

City of Yucaipa  
City Council Minutes  
Regular Meeting of April 27, 2009

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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 April 27, 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.

**SPECIAL PRESENTATION**

Mayor Riddell presented Yucaipa Postmaster Laura Hunt and Campbell's Soup Company representative Mike Walker with a Proclamation declaring the week of May 3 - 9, 2009 as "Stamp Out Hunger Week".

**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 APRIL 13, 2009.

**RECOMMENDATION:** That City Council approve City Council Minutes of April 13, 2009.

2. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – TRAFFIC SIGNAL INSTALLATION AND IMPROVEMENT PROJECT, SAND CANYON ROAD & CAMPUS DRIVE SOUTH (PROJECT NO. 10624) AND SAND CANYON ROAD & CAMPUS DRIVE NORTH (PROJECT NO. 10722).

**RECOMMENDATION:** That City Council:

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1. Accept the contract and extension work completed by Competitive Edge Electric, Inc. in the amount of \$328,956.50; 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 – 2008-2009 STREET REHABILITATION PROGRAM- PROJECT NO. 10736.

**RECOMMENDATION:** That City Council:

1. Accept the contract and extension work completed by All American Asphalt, in the amount of \$1,287,108.42; and
  2. Authorize the recordation of the Notice of Completion
4. **SUBJECT:** APPROVAL OF FINAL TRACT MAP NO. 17591.

**RECOMMENDATION:** That City Council approve Final Tract Map No. 17591, and authorize recording of the map from Tim Hawke.

5. **SUBJECT:** OFFER OF DEDICATION.

**RECOMMENDATION:** That City Council accept an Offer of Dedication for Road and Utility Purposes, on Avenue E (APN 0319-141-64, 35145 Avenue E) from Norma J. Taylor and Barbara Dean Hamlin.

6. **SUBJECT:** CDBG DELEGATE AGENCY AGREEMENT

**RECOMMENDATION:** That City Council approve and authorize the Mayor to execute a Delegate Agency Agreement with the County of San Bernardino for the purpose of implementing the provisions found within the Cooperation Agreement for the execution of CDBG activities.

7. **SUBJECT:** MUNICIPAL CODE AMENDMENT TO ESTABLISH RESTRICTIONS FOR SEX OFFENDERS.

**RECOMMENDATION:** That City Council waive further reading and adopt Ordinance No. 261, adding Chapter 9.28, "Sex Offenders", to Title 9, "Public Peace and Welfare", of the Yucaipa Municipal Code, to establish citywide location restrictions for sex offenders.

**ACTION:** MOTION BY COUNCILMEMBER HOYT, SECOND BY MAYOR PRO TEM DRUSYS, CARRIED 5-0, TO APPROVE CONSENT AGENDA ITEMS NO. 1 THROUGH 7.

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**PUBLIC COMMENT**

Bill McEwen, Yucaipa, spoke in support of Agenda Item No. 11 and suggested that it would be a good idea for the County to replace the HVAC system at the Yucaipa Branch Library before the summer season.

**MAYOR AND COUNCILMEMBER BUSINESS**

8. **SUBJECT:** REQUEST FOR FUNDS – VETERANS OF FOREIGN WARS POST 7347.

**RECOMMENDATION:** That City Council consider the request from the Veterans of Foreign Wars Post 7347 for a grant of \$100.

**DISCUSSION:** City Manager Casey presented the Agenda Report.

**ACTION:** MOTION BY MAYOR RIDDELL, SECOND BY COUNCILMEMBER HOYT, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

9. **SUBJECT:** CITY SUPPORT FOR ESTABLISHING A “SHOP LOCAL” CAMPAIGN.

**RECOMMENDATION:** That City Council review a proposal for establishing a “Shop Local” marketing campaign, and if it is supported, authorize staff to participate in the project development committee.

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

Toebe Bush, Yucaipa News Mirror, cited benefits of a “Shop Local” marketing campaign and provided an overview of the program.

After Council discussion, the following Motion was made:

**ACTION:** MOTION BY COUNCILMEMBER SMITH, SECOND BY MAYOR RIDDELL, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION WITH COUNCILMEMBER MASNER PROVIDING COUNCIL REPRESENTATION AND MAYOR RIDDELL PROVIDING ALTERNATE COUNCIL REPRESENTATION TO THE COMMITTEE.

**POSSIBLE ACTION ON PENDING LEGISLATION**

None

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**DEPARTMENT REPORTS**

10. **SUBJECT:** DEVELOPMENT IMPACT FEE REIMBURSEMENT FOR SOUTHWEST STORAGE FROM THE CITY'S DEVELOPMENT IMPACT FEE PROGRAM.

**RECOMMENDATION:** That the City Council authorize reimbursement in the amount of \$30,363.45 to Southwest Storage for the construction of a portion of the County Line Drain from Drainage Fees collected in the City's Development Impact Fee Program pursuant to their credit/reimbursement agreement.

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

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

11. **SUBJECT:** AWARD OF CONTRACT- REMOVAL AND REPLACEMENT OF 2 AIR CONDITIONING UNITS (SENIOR CENTER AND NUTRITION CENTER) - PROJECT NO. 10765.

**RECOMMENDATION:** That City Council:

1. Approve an amendment to the FY 2008-2009 Capital Improvement Program to include the Removal and Replacement of 2 Air Conditioning Units (Senior Center and Nutrition Center); and
2. 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, Burgeson's Heating and AC, Inc. of Redlands, CA in the amount of \$15,000.00; and
3. Authorize a contingency of \$1,000.00 and \$1,600.00 in staff time and administrative costs for a total of \$17,600.00 for "Removal and Replacement of 2 Air Conditioning Units (Senior Center and Nutrition Center)- Project No. 10765"; and
4. Authorize the allocation of \$17,600.00 in Unallocated Parks Capital Replacement Funds for this project; and
5. Approve the Plans and Specifications for this project.

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

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**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)

**ADJOURN THE REDEVELOPMENT AGENCY AND CONVENE CITY COUNCIL**

Redevelopment Agency adjourned. City Council reconvened.

**ANNOUNCEMENTS**

Interim City Attorney Estrada announced the Closed Session items.

**CLOSED SESSION**

Liability Claim [Gov't Code §54956.9] 1 item – Liability Claim No. 2009-08, Farritor

Liability Claim [Gov't Code §54956.9] 1 item – Liability Claim No. 2009-09, Hanson

Liability Claim [Gov't Code §54956.9] 1 item – Liability Claim No. 2009-10, Dyerly

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(c)] 1 item

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Portion of APN 319-061-05 - City Negotiator: Ray Casey, City Manager

Conference with Labor Negotiator [Govt. Code §54957.6] 1 item – Agency Negotiator: Ray Casey, City Manager; Employee Organization: Teamsters 911

City Manager Casey reported that City Council rejected Liability Claim Numbers 2009-08, 2009-09, and 2009-10.

**ADJOURNMENT**

The meeting adjourned. The next regularly scheduled meeting will be May 11, 2009 at 6:00 PM.

  
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DICK RIDDELL, MAYOR

ATTEST:

  
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JENNIFER SHANKLAND  
CITY CLERK