

City of Yucaipa
City Council Minutes
Regular Meeting of February 23, 2009

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 February 23, 2009 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
Michael Estrada, Interim City Attorney

ABSENT: None

CONVENE CITY COUNCIL

The meeting was opened with the Pledge of Allegiance led by Captain Gray.

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 FEBRUARY 9, 2009.

RECOMMENDATION: That City Council approve City Council Minutes of February 9, 2009.

2. **SUBJECT:** AWARD OF CONTRACT- LANDSCAPE AND IRRIGATION MAINTENANCE OF CHAPMAN HEIGHTS PARK- PROJECT NO. 10760.

RECOMMENDATION: That City Council:

1. Approve 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/qualified bidder, Lasting Images Landscape of Fontana, CA in the amount of \$7,200.00; and
2. Authorize a contingency of \$1,000.00 for a total of \$8,200.00 for the Landscape and Irrigation Maintenance of Chapman Heights Park- Project No. 10760; and

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3. Approve the Plans and Specifications for this project.
3. **SUBJECT:** AWARD OF CONTRACT- AVENUE H FENCING INSTALLATION FROM 5TH STREET TO 5TH PLACE- PROJECT NO. 10763.

RECOMMENDATION: That City Council:

1. Approve 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/qualified bidder, Fence Corp in the amount of \$16,567.29,
 2. Authorize a contingency of \$2,000.00 and \$1,500.00 in staff time and administrative costs for a total of \$20,067.29 for Avenue H Fencing Installation from 5th Street to 5th Place- Project No. 10763; and
 3. Approve the Plans and Specifications for this project.
4. **SUBJECT:** THE INTEGRATED REGIONAL WATER MANAGEMENT PLAN FOR THE UPPER SANTA ANA RIVER.

RECOMMENDATION: That City Council adopt Resolution No. 2009-05 adopting the Integrated Regional Water Management Plan for the Upper Santa Ana River (IRWMP).

ACTION: MOTION BY COUNCILMEMBER SMITH, SECOND BY COUNCILMEMBER HOYT, CARRIED 5-0, TO APPROVE CONSENT AGENDA ITEMS NO. 1 THROUGH 4.

PUBLIC COMMENT

None

MAYOR AND COUNCILMEMBER BUSINESS

5. **SUBJECT:** ECONOMIC DEVELOPMENT ADVISORY COMMITTEE.

RECOMMENDATION: That City Council:

1. Approve the committee membership of Chuck Christie, Ph.D., as the School District's representative, and Lonnie Granlund, as the Water District's representative; and
2. Receive a report on the current membership, structure and functions of the Economic Development Advisory Committee; and

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3. Direct staff as appropriate.

DISCUSSION: Director of Community Development McMains presented the Agenda Report.

Council provided direction pertaining to the Economic Development Advisory Committee. After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER MASNER, SECOND BY MAYOR PRO TEM DRUSYS, CARRIED 5-0, TO APPROVE THE COMMITTEE MEMBERSHIP OF THE SCHOOL DISTRICT AND THE WATER DISTRICT REPRESENTATIVES AND TO EXPAND THE COMMITTEE MEMBERSHIP BY ADDING ONE REPRESENTATIVE FROM THE YUCAIPA VILLAGE SQUARE, INC., COMMONLY REFERRED TO AS THE UPTOWN COMMITTEE.

6. **SUBJECT: YOUTH ADVISORY COMMITTEE.**

RECOMMENDATION: That City Council adopt Resolution No. 2009-07 establishing a Youth Advisory Committee and appointing a Councilmember as a non-voting liaison to the Committee.

DISCUSSION: City Manager Casey presented the Agenda Report.

Samantha Shaw, Yucaipa, presented Council with information obtained from researching other cities that have youth advisory committees.

Marina Serna, Yucaipa, reported that she had met with members of the Crafton Hills College Student Senate Committee to discuss the youth advisory committee and presented Council with their recommendations. Serna also stated that she would prefer that the committee meetings correspond with the school year.

Council provided direction pertaining to the Youth Advisory Committee. After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER HOYT, SECOND BY COUNCILMEMBER SMITH, CARRIED 5-0, TO ADOPT RESOLUTION NO. 2009-07 AS AMENDED BY COUNCIL DIRECTION.

POSSIBLE ACTION ON PENDING LEGISLATION

Councilmember Masner reported on the State budget.

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City Manager Casey reported that there would be no further taking of local Redevelopment funding.

DEPARTMENT REPORTS

7. **SUBJECT:** SHORT-TERM, MID-TERM AND LONG-TERM GOALS/ACTION ITEMS.

RECOMMENDATION: That City Council :

1. Review, amend as appropriate, and subsequently adopt Goals/Action Items for the next two fiscal years; and
2. Review, amend as appropriate and approve the Mid-term and Long-term Goals and Objectives.

DISCUSSION: City Manager Casey presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER HOYT, SECOND BY MAYOR PRO TEM DRUSYS, CARRIED 5-0, TO ADOPT THE GOALS/ACTION ITEMS FOR THE NEXT TWO FISCAL YEARS.

ACTION: MOTION BY COUNCILMEMBER HOYT, SECOND BY MAYOR PRO TEM DRUSYS, CARRIED 5-0, TO APPROVE THE MID-TERM AND LONG-TERM GOALS AND OBJECTIVES THAT RECEIVED MAJORITY COUNCIL CONCURRENCE.

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.

8. **SUBJECT:** 2008-09 MID-YEAR BUDGET REPORT.

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RECOMMENDATION:

1. That City Council receive the 2008-09 Mid-Year Budget report and take the following actions:
 - A. Review the revenue and expense accounts of the General Fund and:
 1. Adjust the revenue estimates for the Triple Flip and Vehicle License Fee Swap accounts by the amounts of (\$91,263) and \$137,238, respectively, for a total adjustment to these revenue accounts in the net amount of \$45,975, and
 2. Decrease the Building and Safety revenue estimates by the total amount of \$180,000 and the Building and Safety expense budget estimate by the amount of \$117,000 to reflect the level of building permit and inspection activity, for a net fiscal impact in the negative amount of \$63,000, and
 3. Reduce the Contingency Account by the amount of \$17,025 to account for the net General Fund adjustments identified above, and
 4. Adopt Resolution No. 2009-08 authorizing a loan of \$185,305 from the City's General Fund reserves to the Yucaipa Redevelopment Agency, and
 - B. Review the City's 2008-09 Capital Improvement Program and
 1. Amend the CIP to reflect available carryover balances in development impact fee accounts by the following amount; Drainage--\$30,923, Fire Facilities--\$4,846, Park Facilities--\$12,069, Public Facilities--\$12,082 and Traffic Facilities--\$88,479, and
 2. Amend the CIP to reflect available balances in the Traffic Fund for funds remaining unspent as a result of the settlement agreement with Community Southwest/Yucaipa Valley Acres in the amount \$239,576, and
 3. Transfer the amount of \$182,684 from the Gas Tax Fund, to the Street Capital Projects Fund, and allocate the total amount of \$182,684 to the 2008-09 Pavement Management Program.
2. That the Board of Directors of the Redevelopment Agency approve and authorize the allocation of \$90,437 from the Capital Projects Fund to cover the Agency's share of the ERAF shift for fiscal year 2008-09.

DISCUSSION: Director of Administrative Services Franklin presented the Agenda Report.

After Council discussion, the following Motion was made:

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

ADJOURN THE REDEVELOPMENT AGENCY

Redevelopment Agency adjourned.

PUBLIC HEARINGS

The order of Business for the Public Hearing Shall Be:

- A. Open Public Hearing
- B. Staff Presentation
- C. Applicant/Representative Presentation (if necessary)
- D. Public Comments
- E. Applicant Rebuttal (if necessary)
- F. Public Hearing Closed
- G. Council Discussion
- H. Council Motion and Vote

SPEAKERS ARE ENCOURAGED TO BE BRIEF AND REMAIN WITHIN THE ESTABLISHED TIMEFRAME OF THREE (3) MINUTES. ONCE THE PUBLIC HEARING HAS BEEN CLOSED, NO FURTHER TESTIMONY WILL BE TAKEN.

9. **SUBJECT:** PRIORITIZATION OF FISCAL YEAR 2009-10 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS.

RECOMMENDATION: That City Council conduct a public hearing and subsequently prioritize eligible project proposals for submission to the San Bernardino County Board of Supervisors for Community Development Block Grant funding consideration.

DISCUSSION: Mayor Riddell opened the Public Hearing Item No. 9. Director of Administrative Services Franklin presented the Agenda Report.

Stephanie Hedrick, representing San Bernardino Sexual Assault Services, presented information about their programs and requested funding to support crisis intervention and counseling for victims of violent crimes.

Debbie Seawright, representing San Bernardino County Library, presented information about their programs and requested funding to support the continuation of literacy education for residents of Yucaipa.

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Mayor Riddell closed the Public Hearing.

After Council discussion, the following Motion was made:

ACTION: MOTION BY MAYOR RIDDELL, SECOND BY MAYOR PRO TEM DRUSYS, CARRIED 5-0, TO APPROVE AND ALLOCATE FUNDING TO THE FOLLOWING PUBLIC SERVICE ORGANIZATIONS: \$11,411 TO SAN BERNARDINO SEXUAL ASSAULT SERVICES, \$8,000 TO THE CITY'S RECREATION SCHOLARSHIP PROGRAM, \$12,000 TO SAN BERNARDINO COUNTY LIBRARY, \$5,000 TO YUCAIPA FAMILY ASSISTANCE; AND TO APPROVE AND ALLOCATE FUNDING TO THE FOLLOWING CAPITAL IMPROVEMENT PROJECT: \$206,330 FOR CONSTRUCTION OF CURB, GUTTER, SIDEWALK, AND DRAINAGE IMPROVEMENTS ALONG 1ST STREET, BETWEEN YUCAIPA BOULEVARD AND AVENUE E.

10. **SUBJECT: WILDWOOD CALVARY CHAPEL (CASE NO. 08-131/CUP/GPA); CONDITIONAL USE PERMIT FOR A CHURCH AND SCHOOL COMPLEX, AND A LAND USE DISTRICT CHANGE FROM RS-20M (SINGLE RESIDENTIAL – 20,000 SQ. FT. MIN. LOT SIZE) AND CN (NEIGHBORHOOD COMMERCIAL) TO IN (INSTITUTIONAL), ON 12.4 ACRES; LOCATED ON THE S SIDE OF OAK GLEN ROAD, APPROXIMATELY 250 FEET W OF BRYANT STREET; APN(S): 0301-181-08, 09 & 22.**

RECOMMENDATION: The Planning Commission recommends that City Council conduct a public hearing and take the following actions to approve this project:

- A) Adopt Resolution No. 2009 - 02, approving General Plan Amendment No. 08 - 131 for the Land Use District Change from RS-20m (Single Residential – 20,000 sq. ft. min. lot size) and CN (Neighborhood Commercial) to IN (Institutional) on 12.4 acres; and
- B) Approve first reading, by the title only, as read by staff, of Ordinance No. 288, amending Ordinance No. 232, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa; and
- C) Approve Conditional Use Permit No. 08 - 131, subject to the Conditions of Approval as contained in the Agenda Report; and
- D) Adopt the Findings as contained in the Agenda Report; and
- E) Adopt the Mitigated Negative Declaration; and
- F) Direct staff to file a Notice of Determination.

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DISCUSSION: Mayor Riddell opened the Public Hearing Item No. 10. Director of Community Development McMains presented the Agenda Report.

Mayor Riddell closed the Public Hearing.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER MASNER, SECOND BY COUNCILMEMBER SMITH, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

11. **SUBJECT:** CITY OF YUCAIPA (CASE NO. 07-192/GPA); GENERAL PLAN AMENDMENT TO ADOPT THE UPDATED HOUSING ELEMENT FOR THE 2008 – 2014 PLANNING CYCLE.

RECOMMENDATION: The Planning Commission recommends that the City Council conduct a public hearing and take the following actions to approve this project: 1) adopt Resolution No. 2009-03, adopting the 2008 – 2014 Housing Element; 2) adopt the Findings as contained in this agenda report; 3) adopt the Negative Declaration; and 4) direct staff to file a Notice of Determination.

DISCUSSION: Mayor Riddell opened the Public Hearing Item No. 11. Director of Community Development McMains presented the Agenda Report.

Mayor Riddell closed the Public Hearing.

After Council discussion, the following Motion was made:

ACTION: MOTION BY MAYOR RIDDELL, SECOND BY COUNCILMEMBER HOYT, CARRIED 4-1 (COUNCILMEMBER MASNER VOTED NOE), TO APPROVE THE PLANNING COMMISSION RECOMMENDATION WITH THE ADOPTION OF RESOLUTION NO. 2009-03 AS AMENDED.

STUDY SESSION

12. **SUBJECT:** STUDY SESSION TO REVIEW CONSULTANT SELECTION PROCESS.

RECOMMENDATION: That City Council conduct a study session to review the consultant selection process and direct staff as appropriate.

DISCUSSION: Director of Public Works/City Engineer Hemsley presented the Agenda Report.

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After discussion, City Council received the report.

ANNOUNCEMENTS

None

CLOSED SESSION

Liability Claim [Gov't Code §54956.9] 1 item – Liability Claim No. 2009-03, David Hitt

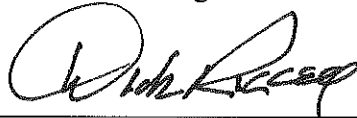
Liability Claim [Gov't Code §54956.9] 1 item – Liability Claim No. 2009-04, Gary Miller

Liability Claim [Gov't Code §54956.9] 1 item – Liability Claim No. 2009-05, Isabel Oropeza, Eliseo Oropeza, Rosa Oropeza, Cirilo Oropeza

City Manager Casey reported that City Council rejected Liability Claim Numbers 2009-03, 2009-04 and 2009-05.

ADJOURNMENT

The meeting adjourned. The next regularly scheduled meeting will be March 9, 2009 at 6:00 PM.



DICK RIDDELL, MAYOR

ATTEST:


JENNIFER SHANKLAND
CITY CLERK