



UPLAND CITY COUNCIL

AGENDA

**May 26, 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, CITY ATTORNEY**

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6:00 PM - Closed Session

- 1. CALL TO ORDER AND ROLL CALL**
- 2. ADDITIONS-DELETIONS TO AGENDA**
- 3. ORAL COMMUNICATIONS**

This is a time for any citizen to comment on item listed on the closed session agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than four (4) minutes. The use of visual aids will be included in the time limit.

4. CLOSED SESSION

- A. 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)

7:00 PM

5. INVOCATION

Pastor Jarrel Jones, 11th Street Baptist Church

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Presentation of a \$73,000 check for the Recycled Water Conversion Incentive Program by Chino Basin Water Conservation District Board President Kati Ooten Parker

Proclamation declaring the week of May 15, 2015 as National Police Week accepted by Police Chief Brian Johnson

Recognition of Upland residents serving in the Military

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. 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. 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 May 6, 2015 in the amount of \$2,666,237.14 and Payroll Registers dated April 30, 2015 in the amount of \$9,034.52; May 14, 2015 in the amounts of \$105,030.08 and \$598,968.28. (Staff Person: Stephanie Mendenhall)

C. APPROVAL OF MINUTES

Approve the Regular Meeting Minutes of May 11, 2015. (Staff Person: Stephanie Mendenhall)

D. 2ND READING OF ORDINANCE NO. 1892 MUNICIPAL CODE AMENDMENT PERTAINING TO CHAPTERS 1 AND 5 RELATED TO THE ABATEMENT OF NUISANCES AND RECOVERY OF FEES AND COSTS ASSOCIATED THEREWITH, DECLARATION AGAINST OPERATION OF ILLEGAL BUSINESSES AND THE ISSUANCE OF ADMINISTRATIVE CITATIONS

Hold 2nd reading by number and title only, and adopt Ordinance No. 1892 amending and revising Chapters 1 and 5 of the Upland Municipal Code related to the abatement of nuisances and recovery of fees and costs associated therewith, declaration against operation of illegal businesses, and the issuance of administrative citations. (Staff Person: Richard L. Adams II)

E. ACCEPTANCE OF WORK FOR THE EMERGENCY REPLACEMENT OF PLANT NO. 4 SWITCHGEAR

Accept the work and record the Notice of Completion for the Emergency Replacement of Plant No. 4 Switchgear. (Staff Person: Rosemary Hoerning)

F. CALIFORNIA HOME FINANCE AUTHORITY PACE PROGRAMS AND ASSOCIATE MEMBERSHIP IN THE CALIFORNIA HOME FINANCE AUTHORITY

Adopt a Resolution consenting to inclusion of properties within the City's jurisdiction in the California Home Finance Authority Program to finance renewable energy generation, energy and water efficiency improvements and electric vehicle charging infrastructure and approving associate membership in the Joint Exercise of Powers Authority related thereto; adopt a Resolution consenting to inclusion of properties within the City's jurisdiction in the California Home Finance Authority Community Facilities District No. 2014-1 (clean energy) to finance renewable energy improvements, energy efficiency and water conservation improvements and electric vehicle charging infrastructure and approving associate membership in the Joint Exercise of Powers Authority related thereto; and authorize the City Manager to execute any necessary documents to that effect. (Staff Person: Jeff Zwack)

G. SEWER SERVICE AGREEMENT FOR 2360 N MOUNTAIN AVENUE (SSA-2015-04-20)

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

12. PUBLIC HEARINGS

A. ANNUAL WEED ABATEMENT PROGRAM

The City Council will consider declaring certain weeds, rubbish, refuse and dirt in the streets and private property within the City to be public nuisances and providing for abatement of the nuisances. (Staff Person: Sheldon Bloomfield)

Recommendation:

- a) Staff presentation
- b) Hold Public Hearing
- c) Close Public Hearing
- d) Approve the placement of a \$204.00 lien for administrative costs on each parcel notified of a public nuisance that failed to take corrective action.

13. COUNCIL COMMITTEE REPORTS

- A. PUBLIC WORKS COMMITTEE MEETING, MAY 12, 2015

14. BUSINESS ITEMS None

15. CITY MANAGER

- A. FINANCIAL REPORT FOR THE MONTH ENDING APRIL 2015

Receive and file the Financial Report for the Month of April 2015. (Staff Person: Scott Williams)

16. ADJOURNMENT

The next regularly scheduled City Council meeting is Monday, June 8, 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 May 21, 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).