

**City of Yucaipa**  
**City Council Minutes**  
**Regular Meeting of June 8, 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 June 8, 2009 at 6:00 PM.

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

**ABSENT:** Denise Hoyt, Councilmember

**CONVENE CITY COUNCIL**

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

City Manager Casey stated that the City received a substantial amount of information pertaining to Agenda Item No. 13 after the distribution of the Agenda Packet and recommended that Council consider continuing this item to the next meeting to allow staff and Councilmembers sufficient time to review the material.

**SPECIAL PRESENTATION**

On behalf of City Council, City Manager Casey presented a Proclamation to David Evans and Associates.

**EMPLOYEE INTRODUCTION**

Chief Shaw introduced CAL Fire San Bernardino Unit Chief Doug McKain.

**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 MAY 27, 2009.

**RECOMMENDATION:** That City Council approve City Council Minutes of May 27, 2009.

City of Yucaipa  
City Council Minutes  
Regular Meeting of June 8, 2009

---

2. **SUBJECT:** SPECIAL EVENT APPLICATION – YUCAIPA MOBILE HOME RESIDENT’S ASSOCIATION YARD SALE.

**RECOMMENDATION:** That City Council:

1. Approve the Special Event Application submitted by the Yucaipa Mobile Home Resident’s Association (YMRA) to conduct a Yard Sale on Saturday, June 20, 2009 at the Yucaipa Community Park; and
2. Waive the Special Event Application fee.

3. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – 2008-2009 TENNIS AND BASKETBALL COURT REPAIR, RESURFACING AND STRIPING – PROJECT NO. 10746, 10747, 10748.

**RECOMMENDATION:** That City Council:

1. Accept the contract and extension work completed by Trueline Resurfacing of Corona, CA in the amount of \$28,000.00; and
2. Authorize the recordation of the Notice of Completion.

4. **SUBJECT:** OFFER A GRANT OF EASEMENT TO YUCAIPA-CALIMESA JOINT UNIFIED SCHOOL DISTRICT.

**RECOMMENDATION:** That City Council Offer a Grant of Easement to Yucaipa-Calimesa Joint Unified School District for access along Thunderbird Way, east of 13<sup>th</sup> Street.

5. **SUBJECT:** APPROVAL OF FINAL PARCEL MAP NO. 18791.

**RECOMMENDATION:** That City Council approve Final Parcel Map No. 18791, and authorize recording of the map from Danny and Eva Thron.

6. **SUBJECT:** AWARD OF CONTRACT – 2008-2009 STREET STRIPING PROGRAM – PROJECT NO. 10776.

**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, Chrisp Company of Fremont, CA, in the amount \$27,725.00 for the Annual 2008-2009 Street Striping Program work in City streets at various locations; and

City of Yucaipa  
City Council Minutes  
Regular Meeting of June 8, 2009

---

2. Authorize a contingency of \$2,772.00 and \$3,500.00 in staff time and administrative costs for a total of \$33,997.00 for the 2008-2009 Street Striping Program; and
3. Approve the specifications prepared for this project.

**ACTION: MOTION BY MAYOR PRO TEM DRUSYS, SECOND BY COUNCILMEMBER SMITH, CARRIED 4-0-1-0 (COUNCILMEMBER HOYT ABSENT), TO APPROVE CONSENT AGENDA ITEMS NO. 1 THROUGH 6.**

**PUBLIC COMMENT**

Ken Smith, Yucaipa, stated his concern about expenses pertaining to mobilehome parks and the action taken by City Council to overturn the Mobilehome Rent Review Commission's decision and the possible negative financial impacts it may have on the City and mobilehome park residents.

**MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)**

None.

**POSSIBLE ACTION ON PENDING LEGISLATION**

None.

**DEPARTMENT REPORTS**

7. **SUBJECT: RESOLUTION NO. 2009-21 TO SET A TIME AND PLACE TO CONDUCT A PUBLIC HEARING FOR DECLARING INTENTION TO ESTABLISH THE AB 811 ENERGY INDEPENDENCE PROGRAM.**

**RECOMMENDATION: That the City Council consider and adopt Resolution No. 2009-21 of the City Council of the City of Yucaipa Declaring Its Intention to Finance Distributed Generation Renewable Energy Sources and Energy Efficiency Improvements Through the Use of Contractual Assessments Pursuant to Chapter 29 of part 3 of Division 7 of the California Streets & Highways Code and Setting a Public Hearing at 6:00 p.m. on July 27, 2009**

**DISCUSSION: City Manager Casey and Interim City Attorney Estrada presented the Agenda Report.**

After Council discussion, the following Motion was made:

City of Yucaipa  
City Council Minutes  
Regular Meeting of June 8, 2009

---

**ACTION: MOTION BY MAYOR PRO TEM DRUSYS, SECOND BY COUNCILMEMBER SMITH, CARRIED 4-0-1-0 (COUNCILMEMBER HOYT ABSENT), TO APPROVE STAFF RECOMMENDATION.**

8. **SUBJECT: RESOLUTION NO. 2009-20 – GRANDVIEW WEST APPEAL.**

**RECOMMENDATION:** As directed by City Council on May 27, 2009 attached is Resolution No. 2009-20, for Council consideration.

**DISCUSSION:** Director of General Services/City Clerk Shankland presented the Agenda Report. City Manager Casey read into the record the proposed changes recommended by Councilmember Smith and Mayor Riddell for Council consideration.

After Council discussion, the following Motion was made:

**ACTION: MOTION BY MAYOR PRO TEM DRUSYS, SECOND BY COUNCILMEMBER SMITH, CARRIED 3-1-1-0 (COUNCILMEMBER MASNER VOTED NOE, COUNCILMEMBER HOYT ABSENT), TO APPROVE RESOLUTION NO. 2009-20 AS AMENDED.**

9. **SUBJECT: AWARD OF CONTRACT – FURNISH COVER FOR YUCAIPA COMMUNITY PARK AMPHITHEATER STAGE – PROJECT NO. 10688.**

**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, with the lowest responsible/qualified bidder, DCS & Associates of Oak Hills, CA in the amount of \$73,842.00; and
2. Authorize an amount of \$3,690.00 for contingencies (5%) for a total budget of \$77,532.00 for the project to “Furnish Cover For Yucaipa Community Park Amphitheater Stage-Project No. 10688; and
3. Approve the Plans and Specifications for this project.

**DISCUSSION:** Director of Community Services Copley presented the Agenda Report.

After Council discussion, the following Motion was made:

**ACTION: MOTION BY COUNCILMEMBER MASNER, SECOND BY MAYOR RIDDELL, CARRIED 4-0-1-0 (COUNCILMEMBER HOYT ABSENT), TO APPROVE STAFF RECOMMENDATION.**

City of Yucaipa  
City Council Minutes  
Regular Meeting of June 8, 2009

---

10. **SUBJECT:** WIRELESS COMMUNICATIONS FACILITY.

**RECOMMENDATION:** That City Council consider directing staff to initiate discussions with Royal Street Communications regarding a lease agreement for wireless communications facilities at Fire Station No. 3 and return to Council with a proposed lease.

**DISCUSSION:** Director of General Services/City Clerk Shankland presented the Agenda Report. Veronica Arvizu, representing Royal Street Communications/Metro PCS, provided information pertaining to the company.

After Council discussion, the following Motion was made:

**ACTION:** MOTION BY COUNCILMEMBER MASNER, SECOND BY MAYOR RIDDELL, CARRIED 4-0-1-0 (COUNCILMEMBER HOYT ABSENT), TO DIRECT STAFF TO INITIATE DISCUSSIONS WITH ROYAL STREET COMMUNICATIONS REGARDING A LEASE AGREEMENT FOR WIRELESS COMMUNICATIONS FACILITIES AT FIRE STATION NO. 3 AND RETURN TO COUNCIL WITH A PROPOSED LEASE.

11. **SUBJECT:** AGREEMENT FOR PURCHASING WATER FROM YUCAIPA VALLEY WATER DISTRICT WITH THE WESTERN HEIGHTS WATER COMPANY SERVICE AREA.

**RECOMMENDATION:** That City Council:

1. Approve and authorize the Mayor to execute an agreement with Western Heights Water Company and Yucaipa Valley Water District; and
2. Authorize the City Manager or his designee to administer the terms of the agreement.

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

After Council discussion, the following Motion was made:

**ACTION:** MOTION BY COUNCILMEMBER SMITH, SECOND BY COUNCILMEMBER MASNER, CARRIED 4-0-1-0 (COUNCILMEMBER HOYT ABSENT), TO APPROVE STAFF RECOMMENDATION.

City of Yucaipa  
City Council Minutes  
Regular Meeting of June 8, 2009

---

12. **SUBJECT:** AGREEMENT FOR PARTICIPATION IN THE WILDWOOD CREEK BASIN PROJECT WITH THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT.

**RECOMMENDATION:** That City Council:

1. Approve and authorize the Mayor to execute an agreement with the San Bernardino County Flood Control District for funding participation in the construction of the Wildwood Creek Basin Project in an amount not to exceed \$1,207,000; and
2. Authorize the City Manager or his designee to administer the terms of the agreement.

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

**ACTION:** MOTION BY MAYOR PRO TEM DRUSYS, SECOND BY MAYOR RIDDELL, CARRIED 4-0-1-0 (COUNCILMEMBER HOYT ABSENT), TO APPROVE STAFF RECOMMENDATION.

**PUBLIC HEARING**

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.**

13. **SUBJECT:** CITY OF YUCAIPA (CASE NO. 09-063/DCA); DEVELOPMENT CODE AMENDMENT TO PROVIDE STANDARDS FOR THE CONVERSION OF SENIOR-ONLY MOBILE HOME PARKS TO ALL-AGE MOBILE HOME PARKS.

City of Yucaipa  
City Council Minutes  
Regular Meeting of June 8, 2009

---

**RECOMMENDATION:** The Planning Commission recommends that the City Council conduct a public hearing and take the following actions:

- A) Approve first reading, by title only, as read by staff, of Ordinance No. 289, amending Article 3 (Mobilehome Park (MHP) Overlay District) of Chapter 4 (Land Use Modifications) of Division 5 (Overlay Districts) of Volume II (Development Code) of the Yucaipa Municipal Code, to provide standards for the conversion of senior-only mobilehome parks to all-age mobilehome parks; and
- B) Adopt the Findings as contained in the Agenda Report; and
- C) Direct staff to file a Notice of Exemption.

Council concurred to continue this item to the next regularly scheduled City Council meeting on June 22, 2009.

**CONVENE JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY**

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

**STUDY SESSION**

14. **SUBJECT:** DRAFT BUDGETS FOR FISCAL YEAR 2009-2010.

**RECOMMENDATION:** That City Council and the Redevelopment Agency conduct a study session to review the draft budgets for fiscal year 2009-2010, and provide direction to staff, as appropriate.

**DISCUSSION:** City Manager Casey and Director of Administrative Services Franklin presented the Agenda Report.

Council/RDA discussed a variety of issues related to the budget. The proposed budget will be presented at the June 22, 2009 City Council meeting.

**ADJOURN CITY COUNCIL**

City Council adjourned.

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

Redevelopment Agency adjourned. City Council reconvened.

City of Yucaipa  
City Council Minutes  
Regular Meeting of June 8, 2009

---

**ANNOUNCEMENTS**

Interim City Attorney Estrada announced the Closed Session items.

**CLOSED SESSION**

Liability Claim [Gov't Code §54956.9] 1 item – Liability Claim No. 2009-15, Southern California Edison

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

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Portion of APN No(s). 1242-191-09, 1242-201-03, 1242-281-01, 1242-281-03, 1242-281-02, 1242-361-02, 1242-361-01, 1242-351-10, 1242-351-09, 1242-351-12, 301-041-07, 301-041-26, 301-041-41, 301-051-64 - City Negotiator: Ray Casey, City Manager

City Manager Casey reported that City Council rejected Liability Claim Number 2009-15.

**ADJOURNMENT**

The meeting adjourned. The next regularly scheduled meeting will be June 22, 2009 at 6:00 PM.



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DICK RIDDELL, MAYOR

ATTEST:



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JENNIFER SHANKLAND  
CITY CLERK