



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

January 11, 2016 - 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

SPECIAL PRESENTATION

Youth Advisory Committee Member Introduction

CONSENT AGENDA

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.7 **1. SUBJECT: APPROVE SPECIAL CITY COUNCIL MEETING MINUTES OF DECEMBER 14, 2015**

RECOMMENDATION: That City Council approve City Council Minutes of December 14, 2015.

P. 11 **2.** **SUBJECT:** APPROVE COUNCIL MINUTES OF DECEMBER 14, 2015

RECOMMENDATION: That City Council approve City Council Minutes of December 14, 2015.

P. 24 **3.** **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – 2014/2015 MICRO-SURFACING PROGRAM- PROJECT NO. 10947

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by American Asphalt South of Fontana, CA. for the 2014-2015 Micro-Surfacing Program– Project No. 10947 in the amount of \$273,000; and
2. Approve the final payment for the project; and
3. Authorize the recordation of the Notice of Completion.

P. 28 **4.** **SUBJECT:** AWARD OF CONTRACT – GOPHER/RODENT CONTROL PROGRAM-PROJECT NO. 10944 –2ND EXTENSION

RECOMMENDATION: That City Council 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 \$38,100 for the City’s Gopher/Rodent Control Program- Project No. 10944- 2nd Extension.

P. 33 **5.** **SUBJECT:** HOUSING-RELATED PARKS HRP PROGRAM

RECOMMENDATION: That the City Council adopt Resolution 2016-01, authorizing staff to prepare and submit an application for a grant to support design and development for a park in the Uptown area under the Housing-Related Parks Program.

P. 36 **6.** **SUBJECT:** REJECT BIDS - 35058 YUCAIPA BLVD. BUILDING IMPROVEMENTS, PHASE II - ROOF, PROJECT NO. 11014

RECOMMENDATION: That City Council:

1. Reject all bids for 35058 Yucaipa Blvd. Building Improvements, Phase II - Roof, Project No. 11014; and
2. Direct staff to revise the plans and specifications for the Project to reflect value engineering and re-advertise the Project for construction bids.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

- P. 39 7. **SUBJECT:** AUTHORIZATION TO APPLY TO THE U. S. DEPARTMENT OF HOMELAND SECURITY 2015 – ASSISTANCE TO FIREFIGHTERS GRANT (AFG)

RECOMMENDATION: That the City Council authorize the submittal of an application to the Department of Homeland Security for the 2015 Assistance to Firefighters Grant (AFG) in an amount not to exceed \$1 million for the acquisition of one new Type 1 aerial Fire Engine and associated equipment including, but not limited to, state of the art communication equipment.

- P. 41 8. **SUBJECT:** YUCAIPA BOULEVARD STREETScape IMPROVEMENTS, 4TH STREET TO 5TH STREET– PROJECT NO. 10959

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, Martinez Concrete, Inc. of Azusa, CA, in the total amount of \$280,910.50 for the Yucaipa Boulevard Streetscape Improvements, 4th Street to 5th Street – Project No. 10959; and
2. Approve the amount of \$34,000 for construction contract contingency and the amount of \$34,000 for construction contract administration and inspection, survey and testing for a total construction budget in the amount of \$348,910.50; and
3. Approve the Plans and Specifications prepared for the Project; and
4. Amend the FY2015/2016 Capital Improvement Program by including the amount of \$120,000 in Mobile Source Air Pollution Reduction Review Committee Grant funding for the Project.

- P. 47 9. **SUBJECT:** BUSINESS SPOTLIGHT IN THE EXPLORE YUCAIPA NOW PUBLICATION

RECOMMENDATION: That City Council direct staff to add the “Business Spotlight” feature in the *Explore Yucaipa Now* publication, using the criteria recommended by the Yucaipa First Committee for the selection of the featured businesses.

- P. 49 10. **SUBJECT:** AGREEMENT TO PARTICIPATE IN BRIDGE PROJECT FOR THE CHAPMAN HEIGHTS TRAIL SYSTEM

RECOMMENDATION: That City Council authorize the City Manager, or his designee, to execute a reimbursement agreement with the Chapman Heights HOA Board and Crafton Hills Open Space Conservancy for the construction and installation of a bridge over a ditch to be a part of the Chapman Heights Trail System.

P. 60 **11.** **SUBJECT:** AWARD CONTRACT – WATER CONSERVATION PHASE II, WILDWOOD DOG PARK, FLAG HILL PARK, VISION QUEST, FIRE STATIONS NO. 2 AND 3 AND YUCAIPA BUSINESS INCUBATOR CENTER, PROJECT NO. 11004

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$159,083.75 with Clean Cut Landscape of Clovis, CA for the Water Conservation Phase II, Wildwood Dog Park, Flag Hill Park, Fire Stations No. 2 and 3, Vision Quest, and Yucaipa Business Incubator Center, Project No. 11004 (the “Project”); and
2. Approve the amount of \$10,000 for contingencies for the Project and the amount of \$6,000 for construction administration and inspection, for a total construction budget in the amount of \$175,083.75; and
3. Authorize the City Manager, or his designee, to administer the terms of the contract; and
4. Approve the Plans and Specifications prepared for the Project.

ADJOURN CITY COUNCIL AND CONVENE SUCCESSOR AGENCY

P. 66 **SA 1.** **SUBJECT:** APPROVE SUCCESSOR AGENCY MINUTES OF DECEMBER 14, 2015.

RECOMMENDATION: That the Successor Agency approve Successor Agency Minutes of December 14, 2015.

CONVENE JOINT CITY COUNCIL AND SUCCESSOR AGENCY

P. 68 **12.** **SUBJECT:** AUDIT REPORT FOR FISCAL YEAR ENDED JUNE 30, 2015

RECOMMENDATION:

1. That City Council:
 - a) Accept the audit reports for the year ended June 30, 2015, 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 2015-16 Pavement Management Program; and
 - c) Approve the fund balance designations, as presented in the 2014-15 Audit Report.

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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, 2015.

ADJOURN THE SUCCESSOR AGENCY

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.

- P. 85 **13. SUBJECT:** CONSIDERATION OF A DEVELOPMENT CODE AMENDMENT (ORDINANCE NO. 341) AMENDING DIVISIONS 4 AND 12 OF THE YUCAIPA DEVELOPMENT CODE TO PROHIBIT MARIJUANA CULTIVATION IN ALL ZONES OF THE CITY, ADDING THE DEFINITION OF MARIJUANA AND MARIJUANA CULTIVATION TO CHAPTER 13 OF DIVISION 12 OF THE YUCAIPA DEVELOPMENT CODE, AND CONSIDERATION OF A MUNICIPAL CODE AMENDMENT (ORDINANCE NO. 342), AMENDING CHAPTER 5.30 OF TITLE 5 TO PROHIBIT MARIJUANA DELIVERIES, MOBILE MARIJUANA DISPENSARIES AND ALL COMMERCIAL MEDICAL MARIJUANA ACTIVITY IN THE CITY

RECOMMENDATION: That the City Council conduct a Public Hearing and:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 341, amending Divisions 4 and 12 of the Yucaipa Development Code to prohibit marijuana cultivation in all zones of the City and adding the definitions of marijuana and marijuana cultivation to Chapter 13 of Division 12 of the Yucaipa Development Code; and
2. Approve first reading, by title only, as read by staff, of Ordinance No. 342, amending Chapter 5.30 of Title 5 to prohibit marijuana deliveries, mobile marijuana dispensaries and all commercial medical marijuana activity in the City; and
3. Find that the ordinances are exempt from Environmental Review pursuant to Section 15061(b)(3) of the CEQA Guidelines.

P. 101 **14. SUBJECT:** CONSIDERATION OF A DEVELOPMENT CODE AMENDMENT (ORDINANCE NO. 340) INITIATED BY THE CITY AMENDING DEVELOPMENT CODE SECTION 88.0405 OF CHAPTER 4 OF DIVISION 8 OF THE YUCAIPA DEVELOPMENT CODE RELATED TO UNDERGROUND UTILITY REQUIREMENTS

RECOMMENDATION: That the City Council conduct a Public Hearing and:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 340, amending Section 88.0405 of Chapter 4 of Division 8 of the Yucaipa Development Code related to underground utility requirements; and
2. Find that the ordinance is exempt from Environmental Review pursuant to Section 15061(b)(3) of the CEQA Guidelines.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov’t Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2015-02, Jaime (James) Rodriguez

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: APN No. 0321-121-43, - City Negotiator: Ray Casey, City Manager - Negotiating Parties: Flora B. Reiter - Under Negotiation: Price and Terms of Payments

ADJOURNMENT