	158.39
28491	01/01/2020 PRINTED	99981	THOMSON REUTERS - WEST PAYMENT CENTER	1,221.17
28492	01/01/2020 PRINTED	21671	TIME WARNER CABLE	1,287.40
28493	01/01/2020 PRINTED	62321	U.S. TELEPACIFIC CORP	1,721.30
28494	01/01/2020 PRINTED	4499	TRAVERS, SUMTER LEE	2,603.07
28495	01/01/2020 PRINTED	134091	TYLER BUSINESS FORMS	311.28
28496	01/01/2020 PRINTED	125411	TYLER TECHNOLOGIES INC	7,700.00
28497	01/01/2020 PRINTED	1543	UPLAND HIGH SCHOOL	5,000.00
28498	01/01/2020 PRINTED	43	URBAN FUTURES BOND ADMINISTRATION	2,475.00
28499	01/01/2020 PRINTED	4481	V C A CENTRAL ANIMAL HOSPITAL	53.97
28500	01/01/2020 PRINTED	17189	VALLEY POWER SYSTEMS INC	672.00
28501	01/01/2020 PRINTED	725	VIDO SAMARZICH, INC	145,109.77
28502	01/01/2020 PRINTED	137	YVETTE WALKER	100.00

28503	01/01/2020 PRINTED	392	WAXIE SANITARY SUPPLY	764.25
28504	01/01/2020 PRINTED	14050	WILLDAN FINANCIAL SERVICES	10,402.12
28505	01/01/2020 PRINTED	999999	BRAULIO ROMERO	133.00
28506	01/01/2020 PRINTED	999999	DIAMANTE NKIELO	11.99
28507	01/08/2020 PRINTED	125761	CITY EMPLOYEE ASSOCIATES	299.00
28508	01/08/2020 PRINTED	99418	FRANCHISE TAX BOARD	100.00
28509	01/08/2020 PRINTED	295	INLAND EMPIRE UNITED WAY	26.00
28510	01/08/2020 PRINTED	736	UPLAND POLICE MANAGEMENT ASSN	1,183.00
28511	01/08/2020 PRINTED	737	UPLAND POLICE OFFICERS ASSN	5,253.00
28512	01/08/2020 PRINTED	15750	AFLAC PREMIUM HOLDING	3,045.70
28513	01/08/2020 PRINTED	132551	AMERICAN FIDELITY ASSURANCE	2,387.66
28514	01/08/2020 PRINTED	6109	AMERICAN HERITAGE LIFE INS CO	229.50
28515	01/08/2020 PRINTED	16823	PRE PAID LEGAL SVC, INC	293.00
28516	01/08/2020 PRINTED	889	PRUDENTIAL INSURANCE COMPANY OF AMERIC	27.08
28517	01/08/2020 PRINTED	17278	A T & T	329.68
28518	01/08/2020 PRINTED	99181	ACCONTEMPS	886.45
28519	01/08/2020 PRINTED	14	ACTION AWARDS	181.44
28520	01/08/2020 PRINTED	131971	ANNEALTA GROUP	27,748.00
28521	01/08/2020 PRINTED	3987	BALDY VIEW GYMNASTICS	1,289.56
28522	01/08/2020 PRINTED	1769	BIO-TOX LABORATORIES	1,835.00
28523	01/08/2020 PRINTED	83401	CARL WARREN & CO	3,862.60
28524	01/08/2020 PRINTED	83401	CARL WARREN & CO	214.54
28525	01/08/2020 PRINTED	291	CARQUEST AUTO PARTS	190.34
28526	01/08/2020 PRINTED	163	CLINICAL LABORATORY OF SAN BERNARDINO, II	448.00
28527	01/08/2020 PRINTED	366	CRAFCO INC	427.16
28528	01/08/2020 PRINTED	16636	DELL MARKETING LP	4,999.20
28529	01/08/2020 PRINTED	816	DOG WASTE DEPOT	1,185.12
28530	01/08/2020 PRINTED	4402	VARGAS, LUPE B	85.00
28531	01/08/2020 PRINTED	73401	ERNIE'S DISCOUNT ROOTER	65.00
28532	01/08/2020 PRINTED	97141	EUROFINS EATON ANALYTICAL INC	4,553.00
28533	01/08/2020 PRINTED	2435	EVERSOFT	652.66
28534	01/08/2020 PRINTED	10485	EXPERIAN	95.40
28535	01/08/2020 PRINTED	44891	FARLEY, SANDRA	1,982.70
28536	01/08/2020 PRINTED	4456	FEDERAL EXPRESS	37.19
28537	01/08/2020 PRINTED	96251	FORD OF UPLAND	169.75
28538	01/08/2020 PRINTED	78	FRONTIER	83.84
28539	01/08/2020 PRINTED	78	FRONTIER	112.68
28540	01/08/2020 PRINTED	78	FRONTIER	1,430.44
28541	01/08/2020 PRINTED	833	G4S SECURE SOLUTIONS (USA) INC	16,839.43
28542	01/08/2020 PRINTED	907	LISA KAY GALLATIN	4,186.76
28543	01/08/2020 PRINTED	122151	GOSS, CAROLINA	72.00
28544	01/08/2020 PRINTED	129521	GRAFIX SYSTEMS	1,472.33
28545	01/08/2020 PRINTED	34941	GUZMAN, STACEY	58.78
28546	01/08/2020 PRINTED	329	HOLLIDAY ROCK CO INC	388.99
28547	01/08/2020 PRINTED	15090	HOLLIDAY TRUCKING INC	54,540.00
28548	01/08/2020 PRINTED	629	HONEYCOTT, INC	135.00
28549	01/08/2020 PRINTED	16340	INFOSEND INC	4,465.09

28550	01/08/2020 PRINTED	3430	INLAND EMPIRE STAGES, LTD	8,255.75
28551	01/08/2020 PRINTED	153	INLAND EMPIRE UTILITIES AGENCY	972.00
28552	01/08/2020 PRINTED	114501	INTERWEST CONSULTING GROUP	12,320.84
28553	01/08/2020 PRINTED	1357	JACKS KEY SERVICE	295.00
28554	01/08/2020 PRINTED	48371	JEEP CHRYSLER OF ONTARIO	1,131.24
28555	01/08/2020 PRINTED	545	JEFF JENKINS SERVICE TECHNICIAN	1,605.82
28556	01/08/2020 PRINTED	362	KAISER FOUNDATION HEALTH PLAN	930.14
28557	01/08/2020 PRINTED	80561	KEENAN & ASSOCIATES	6,144.33
28558	01/08/2020 PRINTED	56981	KENDALL, ANDREA	1,486.65
28559	01/08/2020 PRINTED	29911	LASSETTER, SUELLEN	344.01
28560	01/08/2020 PRINTED	16385	MAIN STREET SIGNS	1,265.68
28561	01/08/2020 PRINTED	21341	MATT CHLOR INC	3,798.42
28562	01/08/2020 PRINTED	801	MCLELLAN, MCROBBIE	73.50
28563	01/08/2020 PRINTED	83491	NOBEL SYSTEMS	24,000.00
28564	01/08/2020 PRINTED	117121	NUCKLES OIL COMPANY INC	25,101.16
28565	01/08/2020 PRINTED	400	NUTRIEN AG SOLUTIONS, INC	308.28
28566	01/08/2020 PRINTED	902	ONTARIO REFRIGERATION SERVICE INC	2,851.00
28567	01/08/2020 PRINTED	6625	P F SERVICES INC	462.50
28568	01/08/2020 PRINTED	33021	PELLITTERI, CHRISTOPHER	358.04
28569	01/08/2020 PRINTED	586	PET CRUSADE ANIMAL HEALTH, INC	974.63
28570	01/08/2020 PRINTED	16032	PLUMBERS DEPOT INC	1,515.36
28571	01/08/2020 PRINTED	119	PRISTINE UNIFORMS LLC	2,086.43
28572	01/08/2020 PRINTED	110471	R A BATCHELOR CO	425.00
28573	01/08/2020 PRINTED	1731	R E S ENVIRONMENTAL INC	1,280.00
28574	01/08/2020 PRINTED	349	RAIN MASTER IRRIGATION SYSTEMS	235.90
28575	01/08/2020 PRINTED	769	REGIONAL GOVERNMENT SERVICES AUTHORITY	69.60
28576	01/08/2020 PRINTED	49091	RIVERSIDE CNTY SHERIFFS/BEN CLARK TRAINING	133.00
28577	01/08/2020 PRINTED	58	SAFARILAND, LLC	1,790.00
28578	01/08/2020 PRINTED	845	SCARLETT DREAMS	198.45
28579	01/08/2020 PRINTED	26331	SENDLORFER, BRIAN	189.97
28580	01/08/2020 PRINTED	637	SMART & FINAL IRIS CO	178.01
28581	01/08/2020 PRINTED	4640	DS SERVICES OF AMERICA INC	49.50
28582	01/08/2020 PRINTED	16607	STAPLES BUSINESS ADVANTAGE	109.23
28583	01/08/2020 PRINTED	70251	STEESE, MARION	119.10
28584	01/08/2020 PRINTED	69231	STEP SAVER CA LLC	1,233.83
28585	01/08/2020 PRINTED	678	SUN BADGE COMPANY INC	116.33
28586	01/08/2020 PRINTED	59821	TERRYBERRY COMPANY LLC	233.95
28587	01/08/2020 PRINTED	17991	THE SAWDUST FACTORY	269.38
28588	01/08/2020 PRINTED	21671	TIME WARNER CABLE	92.27
28589	01/08/2020 PRINTED	910	TITAN ENVIRONMENTAL SOLUTIONS, INC	1,020.00
28590	01/08/2020 PRINTED	116791	TOVAR, DONNA	15.30
28591	01/08/2020 PRINTED	311	U S ARMOR CORPORATION	2,632.14
28592	01/08/2020 PRINTED	67311	UNDERCAR PLUS UPLAND	761.04
28593	01/08/2020 PRINTED	128751	URBAN GRAFFITI ENTERPRISES INC	5,200.00
28594	01/08/2020 PRINTED	133941	VERIZON	1,450.45
28595	01/08/2020 PRINTED	1725	WEST COAST ARBORISTS INC	5,655.00
28596	01/08/2020 PRINTED	14050	WILLDAN FINANCIAL SERVICES	100.00

28597	01/08/2020 PRINTED	5193	ZAILO, ROBERT	71.25
28598	01/08/2020 PRINTED	999999	CRYSTAL AVILA	250.00
28599	01/08/2020 PRINTED	999999	JIM HOKE	100.00
28600	01/08/2020 PRINTED	999999	UPLAND HIGH SOLAR BOAT CLUB	1,250.00
28601	01/15/2020 PRINTED	17278	A T & T	329.68
28602	01/15/2020 PRINTED	14	ACTION AWARDS	25.92
28603	01/15/2020 PRINTED	207	ADLERHORST INTERNATIONAL LLC	318.53
28604	01/15/2020 PRINTED	3	AIRGAS USA LLC	370.21
28605	01/15/2020 PRINTED	479	ALLIANCE BUILDING SOLUTIONS, INC	8,387.50
28606	01/15/2020 PRINTED	4754	ALTEC INDUSTRIES INC	263.40
28607	01/15/2020 PRINTED	1291	AMTECH ELEVATOR SERVICES	1,099.47
28608	01/15/2020 PRINTED	6683	ATMAA INC	2,120.00
28609	01/15/2020 PRINTED	15308	AUTOMATED GATE SERVICES	182.00
28610	01/15/2020 PRINTED	95868	BOARD OF EQUALIZATION	2,283.44
28611	01/15/2020 PRINTED	819	BRINKS, INC	658.79
28612	01/15/2020 PRINTED	291	CARQUEST AUTO PARTS	1,020.18
28613	01/15/2020 PRINTED	12511	CCSINTERACTIVE	125.00
28614	01/15/2020 PRINTED	448	CINTAS CORPORATION	1,712.40
28615	01/15/2020 PRINTED	45421	COSTAR REALTY INFORMATION GROUP INC	473.58
28616	01/15/2020 PRINTED	205	ROSALYN MARIE NICHOLES	458.42
28617	01/15/2020 PRINTED	4696	CUCAMONGA VALLEY WATER DISTRIC	30.73
28618	01/15/2020 PRINTED	124	DEPARTMENT OF JUSTICE	384.00
28619	01/15/2020 PRINTED	126011	DEPT OF INDUSTRIAL RELATIONS	225.00
28620	01/15/2020 PRINTED	21131	ESRI INC	1,726.03
28621	01/15/2020 PRINTED	10485	EXPERIAN	77.00
28622	01/15/2020 PRINTED	96251	FORD OF UPLAND	716.54
28623	01/15/2020 PRINTED	63011	FORENSIC NURSE SPECIALISTS INC	800.00
28624	01/15/2020 PRINTED	78	FRONTIER	61.76
28625	01/15/2020 PRINTED	78	FRONTIER	120.71
28626	01/15/2020 PRINTED	78	FRONTIER	206.76
28627	01/15/2020 PRINTED	78	FRONTIER	575.26
28628	01/15/2020 PRINTED	78	FRONTIER	1,220.00
28629	01/15/2020 PRINTED	5661	G & M BUSINESS INTERIORS	1,527.00
28630	01/15/2020 PRINTED	58311	G H A TECHNOLOGIES	160.00
28631	01/15/2020 PRINTED	290	GRAINGER	412.28
28632	01/15/2020 PRINTED	88061	HISTORIC DOWNTOWN UPLAND	6,000.00
28633	01/15/2020 PRINTED	329	HOLLIDAY ROCK CO INC	2,020.63
28634	01/15/2020 PRINTED	662	INK SLINGER SCREEN PRINTING & EMBROIDERY	2,071.49
28635	01/15/2020 PRINTED	153	INLAND EMPIRE UTILITIES AGENCY	101,506.00
28636	01/15/2020 PRINTED	195	INLAND VALLEY DAILY BULLETIN	312.16
28637	01/15/2020 PRINTED	195	INLAND VALLEY DAILY BULLETIN	630.88
28638	01/15/2020 PRINTED	195	INLAND VALLEY DAILY BULLETIN	758.70
28639	01/15/2020 PRINTED	48371	JEEP CHRYSLER OF ONTARIO	2,139.34
28640	01/15/2020 PRINTED	48371	JEEP CHRYSLER OF ONTARIO	466.28
28641	01/15/2020 PRINTED	371	JOBS AVAILABLE	611.60
28642	01/15/2020 PRINTED	477	JOHNSON, KERI	45.24
28643	01/15/2020 PRINTED	26101	KONICA MINOLTA	4,369.27

28644	01/15/2020 PRINTED	53241	KONICA MINOLTA BUSINESS SOLUTIONS	4,261.61
28645	01/15/2020 PRINTED	15595	L D M ASSOCIATES INC	45,541.25
28646	01/15/2020 PRINTED	16091	LEAGUE OF CALIF CITIES/INLAND EMPIRE DIVISI	680.00
28647	01/15/2020 PRINTED	461	MJS ALARM	2,751.00
28648	01/15/2020 PRINTED	824	MK CONSULTING	2,008.65
28649	01/15/2020 PRINTED	16233	MPOWER COMMUNICATIONS	233.37
28650	01/15/2020 PRINTED	7816	MR T'S TOWING INC	3,000.00
28651	01/15/2020 PRINTED	42771	OCCU-MED LTD	3,317.00
28652	01/15/2020 PRINTED	30971	OCCUPATIONAL HEALTH CENTERS	723.50
28653	01/15/2020 PRINTED	7734	OFFICE DEPOT	0.39
28654	01/15/2020 PRINTED	902	ONTARIO REFRIGERATION SERVICE INC	3,274.00
28655	01/15/2020 PRINTED	6625	P F SERVICES INC	1,606.36
28656	01/15/2020 PRINTED	1731	R E S ENVIRONMENTAL INC	1,560.00
28657	01/15/2020 PRINTED	240	RICHARD BRADY AND ASSOCIATES	3,751.55
28658	01/15/2020 PRINTED	67381	ROUTE 66 CAR WASH INC	948.00
28659	01/15/2020 PRINTED	11671	SAN BERNARDINO COUNTY	13,232.54
28660	01/15/2020 PRINTED	861	SOUTHWEST MOBILE STORAGE, INC	133.93
28661	01/15/2020 PRINTED	16607	STAPLES BUSINESS ADVANTAGE	2,547.14
28662	01/15/2020 PRINTED	625	STILES ANIMAL REMOVAL	90.00
28663	01/15/2020 PRINTED	678	SUN BADGE COMPANY INC	116.33
28664	01/15/2020 PRINTED	90177	SWRCB	50,189.46
28665	01/15/2020 PRINTED	120921	SWRCB-DWOCB	60.00
28666	01/15/2020 PRINTED	16077	THERMAL COMBUSTION INNOVATORS, INC	78.52
28667	01/15/2020 PRINTED	21671	TIME WARNER CABLE	259.96
28668	01/15/2020 PRINTED	21671	TIME WARNER CABLE	119.98
28669	01/15/2020 PRINTED	21671	TIME WARNER CABLE	697.34
28670	01/15/2020 PRINTED	908	TITAN EMPIRE INC	1,914.50
28671	01/15/2020 PRINTED	68821	TOTAL CORPORATE SOLUTIONS	315.00
28672	01/15/2020 PRINTED	62321	U.S. TELEPACIFIC CORP	2,827.12
28673	01/15/2020 PRINTED	14735	VERIZON WIRELESS	35.15
28674	01/15/2020 PRINTED	14735	VERIZON WIRELESS	38.01
28675	01/15/2020 PRINTED	14735	VERIZON WIRELESS	38.01
28676	01/15/2020 PRINTED	14735	VERIZON WIRELESS	43.30
28677	01/15/2020 PRINTED	14735	VERIZON WIRELESS	114.05
28678	01/15/2020 PRINTED	14735	VERIZON WIRELESS	152.04
28679	01/15/2020 PRINTED	14735	VERIZON WIRELESS	199.81
28680	01/15/2020 PRINTED	14735	VERIZON WIRELESS	266.07
28681	01/15/2020 PRINTED	14735	VERIZON WIRELESS	384.23
28682	01/15/2020 PRINTED	14735	VERIZON WIRELESS	433.78
28683	01/15/2020 PRINTED	14735	VERIZON WIRELESS	1,809.44
28684	01/15/2020 PRINTED	14735	VERIZON WIRELESS	1,961.27
28685	01/15/2020 PRINTED	14735	VERIZON WIRELESS	3,125.91
28686	01/15/2020 PRINTED	14735	VERIZON WIRELESS	8,617.25
28687	01/15/2020 PRINTED	392	WAXIE SANITARY SUPPLY	421.86
28688	01/15/2020 PRINTED	1725	WEST COAST ARBORISTS INC	12,760.00
28689	01/15/2020 PRINTED	635	WESTERN EXTERMINATOR COMPANY	1,211.00
28690	01/15/2020 PRINTED	999999	JODY BOUMA	79.00

28691	01/15/2020 PRINTED	999999	JOEL'S AUTOMOTIVE, INC.	1,434.76
28692	01/22/2020 PRINTED	37	5 STAR JANITORIAL	1,500.00
28693	01/22/2020 PRINTED	99181	ACCONTEMPS	453.22
28694	01/22/2020 PRINTED	358	ADVANCED AUTO, SMOG CHECK CENTER	31.75
28695	01/22/2020 PRINTED	3	AIRGAS USA LLC	2,423.30
28696	01/22/2020 PRINTED	917	BPS TACTICAL INC	587.24
28697	01/22/2020 PRINTED	5944	BURRTEC WASTE INDUSTRIES	708,965.55
28698	01/22/2020 PRINTED	29561	CAROLLO ENGINEERS	5,286.00
28699	01/22/2020 PRINTED	291	CARQUEST AUTO PARTS	301.44
28700	01/22/2020 PRINTED	84141	CARTY, DIANE	171.00
28701	01/22/2020 PRINTED	363	CHINO MOWER & ENGINE SERVICE	242.39
28702	01/22/2020 PRINTED	448	CINTAS CORPORATION	205.46
28703	01/22/2020 PRINTED	124	DEPARTMENT OF JUSTICE	531.00
28704	01/22/2020 PRINTED	64901	DESIGN WEST ENGINEER	650.00
28705	01/22/2020 PRINTED	121361	DOSSIER SYSTEMS	6,495.00
28706	01/22/2020 PRINTED	96251	FORD OF UPLAND	363.69
28707	01/22/2020 PRINTED	915	FUEL MRKT INC	446.00
28708	01/22/2020 PRINTED	16687	GOOD FAITH LIEN SVCS INC	213.00
28709	01/22/2020 PRINTED	134381	GRAHAM, GEORGE	300.00
28710	01/22/2020 PRINTED	290	GRAINGER	46.06
28711	01/22/2020 PRINTED	306	HACH CO	501.07
28712	01/22/2020 PRINTED	329	HOLLIDAY ROCK CO INC	783.37
28713	01/22/2020 PRINTED	4495	HOSE-MAN INC	92.24
28714	01/22/2020 PRINTED	36271	INLAND EMPIRE PRINTING	197.18
28715	01/22/2020 PRINTED	195	INLAND VALLEY DAILY BULLETIN	825.10
28716	01/22/2020 PRINTED	106951	INTEGRATED TECHNOLOGY	1,149.58
28717	01/22/2020 PRINTED	79821	K S M ELECTRIC	1,295.34
28718	01/22/2020 PRINTED	96231	LABASTIDA CONSTRUCTION	13,280.00
28719	01/22/2020 PRINTED	267	LARA, JASON	125.00
28720	01/22/2020 PRINTED	3020	LAW ENFORCEMENT MEDICAL SVCS	2,275.00
28721	01/22/2020 PRINTED	1577	LAW OFFICES OF JONES & MAYER	120.00
28722	01/22/2020 PRINTED	91491	LIBRARY SYSTEMS & SERVICES LLC	6,902.81
28723	01/22/2020 PRINTED	23581	MAGNOLIA COLONY APARTMENTS	103.57
28724	01/22/2020 PRINTED	901	MANAGEMENT PARTNERS	9,310.00
28725	01/22/2020 PRINTED	445	MATHISEN OIL CO INC	609.54
28726	01/22/2020 PRINTED	552	MEGA BANK	126,837.05
28727	01/22/2020 PRINTED	473	MUNICIPAL MAINTENANCE EQUIPMENT INC	273.92
28728	01/22/2020 PRINTED	16877	NEXTDAY DELIVERY SERVICE, LLC	148.67
28729	01/22/2020 PRINTED	30971	OCCUPATIONAL HEALTH CENTERS	792.76
28730	01/22/2020 PRINTED	64331	PACIFIC TELEMAGEMENT SERVICE	60.00
28731	01/22/2020 PRINTED	739	PACIFIC YOUTH SPORTS	630.00
28732	01/22/2020 PRINTED	4509	PARKHOUSE TIRE INC	2,144.68
28733	01/22/2020 PRINTED	231	PRESTIGIOUS INVESTIGATIVE SERVICES	6,400.00
28734	01/22/2020 PRINTED	18941	ROBLES, JOHN	100.00
28735	01/22/2020 PRINTED	67381	ROUTE 66 CAR WASH INC	273.00
28736	01/22/2020 PRINTED	90591	S & J SUPPLY CO INC	13,987.32
28737	01/22/2020 PRINTED	601	SAN ANTONIO WATER CO	89,566.54

28738	01/22/2020 PRINTED	222	SAN BERNARDINO COUNTY PROBATION DEPT	300.00
28739	01/22/2020 PRINTED	2225	SAN BERNARDINO COUNTY FIRE	24,373.28
28740	01/22/2020 PRINTED	11671	SAN BERNARDINO COUNTY	329.43
28741	01/22/2020 PRINTED	5323	SAN BERNARDINO VALLEY COLLEGE	8,495.00
28742	01/22/2020 PRINTED	68671	SANDERS LOCK & KEY INC	54.74
28743	01/22/2020 PRINTED	18062	SOFFA ELECTRIC INC	480.00
28744	01/22/2020 PRINTED	3835	SOUTH COAST A Q M D	557.42
28745	01/22/2020 PRINTED	16607	STAPLES BUSINESS ADVANTAGE	109.35
28746	01/22/2020 PRINTED	11737	ERIC ESPINOZA	2,346.87
28747	01/22/2020 PRINTED	2439	T K E ENGINEERING INC	19,552.50
28748	01/22/2020 PRINTED	61211	THE ZAPPIA LAW FIRM APC	24,840.49
28749	01/22/2020 PRINTED	39061	TOOLS-R-US INC	235.15
28750	01/22/2020 PRINTED	912	TRIAD MEDICAL TRAINING, INC	3,987.99
28751	01/22/2020 PRINTED	67311	UNDERCAR PLUS UPLAND	231.51
28752	01/22/2020 PRINTED	3557	UNDERGROUND SERVICE ALERT	671.17
28753	01/22/2020 PRINTED	170	UPSCO POWERSAFE SYSTEMS INC	970.00
28754	01/22/2020 PRINTED	128751	URBAN GRAFFITI ENTERPRISES INC	10,400.00
28755	01/22/2020 PRINTED	725	VIDO SAMARZICH, INC	12,285.87
28756	01/22/2020 PRINTED	760	WATER FACILITIES AUTHORITY	357,883.36
28757	01/22/2020 PRINTED	392	WAXIE SANITARY SUPPLY	1,626.69
28758	01/22/2020 PRINTED	766	WEST END CONSOLIDATED WATER CO	24,821.42
28759	01/22/2020 PRINTED	999999	JENNY GARCIA	15.99
28760	01/22/2020 PRINTED	999999	JEZELL ROSS	250.00
28761	01/22/2020 PRINTED	999999	MARCOS ARIZMENDI	10.00
28762	01/29/2020 PRINTED	125761	CITY EMPLOYEE ASSOCIATES	287.50
28763	01/29/2020 PRINTED	99418	FRANCHISE TAX BOARD	100.00
28764	01/29/2020 PRINTED	295	INLAND EMPIRE UNITED WAY	26.00
28765	01/29/2020 PRINTED	736	UPLAND POLICE MANAGEMENT ASSN	1,183.00
28766	01/29/2020 PRINTED	737	UPLAND POLICE OFFICERS ASSN	5,157.00
28767	01/29/2020 PRINTED	12564	ALL CITY MANAGEMENT SERVICES INC	14,093.13
28768	01/29/2020 PRINTED	911	ALL TANKLESS WATER HEATER & PLUMBING	5,875.00
28769	01/29/2020 PRINTED	308	ASPINALL, ROBIN JEAN	100.00
28770	01/29/2020 PRINTED	6683	ATMAA INC	300.00
28771	01/29/2020 PRINTED	1769	BIO-TOX LABORATORIES	675.00
28772	01/29/2020 PRINTED	120021	BRIGHTVIEW	55,786.95
28773	01/29/2020 PRINTED	732	BROUSE, LINDEN	100.00
28774	01/29/2020 PRINTED	118781	CARD INTEGRATORS CORPORATION	877.00
28775	01/29/2020 PRINTED	291	CARQUEST AUTO PARTS	158.77
28776	01/29/2020 PRINTED	14547	CHAVEZ, ELIZABETH	24.15
28777	01/29/2020 PRINTED	82791	CHEM PRO LABORATORY INC	298.00
28778	01/29/2020 PRINTED	448	CINTAS CORPORATION	1,007.81
28779	01/29/2020 PRINTED	122791	CODE 3 INC	530.41
28780	01/29/2020 PRINTED	924	DFM ASSOCIATES	56.84
28781	01/29/2020 PRINTED	881	DOUG MARTIN CONTRACTING COMPANY, INC	372,325.43
28782	01/29/2020 PRINTED	4402	VARGAS, LUPE B	110.00
28783	01/29/2020 PRINTED	2435	EVERSOFT	485.68
28784	01/29/2020 PRINTED	10485	EXPERIAN	77.00

28785	01/29/2020 PRINTED	4456	FEDERAL EXPRESS	8.84
28786	01/29/2020 PRINTED	290	GRAINGER	4,386.58
28787	01/29/2020 PRINTED	131101	HARRINGTON INDUSTRIAL PLASTICS	34.01
28788	01/29/2020 PRINTED	453	HD SUPPLY CONSTRUCTION SUPPLY, LTD	541.77
28789	01/29/2020 PRINTED	329	HOLLIDAY ROCK CO INC	306.02
28790	01/29/2020 PRINTED	629	HONEYCOTT, INC	370.00
28791	01/29/2020 PRINTED	4495	HOSE-MAN INC	72.54
28792	01/29/2020 PRINTED	16340	INFOSEND INC	23.57
28793	01/29/2020 PRINTED	4884	INMARK	381.90
28794	01/29/2020 PRINTED	17528	INNOVATIVE PRINTING CONCEPTS	2,726.89
28795	01/29/2020 PRINTED	5161	INTOXIMETERS INC	532.76
28796	01/29/2020 PRINTED	529	KAISER FOUNDATION HEALTH PLAN	26,914.00
28797	01/29/2020 PRINTED	529	KAISER FOUNDATION HEALTH PLAN	35,941.96
28798	01/29/2020 PRINTED	529	KAISER FOUNDATION HEALTH PLAN	131,287.85
28799	01/29/2020 PRINTED	122601	LOWE'S	2,436.17
28800	01/29/2020 PRINTED	356	MADRID, RICHARD	62.26
28801	01/29/2020 PRINTED	16385	MAIN STREET SIGNS	3,472.35
28802	01/29/2020 PRINTED	21341	MATT CHLOR INC	3,798.42
28803	01/29/2020 PRINTED	550	MOHAVE STATE BANK	90,678.00
28804	01/29/2020 PRINTED	808	NOVIKOV, ALEXANDER	100.00
28805	01/29/2020 PRINTED	30971	OCCUPATIONAL HEALTH CENTERS	219.00
28806	01/29/2020 PRINTED	6625	P F SERVICES INC	150.00
28807	01/29/2020 PRINTED	515	PACIFIC WESTERN BANK	90,159.33
28808	01/29/2020 PRINTED	4509	PARKHOUSE TIRE INC	824.83
28809	01/29/2020 PRINTED	16760	POLY-CORR INDUSTRIES INC	3,340.25
28810	01/29/2020 PRINTED	805	R3 CONSULTING GROUP	2,100.00
28811	01/29/2020 PRINTED	349	RAIN MASTER IRRIGATION SYSTEMS	235.90
28812	01/29/2020 PRINTED	769	REGIONAL GOVERNMENT SERVICES AUTHORITY	86.25
28813	01/29/2020 PRINTED	10638	RICHARDS, WATSON & GERSHON	25,195.28
28814	01/29/2020 PRINTED	49091	RIVERSIDE CNTY SHERIFFS/BEN CLARK TRAINING	226.00
28815	01/29/2020 PRINTED	90591	S & J SUPPLY CO INC	1,400.75
28816	01/29/2020 PRINTED	2225	SAN BERNARDINO COUNTY FIRE	1,067.00
28817	01/29/2020 PRINTED	4974	SAN BERNARDINO COUNTY TRANSPORTATION	9,912.28
28818	01/29/2020 PRINTED	11671	SAN BERNARDINO COUNTY	13,232.54
28819	01/29/2020 PRINTED	17582	SCHWARY, GARY	100.00
28820	01/29/2020 PRINTED	131121	SHRED-IT USA JV LLC	559.39
28821	01/29/2020 PRINTED	107	SITEONE LANDSCAPE SUPPLY HOLDING LLC	433.79
28822	01/29/2020 PRINTED	16607	STAPLES BUSINESS ADVANTAGE	774.65
28823	01/29/2020 PRINTED	417	E&S TOWING ENTERPRISES, INC	1,050.00
28824	01/29/2020 PRINTED	120841	STUMP FENCE CO	4,850.00
28825	01/29/2020 PRINTED	2439	T K E ENGINEERING INC	34,588.75
28826	01/29/2020 PRINTED	126761	THE LINCOLN NATIONAL LIFE INS	2,833.76
28827	01/29/2020 PRINTED	61211	THE ZAPPIA LAW FIRM APC	13,153.84
28828	01/29/2020 PRINTED	11583	THOMPSON PLUMBING SUPPLY	304.42
28829	01/29/2020 PRINTED	99981	THOMSON REUTERS - WEST PAYMENT CENTER	1,221.17
28830	01/29/2020 PRINTED	18181	TIERRA WEST ADVISORS LLC	11,932.09
28831	01/29/2020 PRINTED	908	TITAN EMPIRE INC	2,270.00

28832	01/29/2020	PRINTED	137	YVETTE WALKER	100.00
28833	01/29/2020	PRINTED	392	WAXIE SANITARY SUPPLY	422.66
28834	01/29/2020	PRINTED	1725	WEST COAST ARBORISTS INC	13,779.00
28835	01/29/2020	PRINTED	766	WEST END CONSOLIDATED WATER CO	330,800.00
28836	01/29/2020	PRINTED	635	WESTERN EXTERMINATOR COMPANY	495.00
28837	01/29/2020	PRINTED	999999	MICHELLE M. FLINT	3,698.97
28838	01/29/2020	PRINTED	999999	YOLANDA GALLARDO	40.00
10220000	01/02/2020	MANUAL	132551	AMERICAN FIDELITY ASSURANCE	4,451.24
10220001	01/02/2020	MANUAL	618	ICMA-RC	21,379.94
10220002	01/02/2020	MANUAL	621	KAREN LONG	672.00
10220003	01/02/2020	MANUAL	441	MIDAMERICA ADMIN & RETIREMENT SOLUTION	1,472.03
10320000	01/03/2020	MANUAL	624	DEPT OF THE TREASURY	350.00
10320001	01/03/2020	MANUAL	733	MASSACHUSETTS MUTUAL LIFE INSURANCE CO	61,197.76
10320002	01/03/2020	MANUAL	32091	SOUTHERN CALIF EDISON CO	92,282.46
10320003	01/03/2020	MANUAL	543	SOUTHERN CALIF GAS COMPANY	4,513.53
10320004	01/03/2020	MANUAL	43651	U S BANK NATIONAL ASSN	24,960.21
10720000	01/07/2020	MANUAL	65181	CALPERS	140,946.36
10820000	01/08/2020	MANUAL	132551	AMERICAN FIDELITY ASSURANCE	1,006.58
10820001	01/08/2020	MANUAL	622	UPLAND CITY EMPLOYEE ASSOCIATION	940.00
10820002	01/08/2020	MANUAL	91491	LIBRARY SYSTEMS & SERVICES LLC	103,518.00
10920000	01/09/2020	MANUAL	132551	AMERICAN FIDELITY ASSURANCE	896.17
10920001	01/09/2020	MANUAL	116231	NEOPOST USA INC	5,000.00
11020000	01/10/2020	MANUAL	65181	CALPERS	26,544.60
11020001	01/10/2020	MANUAL	83401	CARL WARREN & CO	83,414.49
11020002	01/10/2020	MANUAL	83401	CARL WARREN & CO	49,469.90
11020003	01/10/2020	MANUAL	83401	CARL WARREN & CO	178,961.00
11520001	01/15/2020	MANUAL	153	INLAND EMPIRE UTILITIES AGENCY	550,118.40
11620000	01/16/2020	MANUAL	132551	AMERICAN FIDELITY ASSURANCE	4,451.24
11620001	01/16/2020	MANUAL	618	ICMA-RC	2,235.41
11620002	01/16/2020	MANUAL	621	KAREN LONG	672.00
11620003	01/16/2020	MANUAL	441	MIDAMERICA ADMIN & RETIREMENT SOLUTION	1,487.12
11620004	01/16/2020	MANUAL	622	UPLAND CITY EMPLOYEE ASSOCIATION	930.00
11720000	01/17/2020	MANUAL	132551	AMERICAN FIDELITY ASSURANCE	5,386.58
11720001	01/17/2020	MANUAL	32091	SOUTHERN CALIF EDISON CO	71,464.22
11720002	01/17/2020	MANUAL	624	DEPT OF THE TREASURY	350.00
12120000	01/21/2020	MANUAL	733	MASSACHUSETTS MUTUAL LIFE INSURANCE CO	44,915.45
12220001	01/22/2020	MANUAL	123361	DEPT OF INDUSTRIAL RELATIONS	62,529.33
12220002	01/22/2020	MANUAL	754	PUBLIC AGENCY COALITION ENTERPRISE	96,297.91
12320000	01/23/2020	MANUAL	65181	CALPERS	144,994.51
12320001	01/23/2020	MANUAL	441	MIDAMERICA ADMIN & RETIREMENT SOLUTION	24,560.38
13020000	01/30/2020	MANUAL	441	MIDAMERICA ADMIN & RETIREMENT SOLUTION	2,023.02
13120000	01/31/2020	MANUAL	733	MASSACHUSETTS MUTUAL LIFE INSURANCE CO	16,985.37
				REPORT TOTAL	<u>\$ 6,033,267.34</u>



STAFF REPORT

ITEM NO. 11.D.

DATE: February 10, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING, INTERIM CITY MANAGER
PREPARED BY: KERI JOHNSON, CITY CLERK
SUBJECT: APPOINTMENT TO CITY COUNCIL ADVISORY COMMITTEE

RECOMMENDED ACTION

It is recommended that the City Council ratify the appointment of James Breitling to the City Council Advisory Committee, term to expire December 2022.

GOAL STATEMENT

The proposed action supports the City's goal to provide opportunities for the citizenry to participate in local government through service on various Committees, Commissions, and Boards.

BACKGROUND

The City currently has committees to which each member of the City Council makes an appointment. The City Clerk's office received the resignation of City Council Advisory Committee Member Steve Bierbaum on November 27, 2019. Mr. Bierbaum served as Councilmember Zuniga's appointee. The City Council accepted the resignation at their meeting on December 9, 2019 and instructed the City Clerk to post the notice of vacancy pursuant to Government Code Section 54974.

ISSUES/ANALYSIS

Councilmember Zuniga has nominated James Breitling to serve on the City Council Advisory Committee. Mr. Breitling, if appointed, will serve the same term as Councilmember Zuniga which expires in 2022.

FISCAL IMPACTS

There is no fiscal impact associated with this appointment.

ALTERNATIVES

Provide alternative direction to staff.

ATTACHMENTS:

Application



City of Upland

Public Service Application for Boards, Committees, or Commissions

Name: James Breitling

Date: 1/21/2020

- I want to generally apply for all committees
 I am applying specifically for the following:
City Council Advisory Board

When are you available for meeting? (Check all that apply)

- Mornings Afternoons Evenings

General Information

Home Address: [REDACTED]

Home Phone: [REDACTED]

Email Address: [REDACTED]

Present Employer: Lewis Associates

Business Address: [REDACTED]

Business Phone: [REDACTED]

Activities Information

Professional Activities: Director of Government Relations; advocating on behalf of the construction industry with regards to water and air quality regulatory matters.

Community Activities: Active Member of the Community Emergency Response Team, Served on the Panhandling Committee, 2020 Census Committee, Upland Police Dept Citizens Academy

Education Information

Mt. San Antonio College

University of La Verne

In 300 words or less, explain reasons for wanting to serve:

I have been an Upland resident for 11 years. In that time I have developed a warmth and respect for our community and its unique hometown charm. Having worked with many southern California cities, I have been fortunate to experience a wide array of communities and learn about each of their unique strengths and challenges. My goal for serving on the City Council Advisory Committee is to work with my fellow community members by applying my skill set to address any community challenges the committee is tasked with. Volunteering provides a community with a unique identity because it brings people together to work on a goal. My ultimate goal for serving is to promote the positive characteristics of our community while building bridges over any obstacles and challenges that may hinder our community's ability to be a great place to live, work, worship, and play.

List three (3) community references:

1. Rudy Zuniga

2. Janice Elliott

3. Shannon Maust

Signature





STAFF REPORT

ITEM NO. 11.E.

DATE: February 10, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING, INTERIM CITY MANAGER
PREPARED BY: STEVE NIX, INTERIM PUBLIC WORKS DIRECTOR
BOB CRITCHFIELD, ENGINEERING MANAGER
SUBJECT: ACCEPTANCE OF WORK FOR THE 9TH STREET PAVEMENT
REHABILITATION AND WATER IMPROVEMENTS PROJECT

RECOMMENDED ACTION

It is recommended that the City Council accept the work; record the Notice of Completion; and, reduce the Faithful Performance Bond to 10% for the 9th Street Pavement Rehabilitation and Water Improvements Project.

GOAL STATEMENT

The proposed action supports the City's goal to continue to maintain and improve the City's public roadway and water facilities.

BACKGROUND

On September 24, 2018, the City Council awarded the 9th Street Pavement Rehabilitation and Water Improvements Project to Vido Samarzich, Inc., in the amount of \$2,800,000.00 (including contingencies). The project work occurred on 9th Street, between 3rd Avenue and 8th Avenue, and consisted of the installation of a new potable water main, service and fire hydrant lateral upgrades, reconstruction of asphalt concrete pavement, replacement of concrete curbs, gutters, rock curbs, sidewalks, curb ramps; replacement of catch basins and storm drain pipeline; and replacement of pavement markings and traffic striping.

ISSUES/ANALYSIS

The contractor has since satisfactorily completed the required improvements. The City can now accept the work, file the Notice of Completion, and reduce the Faithful Performance Bond to 10%. The City will retain the Labor Materials Bond for six (6) months and release it thereafter, provided no liens or stop notices are filed against the project.

FISCAL IMPACTS

The final construction cost of \$2,403,858.27 is within the original authorized appropriation amount of \$2,800,000.00 therefore, no additional appropriation is necessary.

ALTERNATIVES

1. Do not accept the work.
2. Provide alternative direction to staff.

ATTACHMENTS:

NOC for 9th Street

Recording requested by
and when recorded mail to:

City of Upland, City Clerk's Office
460 N. Euclid Avenue
Upland, CA 91786

(Space above this line for Recorder's use)

This document is exempt from the payment of a recording
fee pursuant to Government Code Section 27383

Notice of Completion

Pursuant to Civil Code Section 3093, **NOTICE** is hereby given that:

The undersigned is the owner of the interest or estate stated below in the property hereinafter described. The full name and address of owner is City of Upland, 460 North Euclid Avenue, Upland, California 91786.

Assessors Parcel Numbers N/A, in and to the hereinafter described property.

The work was completed on that certain work known as **9th Street Pavement Rehabilitation and Water Improvements** for the undersigned City of Upland, a Municipal Corporation, on the **6th** day of **November, 2019**.

The City accepted the job on the **10th** day of **February, 2020**.

The Contractor on said job was **Vido Samarzich, Inc.** of **Rancho Cucamonga**, California.

The improvement(s) consisted of **installation of a new potable water main and service laterals, fire hydrant upgrades, reconstruction of asphalt concrete pavement; replacement of concrete curbs, gutters, rock curbs, sidewalks, and ADA curb ramps; replacement of brick sewer manholes and manhole adjustments; replacement of catch basins and storm drain pipeline; and re-striping**; and the location of the improvements occurred on 9th Street, from 3rd Avenue to 8th Avenue, in Upland, California.

The surety was **Fidelity and Deposit Company of Maryland**.

All communications relating to the contract should bear the number above mentioned.

I hereby certify under penalty of perjury that the foregoing is true and correct.

Executed this **10th** day of **February, 2020** at Upland, California.

City of Upland, a Municipal Corporation

Rosemary Hoerning, Interim City Manager



STAFF REPORT

ITEM NO. 11.F.

DATE: February 10, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING INTERIM CITY MANAGER
PREPARED BY: STEVE NIX, INTERIM PUBLIC WORKS DIRECTOR
SUBJECT: SAN ANTONIO WATER COMPANY STOCK ACQUISITION

RECOMMENDED ACTION

It is recommended that the City Council authorize the City Manager to acquire 1/4 share of San Antonio Water Company Stock from Lucinda Newton for \$13,000.

GOAL STATEMENT

The proposed action will support the City's goal to increase water rights holdings to ensure a cost effective water supply is available for the community's benefit.

BACKGROUND

On January 22, 2020, Lucinda Newton contacted the City and offered a 1/4 share (Certificate No. A12688) of San Antonio Water Company (SAW Co.) stock for purchase by the City of Upland for \$13,000 per 1/4 share. This price is commensurate with the City's blind auction bid price offered at the October 2018 stock auction.

ISSUES/ANALYSIS

In October 2018, the City participated in San Antonio Water Company's Shareholder stock auction. The City was successful in securing 9 out of the 11 stock certificates which increased the City stock ownership by 2.5 shares. The purchase price offered by the City ranged from \$13,600 to \$14,000 per 1/4 share. The City has also purchased shares directly from private parties within this price range since the auction.

It is desirable to secure additional shares of water stock to increase access to local water supplies. This will reduce the City's dependence on imported water and build operational flexibility with rights to varied sources. Acquisition of additional SAW Co. shares provides a

perpetual right to future company water supplies. At this time, the entitlement of 1 share = 1.73AF/share.

SAW Co. is one of the City's cheapest sources of water supply. For FY 2018-19 SAW Co. water cost the City approximately \$365/AF. By contrast, imported Metropolitan Water District of Southern California (MWD) water cost the City \$993/AF for the same period.

FISCAL IMPACTS

The purchase price offered is within the range of the previous purchases. The stock share purchase price of \$13,000 is to be made from the Water Fund (Fund 640).

The share entitlement right is in perpetuity under the company holdings. Therefore, the financial investment rate of return will be eventually realized and surpassed. These rights also increase the City's financial obligations associated with the company operations and infrastructure reinvestment which are indeterminable at this time.

ALTERNATIVES

Provide alternative direction to staff.

ATTACHMENTS:

Lucinda Newton Stock Offer

On Jan 22, 2020, at 8:07 PM, Newton, Lucinda
[REDACTED] wrote:

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Hello Rosemary Hoerning,

I am offering the City of Upland a 1/4 share of San Antonio water stock for \$13,000.

Thank you,

Lucinda Newton
[REDACTED]



STAFF REPORT

ITEM NO. 11.G.

DATE: February 10, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING, INTERIM CITY MANAGER
PREPARED BY: ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
LIZ CHAVEZ, DEVELOPMENT SERVICES MANAGER
SHELDON BLOOMFIELD, WEED ABATEMENT COORDINATOR
SUBJECT: ANNUAL WEED ABATEMENT PROGRAM

RECOMMENDED ACTION

It is recommended that the City Council adopt a Resolution declaring certain weeds, rubbish, refuse, and dirt in the public right-of-way and private property within the City to be public nuisances and provide for the abatement thereof; authorize the mailing of notices to all persons where such nuisances exist; and set a public hearing date for June 22, 2020.

GOAL STATEMENT

The proposed action supports the City's goal of reducing fire hazards and improving public health and safety by removing excessive weed growth and trash accumulations within the City.

BACKGROUND

The City of Upland has been administering weed abatement services for nearly four decades. The purpose of the Weed Abatement Program is to ensure that property owners maintain their properties free of any public nuisances. A nuisance means a condition of property that constitutes blight, a public health hazard, or a public safety hazard. Adoption of the resolution begins the first step in implementing the program. A listing of all properties that may require abatement is available for viewing at the City Clerk's office. Properties in violation of the resolution will receive a written notification to abate the nuisance. A written reminder of the program was included in the utility bills during the month of February, and posted on the City website for those who pay online. Furthermore, a written reminder was also mailed to owners of vacant land within the City limits. Additionally, a message was

posted on City Hall's message board (marquee) advising all residents of the start of the program.

ISSUES/ANALYSIS

Each year between February and May, staff surveys all properties within the City to determine whether or not weeds, rubbish, and/or refuse exists on any property. An inspection is made to assess the existence of a public nuisance or potential fire/safety hazard. After the initial inspection has been completed and a public nuisance is confirmed, a violation notice is sent to the property owner of record or resident if applicable, advising that there is an administrative fee of \$72.00 related to said inspection services. Property owners will be given a 10-day period for compliance. Subsequently, a second inspection is then conducted and if the property is not free of the public nuisance, the administrative fee will increase to a minimum of \$278.00 and the City has the legal right to remove the weeds, rubbish, and/or refuse and assess the costs of any clean-up against the property in the form of a lien with the San Bernardino County Tax Assessor's Office.

FISCAL IMPACTS

The program is designed to be cost neutral to the City. This is achieved by factoring in all mandatory abatements, the necessary inspection fees, administrative costs plus any staff services required, to offset the enforcement of the program, which is submitted to the Tax Assessor's Office as a special assessment. These assessments are then passed onto the property owners who do not abate the public nuisance/hazards within the stated time periods.

ALTERNATIVES

Provide alternative direction to staff.

ATTACHMENTS:

Resolution

Government Codes

Utility billing mailer

City parcels list - available for public viewing in the City Clerk's Office

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND
DECLARING CERTAIN WEEDS, RUBBISH, REFUSE AND DIRT IN
THE PUBLIC RIGHT OF WAY AND PRIVATE PROPERTY WITHIN
THE CITY, TO BE PUBLIC NUISANCES AND PROVIDING FOR
THE ABATEMENT THEREOF

Intent of the Parties and Findings

(i) There are currently existing and now growing and/or being upon those certain streets and/or sidewalks within the City of Upland as hereinafter particularly described, and upon and/or in front of those certain private properties hereinafter particularly described, weeds which when mature bear seeds of a wingy or downy nature which will attain such a large growth as to become a fire menace when dry, and/or which are otherwise noxious or dangerous to persons and property within said City; and

(ii) The weeds that are currently existing or are now growing or have the potential to be upon those certain streets and/or sidewalks within the City, as hereinafter particularly described, and upon and/or in front of those certain private properties hereinafter particularly described, are seasonal and recurrent nuisances; and

(iii) There are currently existing upon those certain streets and/or sidewalks within the City, and upon and/or in front of those certain private properties, hereinafter particularly described, rubbish and refuse and, accordingly, it is the intention and purpose of the properly constituted authorities of the City to cause the abatement of all of the same that have not been destroyed or abated by the owners of such properties; abatement or removal when done by the City shall be assessed upon the parcels and lands from which said weeds, rubbish and refuse are removed and to impose such costs as a lien upon lots and lands until paid.

NOW, THEREFORE, the Upland City Council hereby finds, determines and resolves as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are a substantive part of this Resolution.

Section 2. Definitions and Declarations. The word "weeds", as used in this Resolution, includes weeds which bear seeds of a downy or wingy nature, and any other brush or weeds which attain such growth as to become, when dry, a fire menace to adjacent improved property, weeds which are otherwise noxious or dangerous, poison oak and poison ivy when conditions of growth are such as to constitute a menace to the public health, and dry grass, stubble, brush or other flammable material which endangers the public safety by creating a fire hazard; and vegetation, vines and shrubs of every kind and nature overgrowing curb lines or draping over walls or fences along, or projecting into public streets, including alleys, thereby interfering with public street use and maintenance and the public safety. The words "rubbish and refuse", as used in this Resolution, includes trash, garbage and leavings of every kind that are not fully contained within a receptacle designed for such placement in preparation for removal by the proper authorities. Therefore, all of such weeds, rubbish and refuse are hereby declared to be seasonal and recurrent public nuisance in each and every case and instance, and the same in each and every case and instance are hereby ordered to be abated by the respective owners of such lands.

Section 3. Abatement Notice and Fees. The City Clerk shall cause to be mailed.

written notice of the proposed abatement to all persons owning property where such nuisances exist; advising of an initial inspection fee of \$72.00, increasing to \$278.00 plus abatement fees if such abatement is not completed within 10 days of notice; said notices shall be substantially in the form required by applicable law; and June 22, 2020 at 7:00 PM, or as soon as possible thereafter, at the Council Chambers within Upland City Hall, or such other location as may be designated by the City Council pursuant to applicable law, is hereby fixed as the date, time and place for hearing and considering any and all objections or protests to the proposed removal of such weeds, rubbish and refuse as a charge and lien upon the property suffering such nuisance to exist, and any and all persons having objections to such removal are hereby notified to attend a meeting of the City Council of the City of Upland at the date, time and place as set forth herein, when their objections will be heard and given due consideration. This resolution shall particularly apply to all parcels and streets within the City of Upland's corporate limits as provided by the County of San Bernardino Assessor's official records, which is incorporated herein by this reference and available for review in the City Clerk's Office.

Section 4. Certification. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED and ADOPTED this 10th day of February 2020.

Debbie Stone, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 10th day of February 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

ATTEST:

Keri Johnson, City Clerk

Pertinent Local and State Codes – City of Upland

Upland Municipal Code - Chapter 8.12.020 Maintenance of Property-Nuisances.

It is a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in this city to maintain such premises in such manner that any of the following conditions are found to exist:

D. **Landscaping**: It shall be unlawful to allow any one or more of the following conditions to exist on improved property:

1. **Vegetation** that is dead, decayed, diseased, dry or hazardous.
2. **Overgrown vegetation** that is likely to harbor such nuisances as rats or vermin, or is in a condition to cause unsightliness.
3. **Lack of landscaping**: Domestic, not wild. Landscaping shall mean health and growing cultivated vegetation common to most residential or commercial property, and/or planned drought-tolerant schemes.
4. **Lack of maintenance** of landscaping: All landscaping shall be maintained in a reasonable manner which shall include, but not be limited to, trimming, weeding, irrigating, fertilizing, mowing, replacing, cleaning, etc.
5. **Weeds** as landscaping or areas consisting only of **dirt** when that dirt area is more than twenty-five (25) percent of any portion or area of a front or side yard viewable from the public right-of-way.

California Government Code:

Title 4, §39560 – Definitions:

Weeds: means weeds which when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous.

Title 4, §39561.5 Weeds included:

- (a) Weeds which bear seeds of a downy or wingy nature.
- (b) Sagebrush, chaparral, or any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
- (c) Weeds which are otherwise noxious or dangerous. (Includes tall grasses-potential fire hazard).
- (d) Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
- (e) Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

+

++ IMPORTANT INFORMATION ++

Weed Abatement Program

PLEASE READ CAREFULLY

In the interest of public safety, the City of Upland's Weed Abatement program is currently underway. Inspections are being conducted by City Staff, and legal notifications will be mailed by the middle of April to those properties that have an excessive overgrowth of weeds and/or rubbish accumulation. **Those property owners receiving an ANNUAL NOTICE TO ABATE notification will be assessed an initial inspection fee of \$72.00. If there is no compliance within ten (10) days of the notification, the fee will increase up to \$278.00 plus any abatement fees charged by the city contractor.**

The Upland Municipal Code designates that the following conditions constitute a public nuisance requiring abatement:

“Weeds” mean vegetation which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous, and shall include any of the following:

- 1. Weeds which bear seeds of a downy or wingy nature;***
- 2. Sagebrush, chaparral and any brush or weed which may attain large growth;***
- 3. Poison oak and poison ivy;***
- 4. Dry grass, stubble, brush, litter or other flammable material.***

“Rubbish” means and includes, but is not restricted to, all waste or debris such as paper, cardboard, grass, tree or shrub trimmings, rugs, straw, clothing, wood or wood products, crockery, glass, rubber, metal, plastic, construction waste and debris, and other similar materials

In order to eliminate any potential Weed Abatement action against your property, you should arrange for the removal of all weeds and/or rubbish. It is very important that you inspect your front, rear and side yards, all adjacent parkways (the area between the sidewalk and the curb), and any portion of your property that abuts an alley. It is very common to overlook weeds that “blossom” within the area between your fence and the alley pavement, or within adjacent yard areas at the rear of your property that are visible from the public right-of-way.

It is also very important that you maintain your property free and clear of weeds and/or rubbish conditions *throughout the year*. This requirement on public and private property is to address both safety and aesthetic issues. If you are not the property owner, please contact or forward this notice to the owner of record. If you have any questions please contact Sheldon Bloomfield, Weed Abatement Coordinator at: (909) 931-4134.



DEVELOPMENT SERVICES DEPARTMENT
WEED ABATEMENT
Telephone (909) 931-4134
Facsimile (909) 931-4321

City Parcels List - Available For Public Viewing in the City Clerk's Office

**SPECIAL ECONOMIC DEVELOPMENT COMMITTEE MEETING
JANUARY 23, 2020**

CONCLUSION/ACTION SUMMARY

In attendance: Committee Chair Felix, Committee Member Velto, Interim City Manager Hoerning, Development Services Director Dalquest, Development Services Manager Chavez, Economic Development Coordinator Picazo, Contract Housing Programs Coordinator Arellano, and Councilmember Elliott

1) **ORAL COMMUNICATIONS**

Janice Elliott, stated concerns regarding traffic from the project at 20th and Campus intersection.

- 2) **PRESENTATION ON A POTENTIAL MIXED USE PROJECT CONSISTING OF A SEAFOOD/RETAIL MARKET, RESTAURANT, AND DISTRIBUTION CENTER ON A 3.68 ACRE SITE LOCATED AT 20TH STREET IN PLANNING AREA 20 OF THE COLONIES AT SAN ANTONIO SPECIFIC PLAN**, James Dolback of Cold Foods made a brief presentation on the proposed project. Mr. Dolback indicated that the City will receive sales tax revenue from the tap room and e-commerce as the site would be designated as a point of sale for his business. Deliveries of vans/trucks will be controlled to minimize any impact to the area. Approximately 75 new jobs would be created resulting from this project. There was discussion regarding the architecture of the buildings, and mitigating traffic and circulation issues.



Special Economic Development Committee Meeting

January 23, 2020

4:00 PM

Pinky Alder Room - City Hall

-
1. ORAL COMMUNICATIONS
 2. PRESENTATION ON A POTENTIAL MIXED USE PROJECT CONSISTING OF A SEAFOOD/RETAIL MARKET, RESTAURANT, AND DISTRIBUTION CENTER ON A 3.68 ACRE SITE LOCATED AT 20TH STREET IN PLANNING AREA 20 OF THE COLONIES AT SAN ANTONIO SPECIFIC PLAN

NOTE: 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 at 909.931.4120. 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 January 16, 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).



STAFF REPORT

ITEM NO. 2.

DATE: January 23, 2020
TO: ECONOMIC DEVELOPMENT COMMITTEE
FROM: ROSEMARY HOERNING, INTERIM CITY MANAGER
PREPARED BY: ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
SUBJECT: PRESENTATION ON A POTENTIAL MIXED USE PROJECT CONSISTING OF A SEAFOOD/RETAIL MARKET, RESTAURANT, AND DISTRIBUTION CENTER ON A 3.68 ACRE SITE LOCATED AT 20TH STREET IN PLANNING AREA 20 OF THE COLONIES AT SAN ANTONIO SPECIFIC PLAN

RECOMMENDED ACTION

It is recommended that the Economic Development Committee receive the presentation by the prospective business owner and provide feedback to staff on the proposal.

GOAL STATEMENT

The proposed action supports the City's goal to identify and foster continued economic development opportunities in the City.

BACKGROUND

Several weeks ago staff met with James Dolback of Cold Foods and representatives of Marcus & Millichap (Commercial Brokerage). Mr. Dolback's company specializes in the exclusive import of superior quality seafood from the Scandinavian Region and distributes to customers across the country. His distribution facility is located in the City of Vernon.

ISSUES/ANALYSIS

Mr. Dolback is interested in moving this facility to the subject site but wants to create a mixed-use project consisting of a retail seafood market, restaurant, and micro-brewery within approximately 10,000 square feet. The cold storage distribution facility would be approximately 55,000 to 60,000 square feet. Approximately, seven trucks would ingress/egress the facility per day.

FISCAL IMPACTS

Mr. Dolback indicates that the City will receive sales tax revenue from e-commerce as the subject site would be designated on his license from the State Department of Tax & Fee Administration as point of sale for his businesses.

ALTERNATIVES

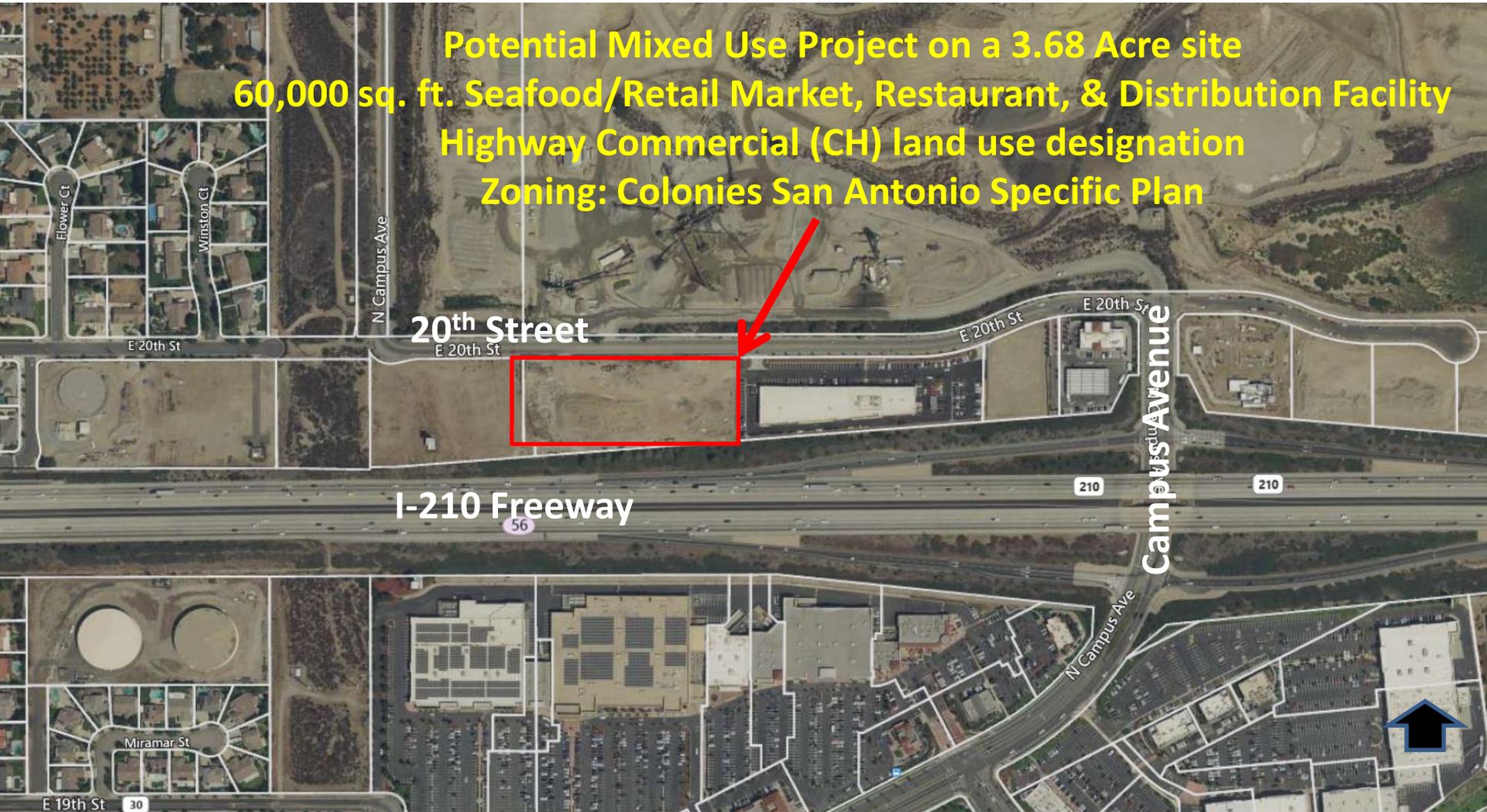
Provide alternative direction to staff.

ATTACHMENTS:

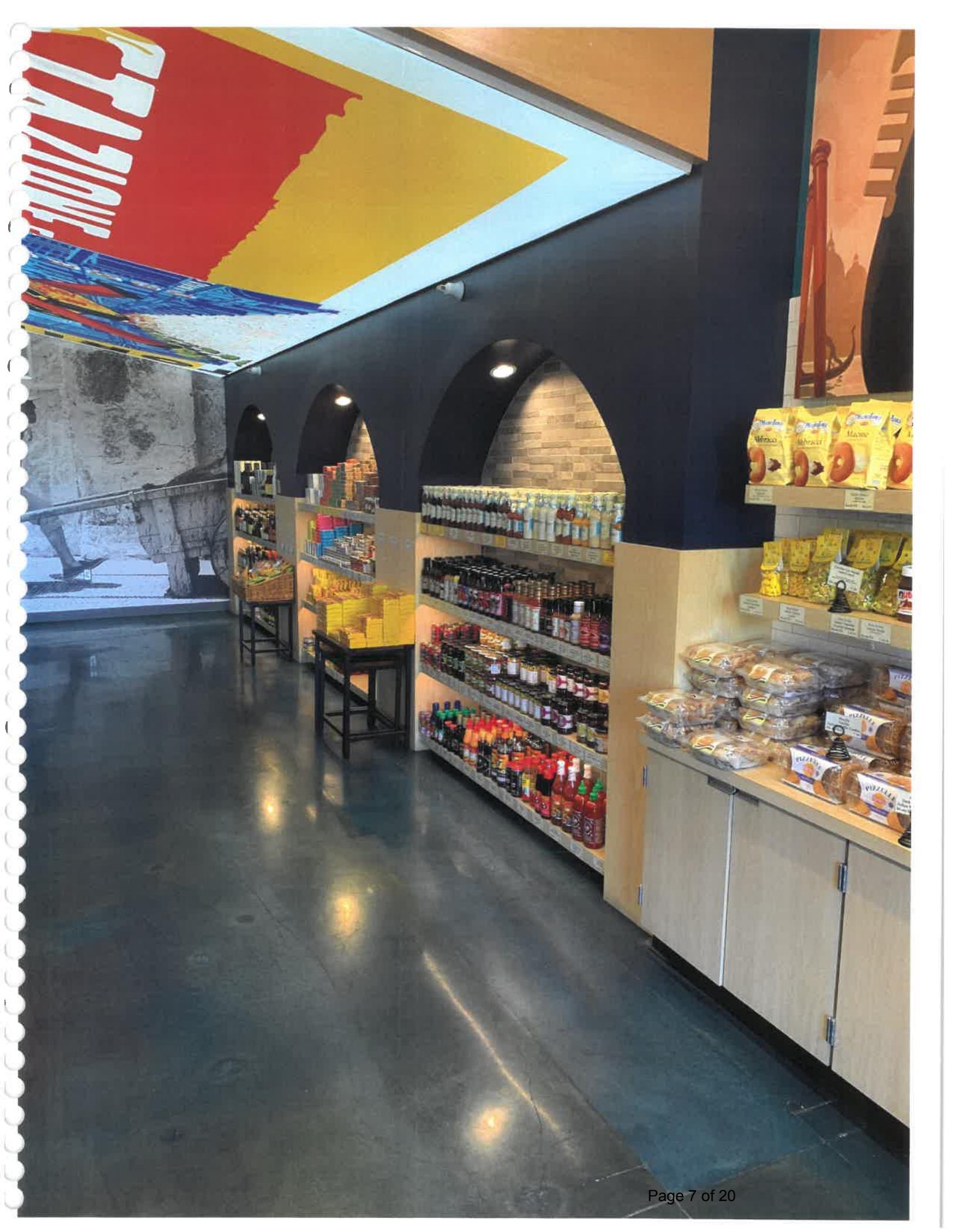
Aerial Map

Aerial Map

Potential Mixed Use Project on a 3.68 Acre site
60,000 sq. ft. Seafood/Retail Market, Restaurant, & Distribution Facility
Highway Commercial (CH) land use designation
Zoning: Colonias San Antonio Specific Plan







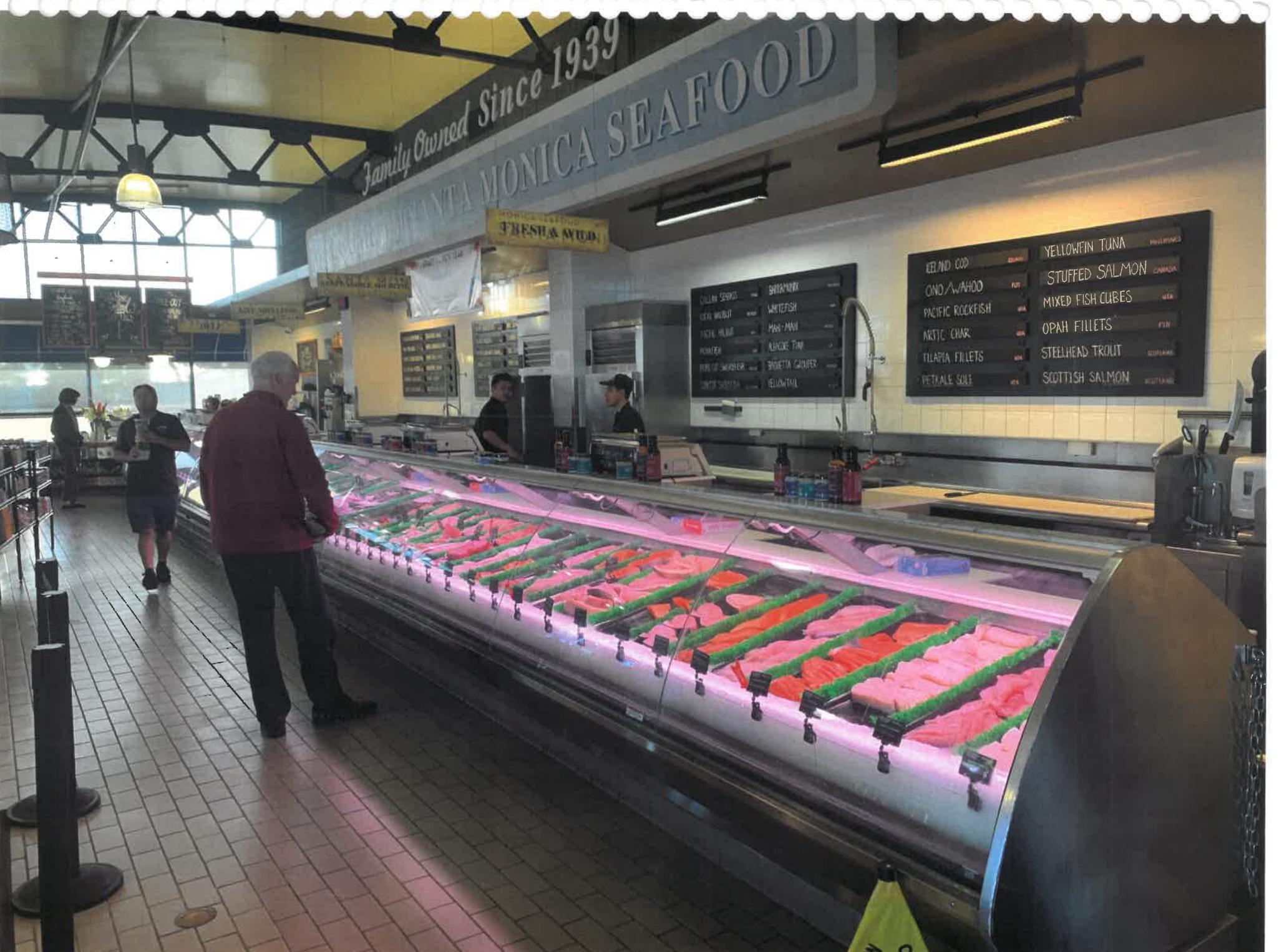


Family Owned Since 1939 SANTA MONICA SEAFOOD

WHOLESALE SEAFOOD
FRESH & FROZEN

COLLIER SEWAGE	SPYAMOROK
WEST WIGLIT	WHITEFISH
PACIFIC HILBUT	MARLIN
POMFRET	ALBACORE TUNA
FRONT OF SANDWICH	SPINETA GROUPER
WEST SQUID	YELLOWTAIL

KEELING COD	YELLOWFIN TUNA
ONO/WAHO	STUFFED SALMON
PACIFIC ROCKFISH	MIXED FISH CUBES
ARCTIC CHAR	OPAH FILLETS
TILAPIA FILLETS	STEELHEAD TROUT
PETRALE SOLE	SCOTTISH SALMON





Fresh Scottish Salmon
Fillet
Patin Served
Product of Norway
\$16.99 Lb.

Weekly Special
Fresh Icelandic Cod Fillet
Product of Iceland
\$12.99 Lb.
Quantity 244 00 00

Fresh Wild Caught
Thresher Shark
Product of USA
\$8.99 Lb.

Wild Caught
Orange Roughy Fillet
Product of Australia
\$13.99 Lb.

Fresh Wild Caught
Ahi Tuna Steak
Product of USA
\$19.99 Lb.

Made in House
Sriracha Ahi Poke
\$16.00 Lb.

Made in House
Ahi Tuna Poke
\$16.99 Lb.

Wild Caught
Snow Crab Fillet
Product of Norway
\$19.99 Lb.

Fresh
Wild Caught
Local Halibut
Product of USA
\$16.99 Lb.





8-12 Ct. Shrimp
Cooked, Frozen, Individually
Packaged & Sealed
Product of Thailand
\$ 26.99 Lb.



Wild Caught
Snow Crab
Cocktail Claws
(Frozen/defrosted)
\$37.99 lb.
Product of Canada

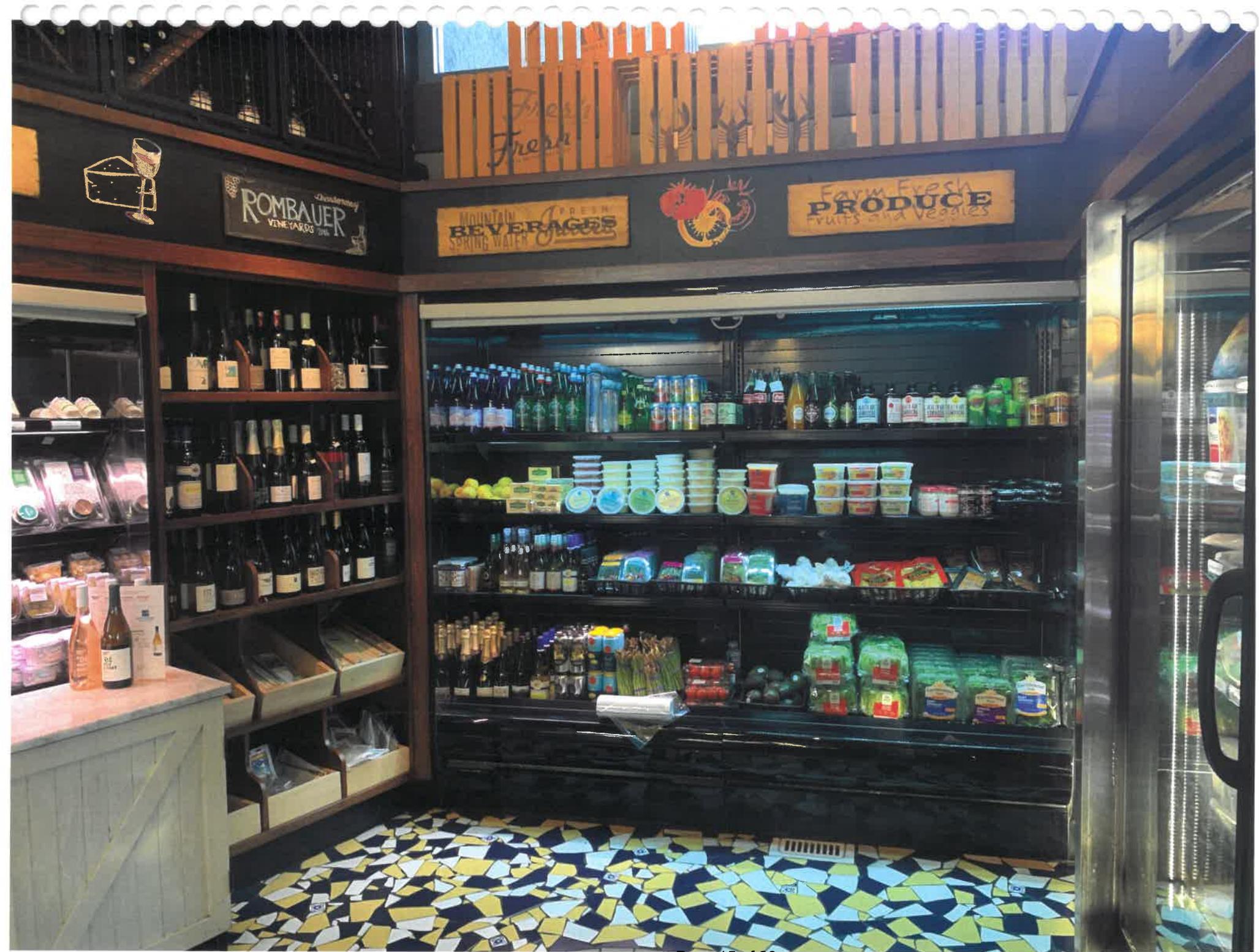


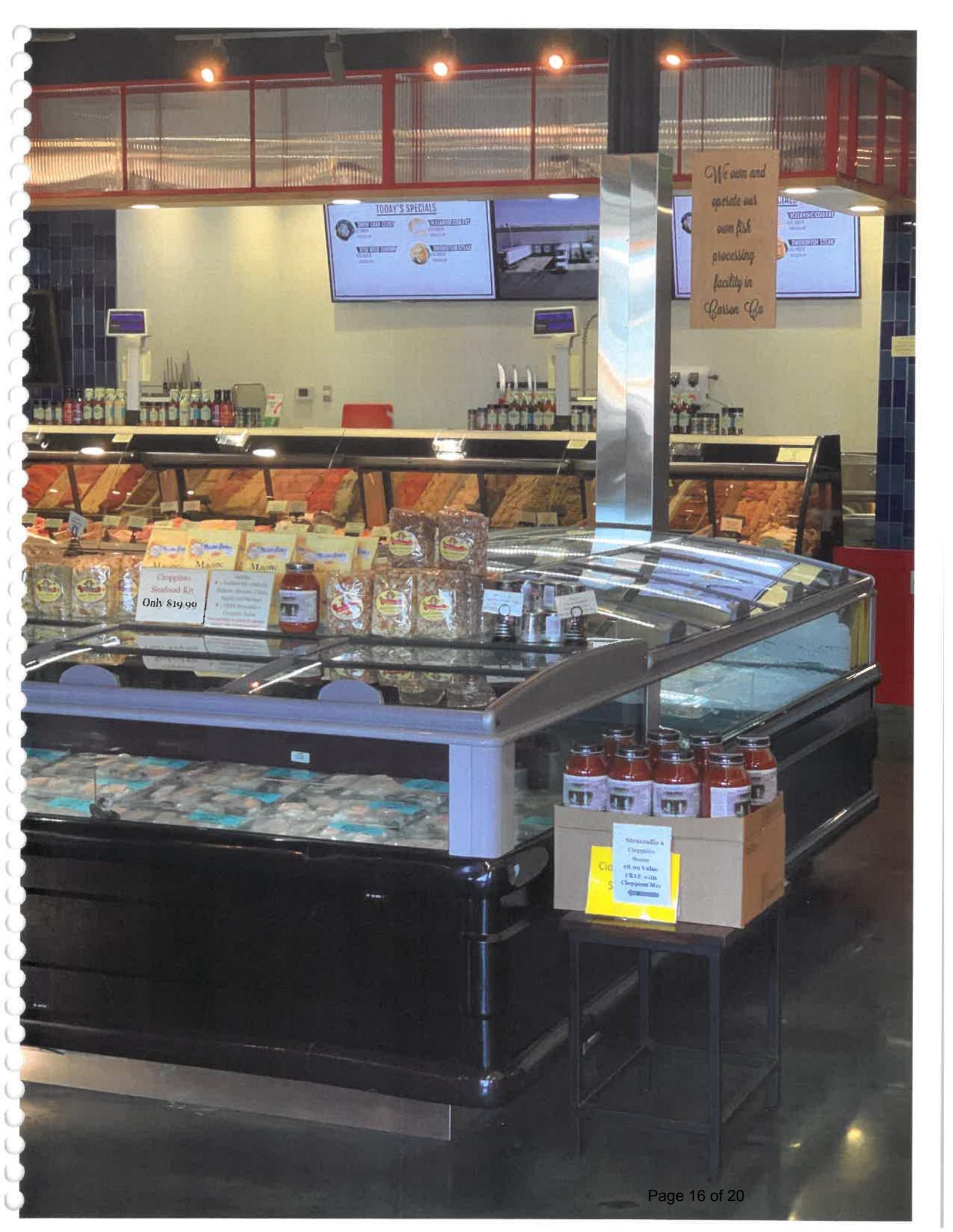
16/20 Tail On
Cooked Shrimp
Frozen/Defrosted, Farm Raised
Product of India
\$16.99 Lb.



Fresh Wild Caught
Cooked Dungeness Crab
Product of USA
\$10.99 Lb.





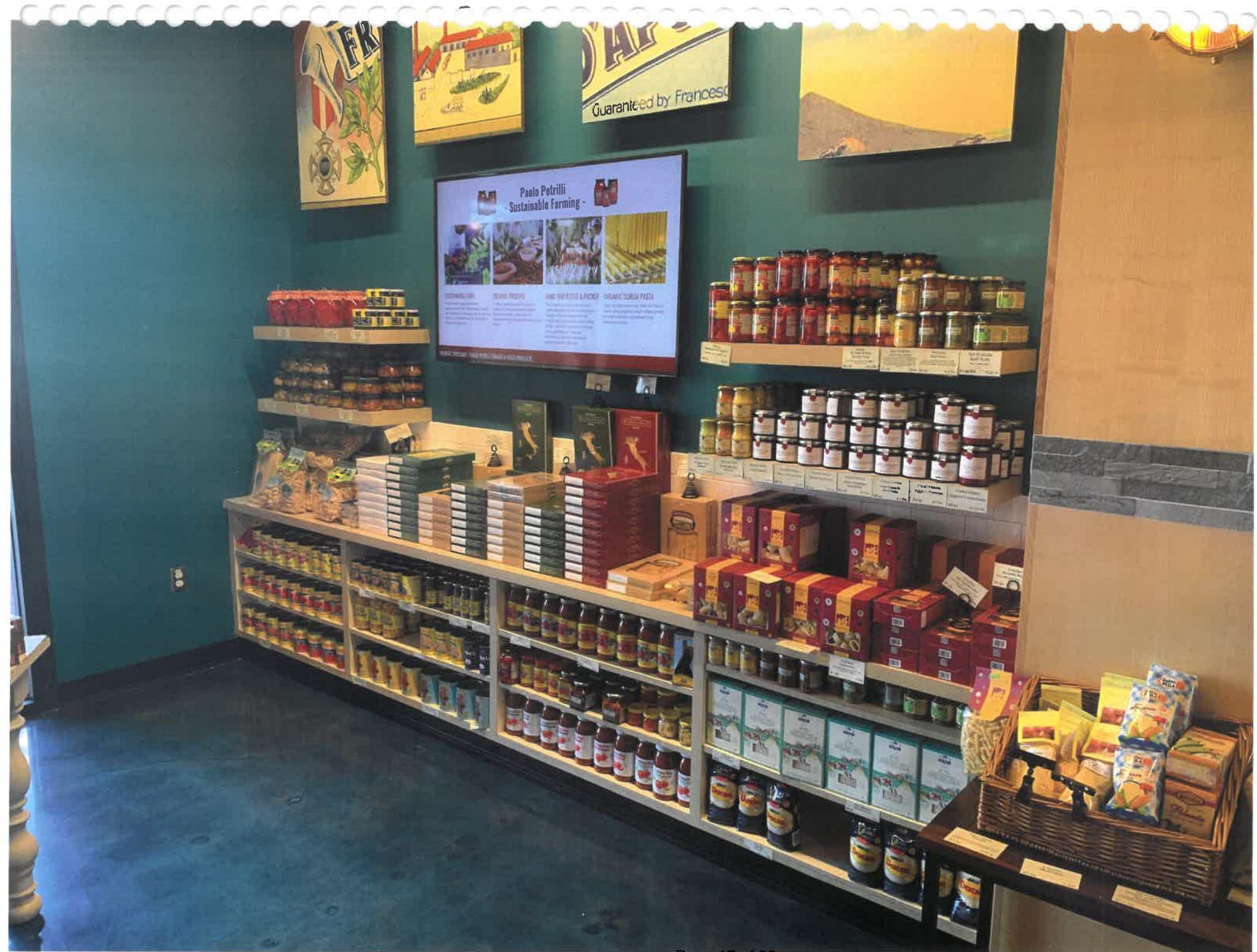


TODAY'S SPECIALS
WILD CAUGHT SALMON
WILD CAUGHT TROUT
WILD CAUGHT BASS
WILD CAUGHT CATFISH

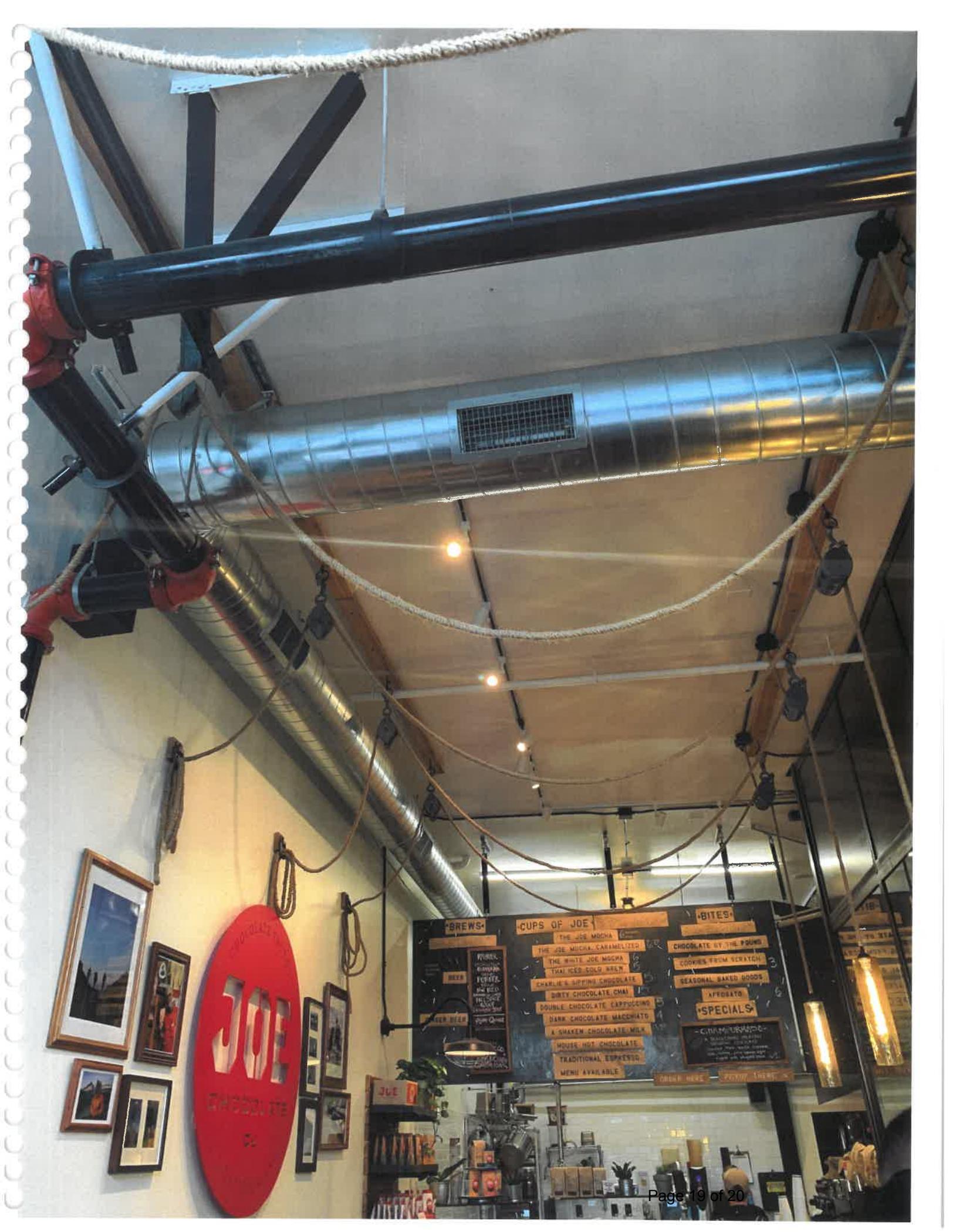
We own and
operate our
own fish
processing
facility in
Garson, Ga

Choppino
Seafood Kit
Only \$19.99

Choppino's
Choppino
Sauce
\$4.99 Value
FREE with
Choppino Mix







BREWS

- WORKING CLASS
- BEER
- FOUR
- THE ICE
- BEER BEER

CUPS OF JOE

- THE JOE MOCHA
- THE JOE Mocha CARAMELIZED
- THE WHITE JOE MOCHA
- THAI ICED GOLD BREW
- CHARLIE'S SIPPING CHOCOLATE
- DIRTY CHOCOLATE CMAI
- DOUBLE CHOCOLATE CAPPUCCINO
- DARK CHOCOLATE MACCHIATO
- A SHAKEN CHOCOLATE MILK
- HOUSE HOT CHOCOLATE
- TRADITIONAL ESPRESSO
- MENU AVAILABLE

BITES

- CHOCOLATE BY THE POUND
- COOKIES FROM SCRATCH
- SEASONAL BAKED GOODS
- APPETIZO

SPECIALS

- CHAMPUSO

ORDER HERE

210 FREEWAY

COLDFOODS

CNC MOTORS

DOCK
DOCK
DOCK

WILL CALL

FREEZERS & COOLERS

E
COMMERCE

2ND FLOOR BANQUET HALL

OFFICES

1ST FLOOR
RESTAURANT

SEAFOOD
MARKET

MICRO
BREWERY

OUTDOOR SEATING



20TH STREET



STAFF REPORT

ITEM NO. 14.A.

DATE: February 10, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING, INTERIM CITY MANAGER
PREPARED BY: ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
SUBJECT: CONSIDERATION OF FINAL REPORT BY THE HISTORIC DOWNTOWN UPLAND AD HOC COMMITTEE

RECOMMENDED ACTION

It is recommended that the City Council receive and file the Final Report, and provide staff with further direction on implementation.

GOAL STATEMENT

The proposed action supports the City's goal to ensure the economic vitality of the Downtown through focused efforts that revitalize and retain the Downtown as the "heart of the City".

BACKGROUND

On February 25, 2019, the City Council authorized the formation of the Historic Downtown Upland Ad Hoc Committee (the "Ad Hoc Committee") for the purpose of addressing specific concerns related to the Downtown. The Council directed that the Ad Hoc Committee address the following two matters: 1). Evaluate concerns affecting businesses in Downtown; and, 2). Discuss alternatives for funding aging or insufficient infrastructure.

The Ad Hoc Committee met from April 2019 to December, 2019 and reviewed a number of land use and planning documents, received presentations from staff and outside speakers, and obtained input from the public attending the meetings, as well as from the Chamber of Commerce. Through this effort the issues and recommendations illuminated in the Final Report reflect a candid effort to discuss and analyze the matters affecting Downtown Upland.

ISSUES/ANALYSIS

Several key issues can be gleaned from the Ad Hoc Committee's Final Report. The Ad Hoc Committee felt that before the Downtown can achieve a vibrant and walkable environment,

basic aesthetics, safety and infrastructure improvements are essential to attract people to the Downtown, as well as retain and attract businesses. The Ad Hoc Committee indicated that the overall condition of infrastructure, although improving, remains sub-par as the streets, parkways, trash facilities, lighting, and parking lots are in need of repair and improvements. The aesthetic environment has an effect in making downtown feel safe and is important if revitalization efforts are to be successful. Without a baseline atmosphere of safety, all other downtown amenities or services may struggle.

Investing in basic streetscape improvements was also identified as important to promote a walkable environment, such as: repair broken sidewalks and curbing, adding more features like pedestrian furniture, planters, bike racks, and providing appropriate tree species to complement the downtown area. Addressing the dark spots in Downtown was important where outdoor lighting is geared towards pedestrians to encourage a walkable environment in the evenings, as well as well-lighted parking lots and passageways. The building façades need maintenance and improvements. Although façades are privately-owned and are not public spaces strictly speaking, they have a significant impact on the look and feel of the public realm and in creating an inviting pedestrian-oriented environment. Staff has been aggressively working on this issue with the Downtown property owners and have made some strides through the Commercial Rehabilitation Program (CRP).

The Ad Hoc Committee also identified several land use and operational issues as barriers to revitalization efforts. There are a number of tenant spaces that are either being used by businesses or property owners to store items and do not open their doors for business. This creates an adverse effect in establishing a pedestrian-oriented environment through active storefronts. Also, the vacancy rate in the Downtown is a big issue, and is exacerbated by building owners who are not proactive in re-tenanting and marketing their properties, or who are reluctant to consider adaptively reusing their buildings, such as, conversion to a new restaurant. Staff has encountered property owner hesitancy during meetings with Downtown property owners to discuss the benefits of the Commercial Rehabilitation Program and the Business Assistance and Attraction Program.

Lastly, staff and the Ad Hoc Committee considered several potentially viable funding mechanisms that offer creative ways in leveraging new resources to funding public infrastructure investment to complement the traditional “pay-as-you-go” resources, i.e. general fund, development impact fees, etc. Through a literature review on infrastructure financing, several mechanisms for local government was discussed to address the deficient public infrastructure. The Final Report provides a detailed description of each funding mechanism and its strengths and weaknesses. The Ad Hoc Committee recommended that a consultant specializing in public infrastructure financing should be retained and prepare a feasibility study to evaluate the options, and/or other viable funding options which best meet the City’s financial situation. This recommendation ties into the SB 2 Grant application that staff submitted in November 2019 to the State. The City Council may recall that a component of the SB 2 Grant will provide funding for a Downtown Housing Related Infrastructure Financing Analysis and Strategies. Since housing is permitted within the Downtown Area, this study will benefit much of the Downtown Area and determine the most viable option to pursue infrastructure financing.

ENVIRONMENTAL DETERMINATION

The proposed Final Report is not considered a “project” under the California Environmental Quality Act (CEQA) pursuant to Section 15378 of the CEQA Guidelines. The Final Report is only an analysis of issues effecting revitalization of the Downtown Area, and does not commit the City to any specific actions that would have a significant direct or indirect physical change in the environment.

FISCAL IMPACTS

There is no fiscal impact associated with this action. Should staff be directed to implement any of the recommendations contained in the Final Report, the cost to the City will entail staff's time and associated implementation expenses.

ALTERNATIVES

Provide alternative direction to staff.

ATTACHMENTS:

Exhibit 1: Final Report to the City Council on Historic Downtown Upland



**FINAL REPORT TO THE CITY COUNCIL ON
HISTORIC DOWNTOWN UPLAND**

SUBMITTED BY

HISTORIC DOWNTOWN UPLAND AD HOC COMMITTEE

February 10, 2020

Ad Hoc Committee Members:

Helen Bouquet
Jason Gaudy
Raymond Podesta
Oscar Quiroz
Carlos Velastegui

Staff Liaisons:

Robert D. Dalquest, AICP, MPA, MURP
Development Services Director

Mel Picazo,
Economic Development Coordinator

Giovanni Arellano, Rehab Program
Administrator

I. INTRODUCTION

This report is submitted to the City Council to fulfill the mission of the Historic Downtown Upland Ad Hoc Committee (the "Ad Hoc Committee"). On February 25, 2019, the City Council authorized the formation of an Ad HOC Committee for the purpose of addressing specific concerns related to Historic Downtown Upland. The Council directed that an Ad Hoc Committee address the following two matters: 1). Evaluation of concerns affecting businesses in Downtown Upland; and, 2). Discussion of alternatives for funding aging or insufficient infrastructure.

The Ad Hoc Committee met from April 2019 to December, 2019 and reviewed a number of land use and planning documents, received presentations from staff and outside speakers, and obtained input from the public attending the meetings, as well as from the Chamber of Commerce. Through this effort the issues and recommendations in this report reflect a candid effort to discuss and analyze the matters affecting Historic Downtown Upland.

II. CONCERNS AFFECTING BUSINESSES IN DOWNTOWN UPLAND

The Ad Hoc Committee identified twenty-nine (29) concerns that collectively inhibit efforts to revitalize the Downtown through business attraction and retention. The list of issues identified fall into four (4) basic categories, they are: 1.) Infrastructure deficiencies; 2.) Code Enforcement and Property Maintenance; 3.) Marketing and Operational issues; and, 4.) Land Use and Parking. Below provides a summary of the list of issues, and the Ad Hoc Committee's recommended actions to address these issues.

A. Infrastructure Issues:

- The overall condition of streets, parkways and parking lots are in poor condition or are not being maintained.
- Rock curbs are not being repaired when broken are a mess, and the patchwork is bad.
- The alleyway behind my (Jason Gaudy) office on Third Avenue was in bad shape, so I decided to pave it myself.
- The parking lots in the Downtown are in bad shape.
- The City needs to build-up basic infrastructure and improve the parking lots.
- Trash facilities in Downtown are a problem with illegal dumping and trash spread around the facilities. They create an undesirable aesthetic impact.

- The aesthetics in Downtown need improvements with nice trash receptacles, landscape planters, pedestrian benches, and decorative walkways to form a more pedestrian-oriented environment.
- Security is a big concern in Downtown. There is not enough lighting in parking lots and alleys, or adequate security patrols between 3:00 am to 5:30 am.
- The City should identify the dark spots in Downtown and install lighting to improve security in the evenings.

Recommendations:

- a) Consider supporting the proposed Sales Tax Initiative with a portion earmarked for the Downtown area to help fund deficient infrastructure.
- b) Consider the formation of a Business Improvement District (BID)¹ that levies an assessment on property owners in the Downtown to fund basic services and infrastructure improvements, such as lighting, security, trash facilities, parking enforcement and certain infrastructure in order to create a positive and prosperous business environment.
- c) Form a public-private partnership with Upland Heritage to develop a more aggressive fundraising effort to generate funding to replace, repair and restore rock curbing in the Historic Districts within the Historic Downtown Upland Specific Plan area.
- d) Pursue grant funding through regional, state and federal programs to implement streetscape improvements, including pedestrian and bicycle improvements and “greening” of the alleys in the Downtown.
- e) Implement a campaign for business owners and residents to “adopt” a part of the Downtown amenities to maintain, such as benches, trash receptacles, and landscape planters in an effort to beautify the Downtown environment.
- f) Partner with the Upland Kiwanis, Rotary, or other service organizations and Downtown Businesses to conduct fundraising efforts to fund Downtown amenities and improvements, such as trash enclosures in key areas.

¹ Ad Hoc Committee member Jason Gaudy wanted the Final Report to include a statement that he was not in support of any tax increase to accomplish the recommendations in this report unless the City pursued and exhausted all other funding options including cuts to the City’s current spending, and unless its shown that residents are paying lower tax rates compared to other local cities who’ve had success revitalizing their downtown areas.

B. Code Enforcement and Property Maintenance Issues:

- There is a lack of Code Enforcement in the Downtown Upland Specific Plan area:
 1. Some single family homes have weeds that are not being maintained.
 2. Landscaping is not being maintained on certain properties.
- The buildings in Downtown need attention and are not being maintained.
- The overall aesthetics in the Downtown need to be addressed. Businesses want to go where the environment is positive.
- Some of the buildings in Downtown need to be painted which will make a big difference aesthetically.
- Businesses in the Downtown need to take responsibility and clean-up the area around their businesses.
- On Third Avenue, south of Arrow Highway, it is congested as there are a lot of people and cars parked within this area.

Recommendations:

- a) Continue funding the Commercial Rehabilitation Program (CRP) to restore and enhance Downtown storefronts which will increase the aesthetics and sense of place, as well as stimulate private investment in the Downtown.
- b) Develop a focused code enforcement effort in the Historic Downtown Upland Specific Plan area to address the identified building and property maintenance issues.
- c) Continue funding the Emergency Repair Program (ERP) and the Home Improvement Programs (HIP) funded by the State and federal agencies to repair and rehabilitate the affordable housing stock of older single family homes in the Historic Downtown Upland Specific Plan.

C. Marketing and Operational Issues:

- The Downtown needs an advertising program.
- A lot of the Downtown businesses are closed in the evening hours which affect the efforts to increase nighttime activity.
- There is inconsistency in business hours within the Downtown which is a problem.
- Businesses located in the alleyways are not visible and need better identification.
- Data from my business (Raymond Podesta) shows that Metrolink only accounts for about 10% of sales.

- Residents don't tend to venture to the Downtown area as a destination; particularly North Upland residents.
- Vacancy rate in the Downtown is a big issue, and is exacerbated by absentee building owners who do not proactively market their properties.
- San Antonio Hospital employees/families of patients don't venture to the Downtown.

Recommendations:

- a) The City should continue to develop its partnership with Historic Downtown Upland (HDU) in their efforts to promote and market the Downtown area, which includes creating successful special events for Downtown to help existing businesses prosper, and to enhance patronage of the Downtown.
- b) Work with the Chamber of Commerce and Historic Downtown Upland in the formulation of a Shop Upland marketing program that promotes and markets the Downtown, and to encourage businesses to stay open in the evening.
- c) Create a Visitation Program for staff to visit the owners of vacant buildings and assist them in re-tenanting their buildings, and to solicit ways to enhance the business climate in Downtown.
- d) Establish a policy to fast-track projects through the entitlement process and plan check process to help support and quickly advance new business and development opportunities in the Downtown.
- e) Create a marketing/directory brochure with a list of businesses, the reasons to visit Downtown, and encourage the businesses to offer discounts/incentives to encourage San Antonio Hospital employees and patient families to patron the Downtown. The brochure could be provided in the Hospital's employee breakrooms or placed on bulletin boards.
- f) Establish a banner program to market Downtown events in key areas of the City.
- g) Highlight Downtown improvements and activities in City newsletters and on social media.
- h) The City or merchant board should host decoration contests for Downtown Businesses.
- i) Install an interactive fountain in the Downtown area for people to congregate and socialize (Similar to the Shoppes at Chino Hills or Citrus Plaza in Redlands).
- j) Establish a Visitor's Information Center in the Downtown.

D. Land Use and Parking Issues:

- There are a lot of hair salons and antique shops in the Downtown.
- The Downtown needs more businesses that draw people to the Downtown for a specific purpose; for example a business that offers cooking classes or painting lessons, or other types of classes.
- Residential development is okay to be built within the Downtown area but there is a need to attract specific businesses that draw people to the Downtown.
- Parking in the Downtown is being taken-up by business owners, employees and people who live in the area.
- Our Downtown draws from all over the area, and more parking is needed in the Downtown.
- A number of businesses are using their tenant spaces to store items and do not open their doors for business. This is contrary to the intent and purpose of the Downtown Specific Plan which seeks to develop a pedestrian-oriented and active shopping and dining environment.

Recommendations:

- a) As part of developing the Economic Development Action Plan, specific programs and goals should be developed for Downtown Upland to serve as a roadmap to transform the Downtown into a vibrant mixed-use urban and transit-oriented district.
- b) Continue funding the Business Assistance and Attraction Program (BAAP) to attract businesses that draw people to the Downtown, and to promote expansion of existing retail and restaurant businesses in the Downtown.
- c) Amend the Historic Downtown Upland Specific Plan to only allow salons on the second floor or the non-frontage ground floor within the Old Town District.
- d) Amend the Historic Downtown Upland Specific Plan to discern direct retail sales from businesses that sell through the internet and do not open their doors for business, or only use the space for storage.
- e) Obtain more parking in Downtown by implementing parking strategies such as converting on-street parallel parking to angled-parking where right-of-way permits in those areas of the Downtown where parking is needed.

III. ALTERNATIVES FOR FUNDING AGING OR INSUFFICIENT INFRASTRUCTURE

The infrastructure within the Historic Downtown Upland Specific Plan area has significant deficiencies and was identified by the Ad Hoc Committee as an

impediment to attracting development at the densities envisioned in the Downtown Specific Plan. This would entail new and upgraded public improvements including but not limited to: street improvements (surface maintenance and reconstruction), curb, gutter and sidewalk (maintenance, reconstruction and rock curb restoration), water system improvements (upgrades and replacement), sewer system improvements (upgrades and replacement), parking lot improvements (maintenance, pavement reconstruction, restriping, lighting, landscaping and trash enclosures, etc.).

In November 2018, the Public Works Department prepared an in-depth assessment of the public improvements that are necessary to revitalize and build-out the Downtown area. Based on this analysis, approximately \$11.5 million worth of public improvements are necessary to restore the public infrastructure in the Downtown area. The public infrastructure deficiencies in Downtown were discussed in November 2018 as part of a policy discussion by the City Council regarding the decision to continue collecting the Parking and Business Improvement Area (PBIA) assessment. Because the PBIA assessment only generates approximately \$46,000 annually, the City Council decided to continue collecting the assessment and select a merchant board to spend the assessment on marketing and promoting the Downtown, funding special events and funding limited public improvements. The long-term solution to fund deficient infrastructure in Downtown will necessitate a collective effort with Downtown property owners, the City, and other outside available resources from the State and federal agencies.

In general, local governments rely on two methods of financing infrastructure: 1.) pay-as-you-go infrastructure financing refers to using cash or other current assets (i.e., general fund, development impact fees, etc.) rather than debt issuance; and, 2.) Pay-as-you-use infrastructure financing which refers to issuance of long-term debt generally in the form of bonds. There are only a few good options for local government to finance public infrastructure investment. Staff discussed a number of current and recent options with the City's financial advisor, as well as conducted a literature review on infrastructure financing options and came up with the below methods. The discussion that follows outlines the identified funding options which were reviewed by the Ad Hoc Committee to address the deficient infrastructure. Although this is not an exhausted list, they are potentially viable mechanisms for local government that offer creative ways in leveraging new resources to funding public infrastructure investments and complement the traditional "pay-as-you-go" resources.

A. Enhanced Infrastructure Financing District (EIFD)

The Enhanced Infrastructure Financing District law (beginning with Section 53398.50 of the California Gov't. Code) provides broad authority for local agencies to use tax increment to finance a wide variety of projects, including: Infrastructure, such as roads, utilities, bridges and wastewater and groundwater facilities; affordable housing, mixed-use development and sustainable development; transit-oriented development; Parks and open space; and Brownfields remediation.

The EIFD provides broad flexibility in what it can fund. No public vote is required to establish an authority, although a fifty-five (55) percent vote is required to issue bonds, as well as other financing alternatives exist. Unlike former redevelopment, this tool imposes no geographic limitations on where it can be used, and no blight findings are required. An EIFD can be used on a single street, in a neighborhood or throughout an entire city. It can also cross jurisdictional boundaries and involve multiple cities and county. While an individual city can form an EIFD without participation from other local governments, the flexibility of this tool and the enhanced financial capacity created by partnerships will likely generate discussions between local agencies on how the tool can be used to fund common priorities. The downside is that you must have "buy-in" from the taxing entities within the EIFD area.

The City of La Verne recently became one of the State's first cities to form an EIFD within and around their future Downtown Gold Line station. La Verne hopes the EIFD will provide the revenue to issue bonds to fund approximately \$33 million for public infrastructure projects. The expenditures for improvements would then be paid back by capturing some of the tax increment that will result from new development. The city hopes this will attract private developers to build a mix of rental and owner-occupied housing, retail, a business park and a hotel; as well as a pedestrian bridge to connect the station area with the Fairplex. La Verne will likely be a test case to determine the success of this recent funding mechanism.

Strengths:

- Could attract private sector investment that would otherwise not be possible but for public subsidy for infrastructure investment.
- Recreates revenue stream through tax increment that can be used to issue bonds to invest in public infrastructure in substandard areas.
- New financing tool that has not been widely used or tested.

Weaknesses:

- Primary obstacle is getting other taxing agencies to cooperate.
- Must overcome other taxing agencies suspicions of giving up a portion of their property tax share given their past experience with redevelopment tax increment.

B. Assessment Districts

An Assessment District is a financing mechanism under the California Streets and Highways Code which enables cities, counties and special districts organized for the purpose of aiding in the development or improvement within the district, to designate specific areas as Assessment Districts. The formation requires approval of a majority of the landowners based on financial obligations, and allows these Districts to collect special assessments to finance the improvements constructed or acquired by the District. Assessment Districts help each property owner pay a fair share of the costs of such improvements over a period of years at reasonable interest rates and insures that the cost will be spread to all properties that receive direct and special benefit by the improvements constructed.

Assessment Districts account for a substantial amount and share of local public infrastructure spending, and more cities have utilized this funding mechanism to address their public infrastructure deficiencies. An Assessment District can finance improvements that provide a direct and special benefit such as streets, sidewalks, curbs and gutters, water, sewer, gas, electric, lighting, drainage or flood control facilities. An Assessment District cannot finance anything that provides general public benefit such as parks, schools, libraries, jails, childcare and administrative facilities.

Strengths:

- Matches payments with benefits within a designated geographic area.
- No requirement of voter approval.

Weaknesses:

- Administration and assessment burden.
- Requires legislative approval.

C. Total Road Improvement Program (TRIP)

The Total Road Improvement Program ("TRIP") is a financing program through the California Statewide Community Development Authority (CSCDA), and is

intended to help local agencies to "catch up" with their street repairs/transit projects by funding more projects upfront. Through TRIP, local agencies borrow against a portion of their Transportation Sales Tax to finance street and highway maintenance and reconstruction projects such as street reconstruction, rehabilitation, resurfacing and new construction in support of economic development activities at low interest rates for up to 30 years.

The concept being that the cost of street repairs increases dramatically after a ten (10) to fourteen (14) year window. Repairing roads with a simple slurry seal is relatively inexpensive (usually falling around \$1 per square foot). However, as soon as the road begins to degenerate somewhere between the fourteenth (14th) to seventeenth (17th) year of use, the cost soars to over \$8 per square foot. Leveraging future transportation sales tax revenues for street projects today saves money simply by staying ahead of more expensive repairs. Projects funded by TRIP receive more competitive bids, have no impact on the general fund, and increase property values.

Strengths:

- Enables local agencies to "catch up" with their street repairs/transit projects by funding more projects upfront.
- New financing program offering low interest rates for up to a 30-year period of time.

Weaknesses:

- Borrowing against a city's future Measure I transportation sales tax revenue restricts any future use of this revenue during the amortization period.
- If the State reduces the transfer of funds the City is still obligated to pay the debt.

D. Community Revitalization and Investment Authority

The Community Revitalization and Investment Authorities (CRIAs) law (beginning with Section 62000 of Gov't. Code) authorizes tax increment to be used in combination with the powers of former redevelopment agencies. A CRIA focuses on assisting with the revitalization of poorer neighborhoods and former military bases. While similar to redevelopment, a CRIA is more streamlined. Accountability measures are included to ensure that the use of the CRIA remains consistent with community priorities, and a twenty-five (25) percent set-aside is included for affordable housing. Although an initial protest opportunity exists, no public vote is required to establish an authority, and bonds and other debt can be issued after a CRIA is established.

Strengths:

- Issuance of bonds by CRIA does not require voter approval; as compared to an EIFD which requires 55% voter approval.
- CRIA must dedicate 25% of tax increment revenue on affordable housing which will assist a city in meeting its RHNA requirements.

Weaknesses:

- Adoption of a CRIA Plan is subject to majority protest; whereas, adoption of an EIFD is not.
- CRIA operates solely within specifically defined area characterized by quantifiable social and economic deterioration, whereas an EIFD can be established anywhere within a city.

E. Grant Funding

In this era of dissolution of redevelopment agencies and subsequent elimination of tax increment financing, as well as other diminished local government revenue, there are grant opportunities that the City can continue to pursue. Grants offered by the State and federal government agencies can be used to fund infrastructure investments, such as: a.) public infrastructure that supports active transportation that encourages the use of alternative transportation modes, such as walking, bicycling and public transit; b.) urban greening grants, which provide funds to preserve, enhance, increase or establish community green areas and trails; and, c.) grants that link housing with transit to reduce Greenhouse Gas emissions. As part of a comprehensive funding approach to addressing the public infrastructure deficiencies in the Downtown Area, the Ad Hoc Committee recommends that the City aggressively pursue grants as a layered strategic approach.

Strengths:

- Variety of federal and State grant programs available for helping fund local infrastructure.
- Grants enable sharing cost of needed infrastructure projects.

Weaknesses:

- Federal and State governments often impose stringent restrictions on local government's use of funds.
- Competitive process and no guarantee of receiving funding for infrastructure projects.

- Grants target funding of capital construction rather than funding maintenance of the infrastructure.

Recommendation

Funding aging and deficient public infrastructure in the Downtown area is one of the significant challenges confronting revitalization efforts to achieve the mix of uses and the densities envisioned in the Historic Downtown Upland Specific Plan. The Ad Hoc Committee acknowledges the importance that adequate public infrastructure investment will play in the future revitalization of Downtown. However, the important challenges in financing Downtown public infrastructure will require a wise and determined approach which necessitates an experienced financing professional to evaluate the best option(s) for the Downtown area and the City. Based on this, the Ad Hoc Committee recommends that the City Council pursue the following:

- a) The City should obtain the services of a consultant who specializes in public infrastructure financing to prepare a feasibility study for the Downtown area that evaluates the identified options, and/or other funding options available to local government. The desired outcome is to determine the most viable option(s) to address the deficient public infrastructure challenges that the City should pursue, while considering the City's financial situation and viewpoints of property owners, businesses and residents in the Downtown area.
- b) As part of undertaking a feasibility study to fund Downtown public infrastructure, a community outreach program is necessary to ensure transparency and inform Downtown area stakeholders in the process of evaluating and selecting a financing option(s) for public infrastructure investment, understand how they may be affected and an opportunity to offer their input.



STAFF REPORT

ITEM NO. 14.B.

DATE: February 10, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING INTERIM CITY MANAGER
PREPARED BY: ROSEMARY HOERNING, INTERIM CITY MANAGER
SUBJECT: DISCUSSION OF DISPOSITION OF THE CITY MANAGER POSITION

RECOMMENDED ACTION

It is recommended that the City Council discuss possible modifications to the Upland Municipal Code 2.04.240 Removal of the City Manager

GOAL STATEMENT

The proposed action supports transparency and open public discussion by the City Council of ideas proposed by City Council Members.

BACKGROUND

At the request of Mayor ProTem Ricky Felix and Council Member Janice Elliott this discussion item was added to the City Council agenda for possible direction to staff.

ISSUES/ANALYSIS

This proposal will require a change in the City's Municipal Code, specifically the following section of the code, which reads:

"Section 2.04.240 Removal of the City Manager

The removal of the city manager may be effected with or without cause, but only by a majority vote of the whole city council as then constituted, convened in a regular, adjourned regular or special council meeting. The city manager shall be afforded at least 30 days' written notice of the effective date of his or her termination. Notwithstanding the provision of notice hereunder, the city council may, in its sole discretion, place the city manager on leave, with

pay, immediately upon giving of a notice of termination. In removing the city manager, the city council shall use its uncontrolled discretion and its action shall be final and shall not depend upon any particular showing or degree of proof nor does any stated reason of the city council for the intended removal or removal need to be one which constitutes cause. (Prior code § 2310.240)"

FISCAL IMPACTS

None.

ALTERNATIVES

Not applicable.

ATTACHMENTS:

No Attachments Available



STAFF REPORT

ITEM NO. 14.C.

DATE: February 10, 2020
TO: MAYOR AND CITY COUNCIL
FROM: ROSEMARY HOERNING INTERIM CITY MANAGER
PREPARED BY: ROSEMARY HOERNING, INTERIM CITY MANAGER
SUBJECT: DISCUSSION OF THE DISPOSITION OF CITY COUNCIL APPOINTED COMMITTEE MEMBERS

RECOMMENDED ACTION

It is recommended that the City Council discuss possible modifications to Resolution No. 6504.

GOAL STATEMENT

The proposed action supports transparency and open public discussion by the City Council of ideas proposed by City Council Members.

BACKGROUND

At the request of Mayor ProTem Ricky Felix and Council Member Janice Elliott this discussion item was added to the City Council agenda for possible direction to staff.

ISSUES/ANALYSIS

Resolution No. 6504 is a resolution of the City Council amending the policies and procedures relative to the establishment and operation of commissions, boards and authorities appointed to advise the City Council.

This proposal will require a change to the adopted resolution, specifically the following section, which reads:

SECTION 7. REMOVAL FROM COMMISSION, COMMITTEES, BOARDS, AND AUTHORITIES

Any Committee, Commission, Board, or Authority member may be removed from office during their unexpired term upon 4/5ths vote of the City Council, when in the sole discretion

of the Council said removal is deemed appropriate. Notwithstanding the foregoing, if the appointee's nominating Councilmember is no longer part of the Upland City Council or Mayor, that appointee shall be deemed to have automatically resigned the seat they hold upon the filling of the City Council vacancy."

FISCAL IMPACTS

None.

ALTERNATIVES

Not applicable.

ATTACHMENTS:

Resolution 6504

RESOLUTION NO. 6504

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND
AMENDING THE POLICIES AND PROCEDURES RELATIVE TO THE
ESTABLISHMENT AND OPERATION OF COMMISSIONS,
COMMITTEES, BOARDS, AND AUTHORITIES APPOINTED TO
ADVISE THE CITY COUNCIL

Intent of the Parties and Findings

(i) The use of citizen Commissions, Committees, Boards, and Authorities to advise the City Council on issues of public concern is an efficient and effective means of involving citizens in policy development; and

(ii) Chapter 2.16 and Section 2.20.030 of the Upland Municipal Code provides that the City Council shall by resolution, establish a process for the screening of individuals desiring to serve as City Commission, Committee, Boards or Authority members; and

(iii) The effective use of these Commissions, Committees, Boards, and Authorities is furthered by clear guidelines governing their creation and operation; and

(iv) The City Council adopted Resolution No. 4331 which established guidelines governing the creation and operation of established Commissions, Committees, Boards and Authorities; and

(v) From time to time there is a need to eliminate or amend the established rules governing the operation and creation of Commissions, Committees, Boards, and Authorities, which was the basis for the adoption of Resolutions No. 5786, 6038, 6270, and 6397; and

(vi) The City desires to provide a fair and equitable manner by which citizens are appointed to City Commissions, Committees, Boards, and Authorities, which is free of undue influence, but which advances the authority provided by Government Code Section 40605; and

(vii) The City Council may establish standing committees of the legislative body to provide an opportunity for fact finding prior to consideration by the entire Council; and

(viii) The City Council established the Recreation Committee by Resolution No. 4839 on June 9, 1997, and rescinded previously adopted Resolution Nos. 2600, 3324, 3626, 4212 and 4474 and amended Resolution Nos. 4331 and 5007; and

(ix) The City Council later amended the composition of the Recreation Committee with Resolution No. 5007, dated February 8, 1999, adding two School Board Members to the Committee; and

(x) The City Council added the Finance & Economic Development Committee, Police & Fire Committee, and Public Works Committee with Resolution No. 5290, dated December 10, 2001.

(xi) The Council amended the Standing Legislative Committees by Resolution No. 6397 to include Economic Development Committee, Police & Fire Committee, Public Works Committee, and Investments Committee.

(xii) The City Council established the Litigation Committee by Resolution No. 6447 dated May 29, 2018.

NOW, THEREFORE, the Upland City Council hereby finds, determines and resolves as follows:

Section 1. The City Council hereby amends the established guidelines for Authorities, Boards, Committees, and Commissions of the City (as attached) including incorporating, by reference, all prior actions taken by the City Council to eliminate or modify Committees, to the extent they are not inconsistent with the attached guidelines.

Section 2. Amend the Standing Legislative Committees to include Economic Development Committee, Finance Committee, Police & Fire Committee, and Public Works Committee.

Section 2. The City Council hereby further amends the established guidelines for Authorities, Boards, Committees and Commissions of the City (as attached) to include guidelines for standing legislative committees.

Section 3. Certification. The City Clerk shall certify the adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED and ADOPTED this 12th day of August, 2019.



Debbie Stone, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 12th day of August, 2019, by the following vote:

AYES: Mayor Stone, Councilmembers Elliott, Felix, Velto, Zuniga
NOES: None
ABSENT: None
ABSTAINED: None

ATTEST:


Keri Johnson, City Clerk

COMMISSIONS, COMMITTEES, BOARDS, AND AUTHORITIES

SECTION 1. CREATION OF COMMISSIONS, COMMITTEES, BOARDS, AND AUTHORITIES

The Upland City Council shall have the power from time to time by resolution to create such Commissions, Committees, Boards, and Authorities which are necessary or deemed advisable by the Council to carry out the governmental functions of the City in the manner reflecting the best interest of its citizens. The number of members to each Commission, Committee, Board, and/or Authority shall unless otherwise required by law, correspond to the number of members of the appointing body as authorized by law. Each active member of the Upland City Council shall have an appointee on each Commission, Committee, Board and/or Authority. Each appointee shall be a citizen nominated by the Mayor or Councilmember, respectively, and approved by a majority vote of the City Council and appointed by the Mayor.

SECTION 2. DEFINITION

"Commission" shall be any group established pursuant to the Upland Municipal Code. "Committee" shall be any group of individuals which shall have any ongoing charge from the City Council and which are formed by resolution. "Committee" shall not include Committees composed solely of elected officials. "Board" shall be any group formed pursuant to State law providing for same. "Authority" shall be any group formed pursuant to State law providing for same. "Standing Legislative Committee" shall include committees comprised of elected officials who will review operational concerns prior to official council action.

SECTION 3. APPLICABILITY

The provisions of this resolution shall apply to all Commissions, Committees, Boards, and Authorities hereafter created by resolution of the City Council and to existing Commissions, Committees, Boards, and Authorities as identified on the attachments hereto. The provisions of this resolution shall supersede any minute motion or resolution of any prior City Council of Upland which is in conflict with the provisions of this document. Insofar as possible, the provisions of this resolution shall govern the operation and creation of Commissions, Committees, Boards, and Authorities appointed by the City Council except in those instances where the provisions of this resolution conflict with provisions of State or Federal law.

SECTION 4. APPOINTMENT AND APPLICATION PROCESS

The City Clerk shall maintain a roster of individuals who expressed interest in serving on City Commissions, Committees, Boards, and Authorities, who may be nominated by a serving member of the City Council, and who have completed an application form in a manner established or approved by the City Council. Said application shall indicate among other things, the Commission, Committee, Board, or Authority on which said individual is interested in serving. Any application filed shall be valid for a period of three (3) years. Incumbent Commission, Committee, Board, or Authority members shall submit an application prior to the end of their term if they would like to be considered for reappointment. Members of the City Council shall make appointments from this roster.

SECTION 5. SELECTION AND APPOINTMENT

Members of the City Council requiring representation on a particular Commission, Committee, Board, or Authority shall review the list of applicants and submit a nominee to the City Clerk. The City Clerk shall place nominations before the City Council for its review and approval as and when necessary.

For selections made by the Mayor and ratified by the City Council, the Mayor shall review the list of applicants and submit a nominee to the City Clerk. The City Clerk shall place the nominations before the City Council for its review and approval as and when necessary.

In appointing Planning Commissioners, the Mayor shall establish an interview panel composed of the Mayor (or another Councilmember appointed by the Mayor), the Mayor Pro Tem (or another Councilmember appointed by the Mayor), the Chair of the Planning Commission, and the Development Services Director (advisory). All applicants will be interviewed and the interview panel shall recommend to the Mayor at least one of those which a majority of the interview panel believe to be qualified. The Mayor shall appoint the Commissioners for ratification by the Council.

Appointments to standing legislative committees (Economic Development, Finance Committee, Police & Fire Committee, and Public Works Committee) are made by the Mayor biannually to coincide with elections and may be reviewed and reassigned annually or as needed.

SECTION 6. TERMS OF COMMISSION, COMMITTEES, BOARDS, AND AUTHORITIES

For Council nominated appointments the term of each Commission, Committee, Board, and Authority member shall coincide with the holding of office by the nominating member of the City Council, unless otherwise prescribed by resolution creating the Commission, Committee, Board, or Authority.

For appointments made by the Mayor, the term shall be as outlined in the creation of the Commission, Committee, Board, or Authority.

No Commission, Committee, Board, or Authority member shall serve for more than two (2) consecutive terms on any individual Committee, Commission, Board, or Authority without the approval of the City Council by an affirmative 4/5ths vote.

SECTION 7. REMOVAL FROM COMMISSION, COMMITTEES, BOARDS, AND AUTHORITIES

Any Committee, Commission, Board, or Authority member may be removed from office during their unexpired term upon 4/5ths vote of the City Council, when in the sole discretion of the Council said removal is deemed appropriate. Notwithstanding the foregoing, if the appointee's nominating Councilmember is no longer a part of the Upland City Council or Mayor, that appointee shall be deemed to have automatically resigned the seat they hold upon the filling of the City Council vacancy.

SECTION 8. RESIDENCY OF COMMISSION, COMMITTEE, BOARD, AND AUTHORITY MEMBERS

In order to be appointed to a Commission, Committee, Board, or Authority, a prospective appointee must be a resident of the City of Upland and must remain in residence throughout

the term of their appointment, unless a member is appointed by another entity. This provision may be waived upon an affirmative 4/5ths vote of the Council.

SECTION 9. CHAIRPERSON SELECTION

With the exception of the Planning Commission, the Library Board, and the Personnel Board of Review, the member appointed by the Mayor to any Commission, Committee, Board, and/or Authority shall serve as the Chairperson of that body. With regard to the Planning Commission, the Library Board, and the Personnel Board of Review, the members of said bodies shall select, nominate, and appoint by majority consensus, a sitting member of the Body to the position of Chairperson. The term of the Chairperson shall be for 2 years. No Chairperson shall serve for more than two (2) consecutive terms without the approval of the City Council by an affirmative 4/5ths vote.

SECTION 10. POSTING REQUIRED

The City Clerk shall, before December 31st of each year, develop a listing of all scheduled vacancies on City Commissions, Committees, Boards, and/or Authorities expected during the next twelve (12) months. In addition to the requirement of the Government Code, said list shall be posted at City buildings and other locations as may be designated from time to time by City Council resolution, for a period of thirty (30) days and announced at a Council meeting in December. Said listing shall advise interested parties to obtain application forms and related materials at the City Clerk's office. In addition, the City Clerk shall publish said list in the city newsletter seeking applications from interested parties and listing scheduled vacancies during the same thirty (30) day period. Unscheduled vacancies shall be advertised in accordance with the Government Code and posted at the same location as scheduled vacancies.

SECTION 11. DUTIES

The Commissions, Committees, Boards, and Authorities established by the Council shall perform such duties and have such powers as may be established from time to time by the Council.

SECTION 12. ATTENDANCE

In any case where a Commission, Committee, Board, and/or Authority member has missed three (3) regularly scheduled meetings in a twelve (12) month period without notifying the Chair of said Commission, Committee, Board, and/or Authority in advance of said meeting, the City Clerk shall contact the Commission, Committee, Board, and/or Authority member with a request to provide the reasons therefore, which shall be forwarded to the City Council.

SECTION 13. OPEN MEETINGS

All Commission, Committee, Board, and Authority meetings shall be conducted pursuant to the provisions of the Ralph M. Brown Act and the City Clerk shall maintain a copy of all agendas and minutes of all meetings.

BUILDING APPEALS BOARD

PURPOSE

To determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, the Uniform Housing Code, Uniform Code for the Abatement of Dangerous Buildings, National Electric Code, and the Seismic Hazards Reduction Ordinance.

MEMBERSHIP

5 Members Total

Selected from the following classifications:

- a. Architect or Engineer
- b. Attorney
- c. Contractor – Electrical, Mechanical, Plumbing or General

LENGTH OF TERM/FREQUENCY OF MEETINGS

4 Year Term / Meetings are scheduled as needed as appeals are received.

No member may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council

SELECTION PROCESS

- The City Clerk causes a request for volunteers to be posted
- Using the criteria for membership, the Building Official determines if applicants are qualified and passes all qualified candidates to the City Clerk
- Each member of the City Council shall submit their nomination from the list of qualified candidates to the City Clerk for consideration at a Council meeting

CODE REFERENCES

Resolution 4107
Resolution 2725
Ordinance 1882

(effective July 27, 1992)

CITY COUNCIL ADVISORY COMMITTEE

PURPOSE

Review of any matters which may be referred to the Committee from time to time. If so directed, the City Council Advisory Committee will be responsible for performing an analysis and present recommendations to the City Council.

MEMBERSHIP

5 Members Total
Nominated by Councilmembers

LENGTH OF TERM/FREQUENCY OF MEETINGS

- 4 year terms to coincide with the terms of Mayor and Councilmember making nomination
- No applicant may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council
- Meets quarterly, the first Wednesday of March, June, September and December

SELECTION PROCESS

Each member of the City Council shall submit their nomination to the City Clerk for consideration at a Council meeting.

CODE REFERENCE

Ordinance 1812, 10/8/2006
Ordinance 1428, Section 2, 6/20/88
Ordinance 1416, Section 1, 12/21/87
Ordinance 1563, Section 1, 10/26/72
Council Minutes 7/3/72

COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

PURPOSE

Annually review applications for Community Development Block Grant funds, conduct hearings to determine the most effective use of the grant funds and provide recommendations to the City Council.

MEMBERSHIP

5 Members Total
Nominated by Councilmembers

LENGTH OF TERM/FREQUENCY OF MEETINGS

- 4 year terms to coincide with the terms of Mayor and Councilmember making nomination
- No applicant may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council
- Meetings held from January through April, with additional meetings on an as needed basis

SELECTION PROCESS

Each member of the City Council shall submit their nomination to the City Clerk for consideration at a Council meeting.

CODE REFERENCE

- Council Minutes 3/14/89

LIBRARY BOARD

PURPOSE

The Upland Public Library serves the community by providing materials and staff assistance for meeting the informal and educational needs of the library users.

MEMBERSHIP

- 5 Citizens at Large
- 1 Council Liaison (advisory)
- 1 Friends of the Library Liaison (advisory)

LENGTH OF TERMS/FREQUENCY OF MEETINGS

- 3 Year Term
- Meetings held the second Wednesday of the month
- No applicant shall serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council

SELECTION PROCESS

Mayor shall appoint with Council ratification

CODE REFERENCES

UMC Section 2.28.010
California Library laws, Education Code 1990
Ordinance No. 99

PERSONNEL BOARD OF REVIEW

PURPOSE

The functions of the board shall be to hear appeals as provided by this part and by rule, except matters pertaining to the meet and confer process.

MEMBERSHIP

3 Members Total
1 Alternate Member

LENGTH OF TERM/FREQUENCY OF MEETINGS

- 4 Year Term
- No applicant shall serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council
- On call by the Human Resources Manager

SELECTION PROCESS

- 1 member - Council appointment shall be made by the Mayor, with Council ratification
- 1 member - Employee Associations submits name(s) and Council selects appointment
- 1 member agreed upon by Council and Employee Associations
- 1 alternate member agreed upon by Council and Employee Associations

CODE REFERENCE

UMC Section 2.36.160
Ordinance 1566
Ordinance 1494
Minute Action 5/31/1945

PLANNING COMMISSION

PURPOSE

The powers and duties of the Planning Commission shall be to:

1. Prepare, periodically review, and revise, as necessary the General Plan
2. Annually review the Capital Improvement Program of the City and the local public works projects of other local agencies for their consistency with the General Plan
3. Perform other functions as the City Council provides
4. Perform such other land use-related functions pursuant to State laws pertaining to conservation, planning, and zoning as the council may direct or provide
5. Serve as the Airport Land Use Committee, applying the procedures and findings set forth in the Municipal Code in regards to all processes relating to a request for an implementation/land use compatibility decision, preparation, adoption and amendment to the Comprehensive Airport Land Use Plan of the City of Upland conforming to requirements set forth in Public Utilities Section 21670.1
6. Serve as the Historic Preservation Committee as outlined in the Upland Municipal Code

MEMBERSHIP

7 Members Total

Airport Land Use Committee consists of:

7 Planning Commissioners

2 ALUC members (possess expertise in aviation)

LENGTH OF TERM/FREQUENCY OF MEETINGS

- 4 year terms
- No applicant may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council
- Once a month, 4th Wednesday
- Commissioners receive \$100 compensation per meeting (not to exceed \$200 per month)

SELECTION PROCESS

- The City Clerk causes a request for volunteers to be posted
- Mayor (or Mayor designee), Mayor Pro Tem (or Mayor designee), Planning Commission Chair (or designee selected by Planning Commission), and Development Services Director (advisory) shall serve as an interview panel and interview each applicant
- Interview panel shall recommend at least one candidate per opening to the Mayor for ratification by the Council
- Airport Land Use Commissioners - Mayor shall appoint with Council ratification

CODE REFERENCE

UMC Chapter 17.43.030
Resolution 6397
Resolution 6270
Resolution 4697
Ordinance 1202
Ordinance 415

STREET TREE ADVISORY COMMITTEE

PURPOSE

This Committee shall study and review the proposed Urban Forestry Management Plan and make appropriate recommendation to Council and staff regarding the matters contained therein; to provide an avenue for citizens to appeal special circumstantial tree problems (i.e., tree removals, street tree designations, spraying for fruit insects); and to review tree removal and other policies.

MEMBERSHIP

5 Members Total
Selected from 5 Citizens at Large

LENGTH OF TERM

- 4 year terms
- No applicant may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council

MEETINGS

Meets the 2nd Thursday of , January, March, May, July, September and November

SELECTION PROCESS

Each member of the City Council shall submit their nomination to the City Clerk for consideration at a Council meeting.

CODE REFERENCE

Resolution 5786
Resolution 5201
Resolution 4462

TRAFFIC SAFETY ADVISORY COMMITTEE

PURPOSE

To advise Council and staff of community concerns regarding issues of traffic safety and to recommend solutions to those concerns.

MEMBERSHIP

10 Members Total

5 Citizens at Large (one nominated by each Councilmember)
1 Upland Unified School District

1 Chamber of Commerce Representative

Non Voting Liaison members:

1 Upland Police Department Liaison

1 Engineering Department Liaison

1 Upland School District Representative

LENGTH OF TERM/FREQUENCY OF MEETINGS

- 4 Year Term (except Police and Engineering Liaisons)
- No applicant shall serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council

Meets quarterly the first Wednesday of February, May, August and November, 8:30 a.m. at the Police Department

SELECTION PROCESS

Citizens at Large - Each member of the City Council shall submit their nomination to the City Clerk for consideration at a Council meeting.

CODE REFERENCE

Resolution 6147

Upland Council Minutes, 11/6/78

Upland Council Minutes, 10/6/64

ECONOMIC DEVELOPMENT COMMITTEE

PURPOSE

The function of the Committee is to provide an opportunity for review and fact finding relative to significant projects, programs, or activities in economic development operations prior to consideration by the entire Council.

MEMBERSHIP

2 City Council Members

LENGTH OF TERM/FREQUENCY OF MEETINGS

- Appointments may coincide with elections biannually or be reviewed and reassigned annually as desired by the Mayor
- Meets quarterly, the first Monday of March, June, September, and December

SELECTION PROCESS

All Standing Legislative Committees are appointed by the Mayor with Council ratification

CODE REFERENCE

UMC Section 2.16.010
Resolution No. 6397
Resolution No. 5290
Upland City Council Minutes, 12/01/2001

POLICE & FIRE COMMITTEE

PURPOSE

The function of the Committee is to provide an opportunity for review and fact finding relative to significant projects, programs, or activities in public safety operations prior to consideration by the entire Council.

MEMBERSHIP

2 City Council Members

LENGTH OF TERM/FREQUENCY OF MEETINGS

- Appointments may coincide with elections biannually or be reviewed and reassigned annually as desired by the Mayor
- Meets quarterly, the 4th Monday of March, June, September, and December

SELECTION PROCESS

All Standing Legislative Committees are appointed by the Mayor with Council ratification

CODE REFERENCE

UMC Section 2.16.010
Resolution No. 5290
Upland City Council Minutes, 12/01/2001

PUBLIC WORKS COMMITTEE

PURPOSE

The function of the Committee is to provide an opportunity for review and fact finding relative to significant projects, programs, or activities in Public Works operations prior to consideration by the entire Council.

MEMBERSHIP

2 City Council Members

LENGTH OF TERM/FREQUENCY OF MEETINGS

- Appointments may coincide with elections biannually or be reviewed and reassigned annually as desired by the Mayor
- Meets quarterly, the 2nd Tuesday of January, April, July, and October

SELECTION PROCESS

All Standing Legislative Committees are appointed by the Mayor with Council ratification

CODE REFERENCE

UMC Section 2.16.010
Resolution No. 5290
Upland City Council Minutes, 12/01/2001

FINANCE COMMITTEE

PURPOSE

The Committee shall be responsible for reviewing matters pertaining to the finances of the City. This may include reviewing warrants and registers, financial statements, investment reports, the City's annual independent audit, City fees and service charges, and operating budgets

MEMBERSHIP

2 City Council Members
Finance Officer (staff)
City Treasurer (review of quarterly investment reports)

LENGTH OF TERM/FREQUENCY OF MEETINGS

- Appointments may coincide with elections biannually or be reviewed and reassigned annually as desired by the Mayor with the exception of the Finance Officer
- Meets quarterly, the 4th Wednesday of January, April, July, and October

SELECTION PROCESS

The City Treasurer is an established elected position and shall review and provide input on the quarterly investment reports. All Standing Legislative Committees are appointed by the Mayor with Council ratification

CODE REFERENCE

UMC Section 2.16.010
Resolution No. 6397
Resolution No. 6394 (Investment Policy)