

RESOLUTION NO. 6900

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A CITY MEASURE TO BE SUBMITTED AT THE NOVEMBER 3, 2026 GENERAL MUNICIPAL ELECTION

WHEREAS, a General Municipal Election is to be held in the City of Upland, California on November 3, 2026, at which there will be submitted to the voters the following business license tax reform measure:

“Upland Business License Reform Measure	YES
To modernize City of Upland’s 31-year-old business license tax, with no tax increase to residents, lowering taxes on most small businesses, and ensuring large businesses pay their fair share for general city services such as: fixing potholes/streets; repairing infrastructure; and 9-1-1 response, shall the measure with rates between 0.065% and 0.2% of gross receipts, generating \$3.3 million in local funds until ended by voters, and requiring independent audits, be adopted?”	NO

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

SECTION 1. Primary Arguments. That the City Council directs that arguments for and against the measure may be filed in accordance with applicable law, and that neither City Council as a body or any individual member of Council is directed to file a written argument or any rebuttal argument for or against the measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, and to change the argument until and including the date fixed below by the City Clerk, after which no arguments for or against the City measure may be submitted to the City Clerk.

The deadline to submit arguments for or against the City Measure pursuant to this Resolution is declared by the City Clerk to be **Monday, August 17, 2026, at 12:00 p.m.** Each argument shall not exceed 300 words and shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

SECTION 2. Rebuttal Arguments. Pursuant to Section 9285 of the Elections Code of the State of California, when the City Clerk has selected the primary arguments for and against the City Measure which will be printed and distributed to the voters, the Clerk shall send copies of the primary argument in favor of the Measure to the authors of

the primary argument against, and copies of the primary argument against to the authors of the primary argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than **Thursday, August 20, 2026, at 5:00 p.m.** Rebuttal arguments shall be printed in the same manner as the primary arguments. Each rebuttal argument shall immediately follow the primary argument which it seeks to rebut.

SECTION 3. Prior Resolutions. That all previous resolutions providing for the filing of primary and rebuttal arguments related to City measures are repealed.

SECTION 4. November 3, 2026 Election. That the provisions of Sections 1 and 2 shall apply only to the election to be held on November 3, 2026, and shall then be repealed.

SECTION 5. 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 3rd day of August, 2026.

Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a special meeting of the City Council held on the 3rd day of August, 2026, by the following vote:

AYES: Mayor Velto, Councilmembers Maust, Breitling, Garcia, Zuniga
NOES: None
ABSENT: None
ABSTAINED: None

ATTEST: _____
Keri Johnson, City Clerk/Elections Official

RESOLUTION NO. 6898

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA CALLING FOR THE PLACEMENT OF A GENERAL BUSINESS LICENSE TAX MEASURE ENTITLED THE “UPLAND BUSINESS LICENSE REFORM MEASURE” ON THE NOVEMBER 3, 2026 GENERAL MUNICIPAL ELECTION BALLOT FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A PROPOSED ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 5.04 OF THE CITY’S MUNICIPAL CODE AS IT RELATES TO BUSINESS LICENSE TAXES.

WHEREAS, Upland’s existing business license structure was last updated 31 years ago in 1994, and results in smaller business paying a higher rate than larger businesses; and

WHEREAS, this business license tax reform measure reduces taxes for most small businesses to help create economic growth and local job creation; and

WHEREAS, this reform also ensures that the largest businesses pay a greater share for core city services than they do under the existing structure; and

WHEREAS, this measure will not raise taxes for residents, and applies only to businesses in Upland; and

WHEREAS, the City engaged small local business owners and business stakeholders in developing this measure; and

WHEREAS, the City of Upland has an estimated \$241 million in unfunded street maintenance and sidewalk repairs that need to be completed, and also maintains 192 miles of streets, 343 miles of sidewalks, and 13 parks and playfields, and

WHEREAS, the longer we wait to fix our streets, infrastructure, and facilities, the more expensive it will become; and this measure could help maintain the current condition; and

WHEREAS, the measure includes a clear system of accountability, requiring annual independent audits and public disclosure of how all funds are spent; and

WHEREAS, this measure will provide \$3.3 million annually that could be used to fix streets and potholes; keep public areas safe and clean, repair or replace aging storm drains and infrastructure; and maintain quick 911 emergency response; and

WHEREAS, all revenues generated by the proposed measure would stay within the City of Upland and reinvested back into the community, and cannot be taken by the State or County; and

WHEREAS, pursuant to Chapter 5.04 of the Upland Municipal Code, the City currently imposes a business license tax on various businesses within the City based upon gross receipts, number of employees or a flat rate; and

WHEREAS, the City Council desires to propose an amendment to various Sections of Chapter 5.04 of the Upland Municipal Code to change the rates of the License Tax to those set forth herein for the purpose of raising revenue to provide City services and additional local funding; and

WHEREAS, the proposed amendment to the License Tax ordinance has been designed to better align the City's tax rates with the current types and distribution of businesses located within the City; and

WHEREAS, pursuant to Section 9222 of the California Elections Code and Section 37101 of the California Government Code, the City Council has the authority to place a measure on the ballot regarding the imposition, extension or increase in a local business license tax to be considered by the voters at a Municipal Election; and

WHEREAS, the business license tax is a locally controlled general tax, the revenue of which will be placed in the City's general fund and will be used to pay for important general City services; and

WHEREAS, on November 6, 1996, the voters of the State of California approved Proposition 218, an amendment to the State Constitution which requires that all general taxes which are imposed, extended, or increased must be submitted to the electorate and approved by a majority vote of the qualified electors voting in the election; and

WHEREAS, the proposed amendments which adjust the rate of the License Tax constitute a tax "increase" subject to Proposition 218; and

WHEREAS, pursuant to Proposition 218 (California Constitution, Article XIII C, § 2(b)), the general rule is that any local election for the approval of an increase to a general tax must be consolidated with a regularly scheduled general election for members of the governing body of the local government; and

WHEREAS, the next regularly scheduled general election at which City Council members are to be elected is November 3, 2026; and

WHEREAS, pursuant to Government Code section 53724 ("Proposition 62"), a two-thirds (2/3) vote of all members of the City Council is required to place the Measure on the November 3, 2026 ballot; and

WHEREAS, the ordinance to be considered by the qualified voters and the terms of approval, collection and use of the business license tax are described and provided for in the ordinance/measure attached hereto as Exhibit "A" (the "Measure") and by this reference made an operative part hereof, in accordance with all applicable laws.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UPLAND AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Resolution.

SECTION 2. Submission of Ballot Measure. Pursuant to Article XIIC, section 2(b), California Elections Code section 9222, California Government Code section 53724, and any other applicable requirements of the laws of the State of California relating to the City, the City Council, **by a two-thirds (2/3) vote of all members**, hereby orders the Measure to be submitted to the voters of the City at the General Municipal Election to be held on **Tuesday, November 3, 2026**.

SECTION 3. Ballot Question. The City Council, pursuant to its right and authority, hereby orders that the Measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this Section 3. On the ballot to be submitted to the qualified voters at the General Municipal Election to be held on Tuesday, November 3, 2026, in addition to any other matters required by law, there shall be printed substantially the following ballot question:

“Upland Business License Reform Measure To modernize City of Upland’s 31-year-old business license tax, with no tax increase to residents, lowering taxes on most small businesses, and ensuring large businesses pay their fair share for general city services such as: fixing potholes/streets; repairing infrastructure; and 9-1-1 response, shall the measure with rates between 0.065% and 0.2% of gross receipts, generating \$3.3 million in local funds until ended by voters, and requiring independent audits, be adopted?”	YES
	NO

SECTION 4. Conduct of Election. The City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. Pursuant to Elections Code section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure, and transmit such impartial analysis to the City Clerk not later than the deadline for submittal of primary arguments for or against the Measure. The City Council directs that arguments for and against the measure may be filed in accordance with applicable law, and that neither City Council as a body or any individual member of Council is directed to file a written argument or any rebuttal argument for or against the measure.

The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **“The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure, please call the Office of the City Clerk at (909) 931-4120 and a copy will be mailed at no cost to you.”**

SECTION 6. Notice of the election is hereby given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. Placement on the Ballot. The full text of the Measure shall not be printed in the voter information guide. A statement shall be printed on the ballot pursuant to Elections Code section

9223 advising voters that they may obtain a copy of this Resolution and the Measure, at no cost, upon request made to the City Clerk.

SECTION 8. Filing with County. The City Clerk shall, not later than the 88th day prior to the General Municipal Election to be held on Tuesday, November 3, 2026, file with the Board of Supervisors and the County Clerk – Registrar of Voters of the County of San Bernardino, State of California, a certified copy of this Resolution.

SECTION 9. Public Examination. Pursuant to Elections Code section 9295, this Measure will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The City Clerk shall post notice in the Clerk's office of the specific dates that the examination period will run.

SECTION 10. The City Council hereby finds and determines that the Measure relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, section 15378(b)(5).

SECTION 11. Severability. The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

SECTION 12. This Resolution shall become effective upon its adoption.

SECTION 13. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 3rd day of August, 2026.

Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a special meeting of the City Council held on the 3rd day of August, 2026, by the following vote:

AYES:	Mayor Velto, Councilmembers Maust, Breitling, Garcia, Zuniga
NOES:	None

ABSENT: None

ABSTAINED:None

ATTEST: _____
Keri Johnson, City Clerk/Elections Official

Exhibit "A"
Business License Tax

[attached behind this page]

RESOLUTION NO. 6899

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2026 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTIONS CODE

WHEREAS, on August 3, 2026, the City Council of the City of Upland adopted Resolution No. 6898, calling a General Municipal Election to be held on November 3, 2026; for the purpose of submitting to the voters the question relating to the Business License Tax Reform Measure; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the election department of the County of San Bernardino canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UPLAND AS FOLLOWS:

SECTION 1. Request for Consolidation. Pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of San Bernardino is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 3, 2026, for the purpose of submitting to the voters the following question relating to the Business License Tax.

SECTION 2. Measure Language. A measure is to appear on the ballot as follows:

“Upland Business License Reform Measure To modernize City of Upland’s 31-year-old business license tax, with no tax increase to residents, lowering taxes on most small businesses, and ensuring large businesses pay their fair share for general city services such as: fixing potholes/streets; repairing infrastructure; and 9-1-1 response, shall the measure with rates between 0.065% and 0.2% of gross receipts, generating \$3.3 million in local funds until ended by voters, and requiring independent audits, be adopted?”	YES
	NO

SECTION 3. Canvass of Returns. The County election department is authorized to canvass the returns and perform all other proceedings incidental to and connected with the General Municipal Election. The Election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. Pursuant to California Elections Code Sections 10403 and 10418, the election will be held and conducted in accordance with the provisions of law regulating the Statewide General Election.

SECTION 4. Necessary Steps. The Board of Supervisors is requested to issue instructions to the County election department to take any and all steps necessary for the holding of the consolidated election.

SECTION 5. Costs. The City Council determines and declares that the City will pay to the County the reasonable and actual expenses incurred by the County by the consolidation of the General Municipal Election with the Statewide General Election. The City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill. The City Manager of the City of Upland is authorized and directed to pay for the expenses incurred after receiving a statement from the County of San Bernardino.

SECTION 6. Filing of Resolution. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the election department of the County of San Bernardino.

SECTION 7. 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 3rd day of August, 2026.

Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a special meeting of the City Council held on the 3rd day of August, 2026, by the following vote:

AYES: Mayor Velto, Councilmembers Maust, Breitling, Garcia, Zuniga
NOES: None
ABSENT: None
ABSTAINED: None

ATTEST: _____
Keri Johnson, City Clerk/Elections Official