

City of Yucaipa
City Council Minutes
Regular Meeting of January 11, 2010

A Regular meeting of the City Council of the City of Yucaipa, California was called to order in the Council Chambers, 34272 Yucaipa Boulevard, Yucaipa, California, on January 11, 2010 at 6:00 PM.

PRESENT: Dick Riddell, Mayor
Allan Drusys, D.V.M., Mayor Pro Tem
Denise Hoyt, Councilmember
Tom Masner, Councilmember
Diane Smith, Councilmember
Ray Casey, City Manager
Jennifer Shankland, Director of General Services/City Clerk
Amy Greyson, Interim City Attorney

ABSENT: None

CONVENE CITY COUNCIL

The meeting was opened with the Pledge of Allegiance led by Chief Shaw.

SPECIAL PRESENTATION

Community volunteers that participated in "Make a Difference Day" were presented with Certificates of Appreciation.

EMPLOYEE INTRODUCTION

Fire Chief Shaw introduced Fire Apparatus Engineer Paramedic Brandon Aguilera.

CONSENT AGENDA

Mayor Riddell asked if there were any Consent Agenda items to be removed for discussion. No items were removed for discussion.

1. **SUBJECT:** APPROVE COUNCIL MINUTES OF DECEMBER 14, 2009.

RECOMMENDATION: That City Council approve City Council Minutes of December 14, 2009.

2. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – YUCAIPA BOULEVARD IMPROVEMENTS (PHASE I) FROM 12TH STREET TO 14TH STREET (15TH STREET) – PROJECT NO. 10702.

RECOMMENDATION: That City Council:

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1. Accept the contract and extension work completed by MCC Equipment Rentals, Inc. in the amount of \$232,555.00; and
 2. Approve the final payment for the project; and
 3. Authorize the recordation of the Notice of Completion.
3. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – 2009-2010 STREET PATCHING PROGRAM – 10769.

RECOMMENDATION: That City Council:

1. Accept the contract work and extension work completed by Advantage Asphalt, Inc. of Thousand Palms, CA in the final amount of \$148,534.55; and
 2. Authorize the recordation of the Notice of Completion.
4. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – 2009-2010 CONCRETE PROGRAM- PROJECT NO. 10770.

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by Victor Concrete, Inc. of Riverside, CA in the amount of \$97,536.00; and
 2. Authorize the recordation of the Notice of Completion.
5. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – 2009-2010 MICROSURFACING PROGRAM- PROJECT NO. 10782.

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by Pavement Coatings, Inc. of Mira Loma, CA in the amount of \$141,150.54; and
 2. Authorize the recordation of the Notice of Completion.
6. **SUBJECT:** EXTEND DECLARATION OF LOCAL EMERGENCY DUE TO FIRES IN THE CITY OF YUCAIPA.

RECOMMENDATION: That City Council extend the declaration of a local emergency approved on September 4, 2009, thereby recognizing the continued existence of perilous conditions in the aftermath of the Pendleton Fire.

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7. **SUBJECT:** ADOPTION OF RESOLUTION NO. 2010-01 IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010.

RECOMMENDATION: That City Council adopt Resolution No. 2010-01 supporting the League of California Cities sponsored initiative entitled: Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

8. **SUBJECT:** RESOLUTION AUTHORIZING THE CITY ENGINEER TO EXECUTE VARIOUS STATE TRANSPORTATION PROGRAM DOCUMENTS REQUIRED FOR IMPLEMENTATION OF STATE-FUNDED PROJECTS.

RECOMMENDATION: That City Council approve Resolution No. 2010-02 authorizing the City Engineer to execute Program Supplemental Agreements, Fund Exchange Agreements and Fund Transfer Agreements for State-funded projects.

ACTION: MOTION BY MAYOR PRO TEM DRUSYS, SECOND BY COUNCILMEMBER MASNER, CARRIED 5-0, TO APPROVE CONSENT AGENDA ITEMS NO. 1 THROUGH 8.

PUBLIC COMMENT

Keith Broaders, Oak Glen, representing "Yucaipa Tea Party", presented copies of the U.S. Constitution and provided information pertaining to a "Friends of Liberty" web site.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

City Manager Casey announced that the City received final notification that two of the federal grants the City has applied for were included in the Omnibus Bill (a \$100,000 grant for technical support for the library and a \$550,000 grant for a Santa Ana River Tributaries feasibility study). City Manager Casey also announced that Yucaipa has been selected as a recipient for a SCAG GIS pilot program.

POSSIBLE ACTION ON PENDING LEGISLATION

City Manager Casey reported that the Governor's budget proposal does not seem to indicate further taking of local redevelopment funding and stated that the primary concern is the potential for taking local agency gas tax.

DEPARTMENT REPORTS

9. **SUBJECT:** PENDLETON FIRE – AFTER ACTION SUMMARY REPORT.

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RECOMMENDATION: That City Council receive and file the Pendleton Fire After Action Summary Report and direct staff to prepare documents for Council approval that:

1. Designates authorized personnel that have the authority to request mutual aid and/or disaster response service; and
2. Establish Mutual Aid Agreements with local community partners; and
3. Establishes a disaster pay policy for exempt employees.

DISCUSSION: Director of General Services/City Clerk Shankland presented the Agenda Report. City Manager Casey provided additional information pertaining to this item.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER HOYT, SECOND BY MAYOR PRO TEM DRUSYS, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

10. **SUBJECT:** AMENDMENT TO AGREEMENT WITH INNOVATIVE FEDERAL STRATEGIES.

RECOMMENDATION: That City Council approve and authorize the City Manager to execute an amendment to the agreement with Innovative Federal Strategies increasing the monthly compensation for federal representation services to \$4,500 per month.

DISCUSSION: City Manager Casey presented the Agenda Report.

ACTION: MOTION BY MAYOR RIDDELL, SECOND BY MAYOR PRO TEM DRUSYS, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

11. **SUBJECT:** AWARD OF CONTRACT – OAK GLEN ROAD IMPROVEMENT PROJECT, 5TH STREET TO BRYANT STREET – PROJECT NO. 10718.

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract, and the City Manager or his designee to administer the terms of the contract to the lowest responsible bidder, Hillcrest Contracting of Corona, CA in the amount \$553,751.03 for the Oak Glen Road Improvement - Project No 10718; and
2. Authorize a construction contract contingency amount of \$62,000.00 (11%), \$96,000 for construction administration, grant program coordination and

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inspection/testing, \$7,800 for Professional Traffic Engineering Services/Signal Timing and \$8,024 for traffic signal electrical service for a total of \$727,575; and

3. Direct staff to file a Notice of Exemption with the Clerk of the Board, County of San Bernardino for the Oak Glen Road Improvement Project No. 10718; and
4. Approve the plans and specifications prepared for the project.

DISCUSSION: Director of Public Works/City Engineer Hemsley presented the Agenda Report. City Manager Casey provided additional information pertaining to this item.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER MASNER, SECOND BY MAYOR PRO TEM DRUSYS, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

ADJOURN CITY COUNCIL AND CONVENE REDEVELOPMENT AGENCY

City Council adjourned. Redevelopment Agency convened. (RDA proceedings are contained in separate Minutes)

CONVENE JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY

City Council reconvened.

12. **SUBJECT:** AUDIT REPORTS FOR FISCAL YEAR ENDED JUNE 30, 2009.

RECOMMENDATION:

1. That City Council:
 - a. Accept the audit report for the year ended June 30, 2009, as submitted by Teaman, Ramirez and Smith, Inc., and
 - b. Confirm restricting a portion of the current year General Fund reserves in the amount of \$200,000, and apply it to the 2009-10 Pavement Management Program, and
2. That the Redevelopment Agency accept the audit report for the year ended June 30, 2009, as submitted by Teaman, Ramirez and Smith, Inc.

DISCUSSION: Director of Administrative Services Franklin presented the Agenda Report. Greg Fankhanel, representing Teaman, Ramirez and Smith, Inc., presented the findings of the 2008-09 audit report.

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After discussion, the following Motions were made:

ACTION: MOTION BY MAYOR RIDDELL, SECOND BY COUNCILMEMBER HOYT, CARRIED 5-0, TO APPROVE THE CITY COUNCIL PORTION OF STAFF RECOMMENDATION.

ACTION: MOTION BY AGENCY VICE-CHAIRPERSON MASNER, SECOND BY AGENCY MEMBER DRUSYS, CARRIED 5-0, TO APPROVE THE REDEVELOPMENT AGENCY PORTION OF STAFF RECOMMENDATION.

ADJOURN THE REDEVELOPMENT AGENCY

Redevelopment Agency adjourned.

ANNOUNCEMENTS

Interim City Attorney Greyson announced the Closed Session items.

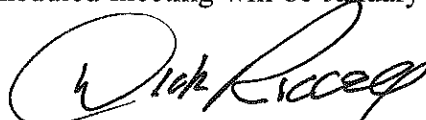
CLOSED SESSION

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Portion of APN No. 1242-281-02 - City Negotiator: Ray Casey, City Manager - Negotiating Party: Molinaro - Under Negotiation: Price and Terms of Payments

Conference with Legal Counsel - Existing Litigation [Gov't Code § 54956.9(a)] 1 item - Case No. EDCV 09-02203 VAP (OPx) – Mission Valley Oaks, LLC, et al vs City of Yucaipa

ADJOURNMENT

The meeting adjourned. The next regularly scheduled meeting will be January 25, 2010 at 6:00 PM.



DICK RIDDELL, MAYOR

ATTEST:



JENNIFER SHANKLAND
CITY CLERK