



UPLAND CITY COUNCIL

AGENDA

**April 13, 2015
City Council Chambers**

**RAY MUSSER, MAYOR
GLENN BOZAR, MAYOR PRO TEM
GINO L. FILIPPI, COUNCILMEMBER
DEBBIE STONE, COUNCILMEMBER
CAROL TIMM, COUNCILMEMBER**

**ROD BUTLER, CITY MANAGER
RICHARD L. ADAMS II, INTERIM CITY ATTORNEY**

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5:30 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 four (4) minutes. The use of visual aids will be included in the time limit.

4. CLOSED SESSION

- A. GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: City Manager Butler and Human Resources Manager Tanya Bragg

Employee organization: Upland Mid-Management Association, Upland General Employees Association, Upland Police Officers Association, Upland Police Management Association, Upland Captains

Association, Upland Fire Fighters Association,
and Upland Fire Management Association

B. GOVERNMENT CODE SECTION 54956.9 - CONFERENCE WITH LEGAL COUNSEL -
EXISTING LITIGATION

(Paragraph (1) of Subdivision (d) of Section 54956.9)

Case Name: California Cannabis Coalition, et al v. City of Upland, et al (Case No.
CIVDS1503985)

C. GOVERNMENT CODE SECTION 54956.9 - CONFERENCE WITH LEGAL COUNSEL -
EXISTING LITIGATION

(Paragraph (1) of Subdivision (d) of Section 54956.9)

Case Name: Verizon California Inc. v. State Board of Equalization, et al. (Case No.
34-2015-00175609)

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7:00 PM

5. INVOCATION

Pastor Julius West, Sunergeo Christian Fellowship

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Certificate of Recognition to Eagle Scout Timoteo HoChing, Troop 616

Presentation on OPARC, a non-profit that serves adults with disabilities, provided by Pastor James Pike of Grace Lutheran Church

Proclamation declaring April 2015 as Fair Housing Month, accepted by Marie Flannery and/or Lara Costello of the Inland Fair Housing Mediation Board

Proclamation declaring April 2015 as DMV/Donate Life California Month, accepted by One Legacy City Ambassador Daniel Luevanos

Proclamation declaring April 12 - 18, 2015 as National Library Week, accepted by Library Director Yuri Hurtado

Proclamation declaring April 24, 2015 as National Arbor Day, accepted by Water Conservation Specialist Barbara Taylor

Proclamation declaring May 2015 as Water Awareness Month, accepted by Water Conservation Specialist Barbara Taylor

8. CITY ATTORNEY

9. ORAL COMMUNICATIONS

This is a time for any citizen to comment on any item listed or 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 four (4) minutes. Speakers will be given five (5) minutes during public hearings. 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.

10. 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. WAIVE READING OF ORDINANCES AND RESOLUTIONS

Approve the reading of titles of all ordinances and resolutions and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived. Staff will prepare summaries of all ordinances considered by the City Council and publish the summaries at least five days prior to adoptions.

B. APPROVAL OF WARRANTS AND PAYROLL REGISTERS

Approve Warrant Registers dated March 25, 2015 in the amount of \$792,173.74; March 31, 2015 in the amount of \$7,137.42 and Payroll Registers dated April 2, 2015 in the amounts of \$586,819.40 and \$24,316.02. (Staff Person: Stephanie Mendenhall)

C. APPROVAL OF MINUTES

Approve the Regular Meeting Minutes of March 23, 2015. (Staff Person: Stephanie Mendenhall)

D. 2ND READING OF ORDINANCE 1891 MUNICIPAL CODE AMENDMENT RELATIVE TO DELINQUENT TRASH COLLECTION FEES

Hold 2nd reading by number and title only, and adopt Ordinance No. 1891 electing to have delinquent trash collection fees collected on the tax roll and amending Chapter 13.34 and Section 13.28.170 of Chapter 13.28 of Title 13 of the Upland Municipal Code relating to liens imposed for unpaid trash collection services.

E. EMERGENCY REPLACEMENT OF PLANT NO. 4 SWITCHGEAR

Receive and file status update. (Staff Person: Rosemary Hoerning)

F. SEWER SERVICE AGREEMENT FOR 2412 SAN ANTONIO CRESCENT EAST (SSA-2015-03-01)

Authorize the City Manager to execute the Sewer Service Agreement. (Staff Person: Rosemary Hoerning)

G. STREET VACATION OF A 17 FOOT STRIP ALONG 8TH STREET (FROM NORTHEAST CORNER OF SULTANA AVENUE AND 8TH STREET TO APPROXIMATELY 643 FEET EASTERLY)

Declare its intention to vacate a 17 foot strip along 8th Street (from the northeast corner of Sultana Avenue and 8th Street to approximately 643 feet easterly). It is further recommended the City Council set a Public Hearing for May 11, 2015, concerning the vacation. (Staff Person: Rosemary Hoerning)

H. AFFILIATION AGREEMENT BETWEEN MT. SAN ANTONIO COLLEGE AND UPLAND FIRE DEPARTMENT FOR PARAMEDIC TRAINEES

Approve the Affiliation Agreement between Upland Fire Department and Mt. San Antonio College's paramedic trainee program. (Staff Person: Rick Mayhew)

I. AMENDMENT TO RETAINER AGREEMENT WITH THE LAW FIRM OF JONES AND MAYER TO DESIGNATE RICHARD L. ADAMS II AS CITY ATTORNEY AND YOLANDA SUMMERHILL AS ASSISTANT CITY ATTORNEY

Approve the attached amendment to the retainer agreement with Jones & Mayer. (Staff Person: Rod Butler)

11. PUBLIC HEARINGS None

12. COUNCIL COMMITTEE REPORTS

A. POLICE AND FIRE COMMITTEE MEETING, MARCH 23, 2015

13. BUSINESS ITEMS

A. GOVERNOR'S EXECUTIVE ORDER B-29-15 – MANDATORY WATER CONSERVATION

Receive and file the report. (Staff Person: Rosemary Hoerning)

14. CITY MANAGER

15. COUNCIL COMMUNICATIONS

16. ADJOURNMENT

The next regularly scheduled City Council meeting is Monday, April 27, 2015.

NOTE: If you challenge the public hearing(s) or the related environmental determinations in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at, or prior to, the public hearing.

All Agenda items and back-up materials are available for public review at the Upland Public Library, downstairs reference desk at 450 North Euclid Avenue, the City Clerk's Office at 460 North Euclid Avenue and the City website at www.ci.upland.ca.us, subject to staff's ability to post the documents before the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

POSTING STATEMENT: On April 9, 2015 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).