



**Regular City Council
And Successor Agency
Meeting Agenda**

January 9, 2017 - 6:00 PM

City Council Chambers - Yucaipa City Hall
34272 Yucaipa Blvd., Yucaipa, California

THE CITY OF YUCAIPA COMPLIES WITH THE AMERICANS WITH DISABILITIES ACT OF 1990. IF YOU REQUIRE SPECIAL ASSISTANCE TO ATTEND OR PARTICIPATE IN THIS MEETING, PLEASE CALL THE CITY CLERK'S DEPARTMENT AT (909) 797-2489 AT LEAST 48-HOURS PRIOR TO THE MEETING.

ANY PUBLIC WRITINGS DISTRIBUTED BY THE CITY TO AT LEAST A MAJORITY OF THE COUNCILMEMBERS REGARDING ANY ITEM ON THIS REGULAR MEETING AGENDA WILL BE MADE AVAILABLE AT THE PUBLIC RECEPTION COUNTER AT CITY HALL, LOCATED AT 34272 YUCAIPA BOULEVARD, DURING NORMAL BUSINESS HOURS.

IF YOU WISH TO ADDRESS THE COUNCIL DURING THE MEETING, PLEASE COMPLETE A SPEAKERS FORM AND RETURN IT TO THE CITY CLERK PRIOR TO THE BEGINNING OF THE MEETING. THERE IS A THREE-MINUTE TIME LIMIT FOR SPEAKING.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

EMPLOYEE INTRODUCTION

Chris Mathers – Park Ranger

CONSENT AGENDA (ITEM NOS. 1 THROUGH 4)

The following Consent Agenda items are expected to be routine and non-controversial. Council will act upon them, at one time, without discussion. Any Councilmember or staff member may request removal of an item from the Consent Agenda for discussion.

The title is deemed to be read and further reading waived on any ordinance listed on the Consent Agenda for second reading and adoption.

P.6 **1. SUBJECT: APPROVE COUNCIL MINUTES OF DECEMBER 12, 2016**

RECOMMENDATION: That City Council approve City Council Minutes of December 12, 2016.

P. 26 2. **SUBJECT:** AWARD OF CONTRACT – GOPHER/RODENT CONTROL PROGRAM-PROJECT NO. 10944 –3RD EXTENSION

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract extension, and the City Manager or his designee to administer the terms of the contract extension to David Wheeler Pest Control, Inc. in the amount of \$38,785.80 for the City’s Gopher/Rodent Control Program- Project No. 10944- 3rd Extension; and
2. Approve and authorize the Mayor to execute Contract Change Order No. 3 with David Wheeler Pest Control in the amount of \$10,200 for Gopher/Rodent Control Program- Project No. 10944 for a total contract amount of \$48,985.80.

P. 33 3. **SUBJECT:** PURCHASE OF TRASH RECEPTACLES FOR CITY FACILITIES

RECOMMENDATION: That the City Council:

1. Dispense with the formal bidding procedures of Chapter 2.24 of the Yucaipa Municipal Code due to the design elements already in place requiring the purchase of trash receptacles from a sole source and that the interests of the community would not be best served by the normal bidding procedures; and,
2. Approve and authorize the City Manager, or his designee, to enter into a purchase agreement with Coast Recreation, Inc. for the acquisition of trash receptacles for various City facilities in an amount not-to-exceed \$29,630.60.

P. 36 4. **SUBJECT:** COMMUNITY ACTIVITY GRANT ACCOUNTABILITY REPORT FOR FISCAL YEAR 16/17 GRANT CYCLE

RECOMMENDATION: That City Council receive the Community Activity Grant Accountability Report and deem the program requirements complete for Yucaipa Elks Lodge #2389 – 2016 Elks Hoop Shoot Free Throw Program.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 51 5. **SUBJECT:** PURCHASE RUBBER NUGGETS PLAYGROUND MULCH FOR THE CITY’S PLAYGROUNDS, PROJECT NO. 11055

RECOMMENDATION: That City Council approve and authorize the City Manager to execute a purchase order and administer the acquisition of 311 75-cubic foot sacks of NuPlay (rubber nuggets) from International Mulch Company in the amount of \$142,602 for the Removal and Replacement of Playground Surface Materials, Project No. 11055.

- P. 54 6. **SUBJECT:** REVISED SCOPE OF SERVICES FOR THE OAK GLEN CREEK SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT

RECOMMENDATION: That City Council approve and authorize the Mayor to execute Amendment No. 9 to the Professional Services Agreement and authorize the City Manager, or his designee, to administer the terms of the agreement with Placeworks, in an amount not to exceed \$6,017, to implement the necessary revisions to the Oak Glen Creek Specific Plan Environmental Impact Report (EIR).

ADJOURN CITY COUNCIL AND CONVENE SUCCESSOR AGENCY

- P. 64 SA 1. **SUBJECT:** APPROVE SUCCESSOR AGENCY MINUTES OF DECEMBER 12, 2016

RECOMMENDATION: That the Successor Agency approve Successor Agency Minutes of December 12, 2016.

CONVENE JOINT CITY COUNCIL AND SUCCESSOR AGENCY

- P. 66 7. **SUBJECT:** AUDIT REPORT FOR FISCAL YEAR ENDED JUNE 30, 2016

RECOMMENDATION:

1. That City Council:
 - a) Accept the audit reports for the year ended June 30, 2016, as submitted by Van Lant and Fankhanel, CPA's, and
 - b) Confirm restricting a portion of the current year General Fund Assigned Fund Balance in the amount of \$200,000, and apply it to the 2016-2017 Pavement Management Program; and
 - c) Approve the fund balance designations, as presented in the 2015-2016 Audit Report.
2. That the Board of Directors of the Successor Agency to the Yucaipa Redevelopment Agency receive and file the Annual Report for the year ended June 30, 2016.

ADJOURN THE SUCCESSOR AGENCY

PUBLIC HEARING

The order of Business for the Public Hearing Shall Be:

- A. Open Public Hearing

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- 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.

P. 82 **8. SUBJECT:** ADOPTION OF THE 2016 CALIFORNIA BUILDING AND FIRE CODES

RECOMMENDATION: That the City Council:

1. Conduct a public hearing; and
2. Approve second reading, by title only, as read by staff, of Ordinance No. 353, adopting by reference, and amending the current editions of certain California Building and Fire Codes related to the regulation of construction, and repealing Ordinance Nos. 327 and 328 and all provisions in conflict therewith.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov’t Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2016-13, Larissa Jones

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Portion of APN 0299-321-62 – City Negotiator: Ray Casey, City Manager – Negotiation Parties: City of Yucaipa – Under Negotiation: Price and Terms for Disposition of City Property

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: APN No. 0319-064-25 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: Nahiberuti Family Limited Partnership - Under Negotiation: Price and Terms of Payments

Conference with Legal Counsel - Existing Litigation [Gov't Code § 54956.9(d)(1)] 4 items:

1. San Bernardino County Superior Court Case No. CIVDS 1613180 – SoCal Environmental Justice Alliance v. City of Yucaipa and Yucaipa City Council.
2. San Bernardino County Superior Court Case No. CIVDS 1615157 - Robertson's Ready Mix, LTD. v. City of Yucaipa, RRM Surety; KAD Paving Company; Donald Wheeler Jr.

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3. San Bernardino County Superior Court Case No. CIVDS 1607510 - Matich Corporation v. KAD Paving Company; Donald J. Wheeler, Jr., City of Yucaipa.
 4. San Bernardino County Superior Court Case No. CIVDS 1615428 - Matich Corporation v. KAD Paving Company; Donald J. Wheeler, Jr., City of Yucaipa.

ADJOURNMENT