

**City of Yucaipa
City Council Minutes
Regular Meeting of December 14, 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 December 14, 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 Hamblin.

SPECIAL PRESENTATION

Senator Dutton presented the City with a joint Resolution between Senator Dutton, Assemblyman Cook, and Assemblyman Emerson in honor of the City's 20-Year Anniversary.

Community volunteers that participated in the formation of the Youth Advisory Committee, the 20th Anniversary Celebration, the Emergency Preparedness Open House, and the Yucaipa Iris Festival were presented with Certificates of Appreciation.

CONSENT AGENDA

Mayor Riddell asked if there were any Consent Agenda items to be removed for discussion. Item No. 7 was removed for discussion by Councilmember Masner.

1. **SUBJECT:** APPROVE COUNCIL MINUTES OF NOVEMBER 23, 2009.

RECOMMENDATION: That City Council approve City Council Minutes of November 23, 2009.

2. **SUBJECT:** SPECIAL EVENT APPLICATION – YUCAIPA VALLEY YOUTH SOCCER ORGANIZATION PRESIDENTS CUP SOCCER TOURNAMENT.

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RECOMMENDATION: That City Council approve the Special Event Application submitted by the Yucaipa Valley Youth Soccer Organization to conduct their Presidents Cup Soccer Tournament on January 9, 10, 16, & 17, 2010 at the Yucaipa Community Park.

3. **SUBJECT:** CERTIFICATION OF RESOURCES FOR PROJECTS SUBMITTED FOR INCLUSION IN THE SIX-YEAR FY 2010/2011-2015/2016 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM.

RECOMMENDATION: That City Council approve Resolution No. 2009-75 certifying that the City of Yucaipa has the resources to fund the projects submitted for inclusion in the six-year FY 2010/2011-2015/2016 Regional Transportation Improvement Program (RTIP) and affirming its commitment to implement the projects included in the program.

4. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – 2009-2010 CRACK SEALING PROGRAM- PROJECT NO. 10781.

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by Rubberized Crack Sealant, Inc. of Fullerton, CA in the amount of \$60,516.96; and
2. Authorize the recordation of the Notice of Completion.

5. **SUBJECT:** APPROVAL OF FINAL PARCEL MAP NO. 15667.

RECOMMENDATION: That City Council approve Final Parcel Map No. 15667, and authorize recording of the map from Daryl and Beverly Stark.

6. **SUBJECT:** WILDWOOD CREEK – ACQUISITION OF PROPERTY – PORTIONS OF APN 1242-191-09, APN 1242-361-01.

RECOMMENDATION: That City Council:

1. Approve the acquisition of approximately 0.12 acres (5,426 square feet) of land located on Wildwood Canyon Road westerly of Holmes Street, further defined as a portion of APN 1242-191-09, at no cost to the City; and
2. Approve the acquisition of approximately 0.01 acres (470 square feet) of land in fee and approximately 0.03 acres (1,356 square feet) of slope easement located on Serape Drive southerly of Wildwood Canyon Road, further defined as a portion of APN 1242-361-01, at a cost of \$1,000 and authorize up to \$1,000 for escrow closing costs; and

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3. Authorize the City Manager to execute the necessary documents to complete the acquisition process.

8. **SUBJECT:** MEMORANDUM OF UNDERSTANDING WITH GENERAL EMPLOYEES UNIT.

RECOMMENDATION: That City Council authorize the City Manager, or his designee, to execute the Memorandum of Understanding between the General Employees Unit, represented by California Teamsters Local 911, and the City of Yucaipa.

9. **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.

ACTION: MOTION BY COUNCILMEMBER HOYT, SECOND BY COUNCILMEMBER SMITH, CARRIED 5-0, TO APPROVE CONSENT AGENDA ITEMS NO. 1 THROUGH 6 AND ITEMS NO. 8 THROUGH 9.

ITEM REMOVED FOR DISCUSSION

7. **SUBJECT:** CITY OF YUCAIPA (CASE NO. 09-141/DCA); CITY INITIATED DEVELOPMENT CODE AMENDMENT TO ADOPT THE UPDATED MODEL WATER EFFICIENT LANDSCAPE ORDINANCE.

RECOMMENDATION: That City Council waive further reading and adopt Ordinance No. 293, amending Chapter 4 of Division 10 of Volume II of the Yucaipa Municipal Code, to establish updated model water efficient landscape standards; and adopt the Findings as contained in the Agenda Report.

ACTION: MOTION BY COUNCILMEMBER SMITH, SECOND BY MAYOR RIDDELL, CARRIED 3-2 (MAYOR PRO TEM DRUSYS AND COUNCILMEMBER MASNER VOTED NOE), TO APPROVE STAFF RECOMMENDATION.

PUBLIC COMMENT

Claire Teeters, representing Yucaipa Historical Society, presented the Mayor and City Councilmembers with the first copy of their second book, entitled "Yucaipa 1940's to 1980's."

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Bill McEwen, Yucaipa, stated his concerns pertaining to pedestrian safety in the uptown area of Yucaipa due to deterioration of the streets and spoke in support of the Uptown Streetscape Project under the RDA portion of the Agenda.

Julie Bolock, Yucaipa, requested that City Council issue a City-wide moratorium on cell towers and stated her concerns regarding CEQA requirements, other local restrictions, and the development of a cell tower master plan.

Patti Spitzer, Yucaipa, stated her concerns pertaining to the quantity and locations of various cell towers that have been installed throughout the community and requested that Council take a stand to change the situation.

Paul Bolock, Yucaipa, stated his concerns relating to cell towers, stated that there is no conclusive research yet, and emphasized the need for the City to develop a cell tower master plan.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

10. **SUBJECT:** Membership on Various Council Committees and Organizations.

RECOMMENDATION: That City Council:

1. Review and revise as appropriate current membership on various Council committees and organizations; and
2. Provide direction on the City of Calimesa Ad Hoc Council Committee; and
3. Provide direction on the Yucaipa/Calimesa Joint Unified School District Ad Hoc Council Committee; and
4. Provide direction on the Green Valley Initiative Ad Hoc Council Committee; and
5. Provide direction on the formation of a Cal Fire Negotiations Ad Hoc Committee.

DISCUSSION: Director of General Services/City Clerk Shankland presented the Agenda Report.

After discussion, appointments were made as follows:

COUNCIL COMMITTEES

Economic Development Advisory Committee (Two Members)

Hoyt, Denise
Smith, Diane

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Finance Committee (Two Members)	Drusys, Allan (DVM) Smith, Diane
Solid Waste Committee (Two Members)	Drusys, Allan (DVM) Masner, Tom
Vector Control Committee (Two Members)	Drusys, Allan (DVM) Masner, Tom
Youth Advisory Committee	Hoyt, Denise Smith, Diane

REGIONAL ORGANIZATIONS

Crafton Hills Open Space Conservancy <i>Alternate</i>	Riddell, Dick <i>Smith, Diane</i>
League of California Cities Legislative Delegate <i>Alternate</i>	Masner, Tom <i>Hoyt, Denise</i>
Omnitrans <i>Alternate</i>	Riddell, Dick <i>Drusys, Allan (DVM)</i>
San Bernardino Association of Governments (SANBAG) <i>Alternate</i>	Riddell, Dick <i>Drusys, Allan (DVM)</i>
San Bernardino County Flood Control Advisory Committee - Zone 3	Riddell, Dick
San Bernardino County-Wide Gangs and Drugs Task Force	Masner, Tom
San Bernardino Valley Municipal Water Advisory Committee <i>Alternate</i>	Masner, Tom <i>Hoyt, Denise</i>
Solid Waste Advisory Task Force <i>Alternate</i>	Drusys, Allan (DVM) <i>Masner, Tom</i>

AD-HOC COMMITTEES

Aquatic Facility Ad-Hoc Committee	Drusys, Allan (DVM) Hoyt, Denise
City of Calimesa Ad Hoc Council Committee <i>Alternate</i>	Drusys, Allan (DVM) Riddell, Dick <i>Hoyt, Denise</i>

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Yucaipa/Calimesa Joint Unified School District Ad Hoc Council
Committee

Hoyt, Denise

Smith, Diane

Green Valley Initiative Ad Hoc Council Committee

Drusys, Allan (DVM)

Smith, Diane

Cal Fire Negotiations

Riddell, Dick

Smith, Diane

Alternate

Masner, Tom

11. SUBJECT: APPOINTMENTS TO THE YOUTH ADVISORY COMMITTEE.

RECOMMENDATION: That City Council appoints seven members to the Youth Advisory Committee as recommended by the Committee Council member liaisons.

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

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER SMITH, SECOND BY COUNCILMEMBER HOYT, CARRIED 5-0, TO APPOINT LYNN BERGERON, ROBERT BOGH, ADAM COUSTE, NOCONA GILBERTSON, IAN OTT, SAMANTHA SHAW, AND JANNA WEBB TO THE YOUTH ADVISORY COMMITTEE FOR THE SEVEN AT-LARGE POSITIONS.

Council presented the appointed members with Certificates of Appreciation.

12. SUBJECT: CALIFORNIA DESERT CONSERVATION AND RECREATION ACT.

RECOMMENDATION: That City Council consider and authorize a letter of support for the Draft California Desert Conservation and Recreation Act.

City Manager Casey requested that Agenda Item No. 12 be withdrawn from the Agenda. Council concurred.

POSSIBLE ACTION ON PENDING LEGISLATION

None

DEPARTMENT REPORTS

13. SUBJECT: ANNEXATION OF 345 ± ACRES ON THE NORTH BENCH.

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RECOMMENDATION: That City Council adopt Resolution No. 2009 – 74, requesting the Local Agency Formation Commission to take proceedings for a Sphere of Influence review (expansion) for the City of Yucaipa, and a reorganization to include annexations to the City of Yucaipa, the Yucaipa Valley Water District and the San Bernardino Valley Municipal Water District, and detachments from the San Bernardino County Fire Protection District, its Valley Service Zone and Service Zone PM-3, County Service Area 63, and County Service Area 70 (Annexation No. 5).

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

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

14. **SUBJECT:** PURCHASE OF PROPERTY- APN 318-013-07 AND 318-013-08.

RECOMMENDATION: That City Council:

1. Approve the acquisition of approximately 1.02 acres located at 33233 Yucaipa Boulevard further defined as APN 318-013-07 and 318-013-08 for an amount not-to-exceed \$740,000; and
2. Authorize up to \$10,000 for attorney and administration costs, inspection and Phase One assessment costs for a total acquisition cost not-to-exceed \$750,000; and
3. Authorize the allocation of \$740,750 from the General Fund One-Time Capital Projects Account for the acquisition; and
4. Authorize the City Manager to execute the necessary documents to complete the acquisition process; and
5. Authorize use of the existing construction contract contingency for demolition of the structure and construction of the ultimate street improvements, estimated to be \$38,000.

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

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

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15. **SUBJECT:** MUNICIPAL FINANCE PROGRAM FUNDING (ARRA) – GRANT APPLICATION.

RECOMMENDATION: That City Council:

1. Adopt Resolution No. 2009-76 approving a grant application for American Recovery and Reinvestment Act (ARRA) funding through the California Energy Commission to enhance the City of Yucaipa Energy Independence Program through the Municipal Financing Program, and
2. Approve and authorize the City Manager, or his designee, to proceed with the preparation and submittal of the necessary documentation.

DISCUSSION: City Manager Casey presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY MAYOR PRO TEM DRUSYS, SECOND BY MAYOR RIDDELL, CARRIED 4-1 (COUNCILMEMBER MASNER VOTED NOE), TO APPROVE STAFF RECOMMENDATION.

16. **SUBJECT:** LAND LEASE AGREEMENT FOR A WIRELESS COMMUNICATIONS FACILITY AT FIRE STATION NO. 3.

RECOMMENDATION: That City Council :

1. Approve and authorize the City Manager to execute a Land Lease Agreement between the City of Yucaipa and Royal Street Communications for the purpose of constructing wireless communications facilities at Fire Station No. 3; and
2. Direct staff to allocate the lease revenues to a separate Emergency Preparedness Fund account.

DISCUSSION: Director of General Services/City Clerk Shankland presented the Agenda Report.

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)

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ADJOURN THE REDEVELOPMENT AGENCY AND CONVENE CITY COUNCIL

Redevelopment Agency adjourned. City Council reconvened.

STUDY SESSION

17. **SUBJECT:** FISCAL YEAR 09/10 BUDGET UPDATE

RECOMMENDATION: That City Council:

1. Conduct a Study Session regarding options for sustaining a balanced fiscal year 09/10 Budget as a result of previous State actions ("bailout") and continuing economic conditions that are projected to further reduce City/RDA revenues this fiscal year; and
2. Direct staff to return to Council with the appropriate budget adjustment actions on January 25, 2010.

DISCUSSION: City Manager Casey presented the Agenda Report.

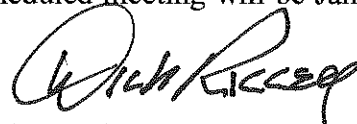
Council received the report.

ANNOUNCEMENTS

City Manager Casey announced that the \$100,000 library grant request for information and technology improvements has made it to the President's desk.

ADJOURNMENT

The meeting adjourned. The next regularly scheduled meeting will be January 11, 2010 at 6:00 PM.



DICK RIDDELL, MAYOR

ATTEST:



JENNIFER SHANKLAND
CITY CLERK