



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

**January 23, 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**

**SPECIAL PRESENTATIONS**

New ME551 Fire Engine

Donation of E553A Fire Engine to CHC

**CONSENT AGENDA (ITEM NOS. 1 THROUGH 8)**

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. 10 1. **SUBJECT:** APPROVE COUNCIL MINUTES OF JANUARY 9, 2017
- RECOMMENDATION:** That City Council approve City Council Minutes of January 9, 2017.
- P. 16 2. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – SCHERER CENTER INTERIOR PAINTING – PROJECT NO. 11051
- RECOMMENDATION:** That City Council:
1. Accept the contract work completed by U.S. National Corp., of Pacoima, CA for the Scherer Center Interior Painting – Project No. 11051 (including the Nutrition Center); and
  2. Approve the final payment for the project; and
  3. Authorize the recordation of the Notice of Completion.
- P. 18 3. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – WIRE-IN EMERGENCY GENERATOR AT FIRE STATION NO. 2, PROJECT NO. 11038
- RECOMMENDATION:** That City Council:
1. Accept the contract work completed by AG Engineering Inc., of Rancho Cucamonga for the Wire-in Emergency Generator at Fire Station No. 2, Project No. 11038; and
  2. Approve the final payment for the project; and
  3. Authorize the recordation of the Notice of Completion.
- P. 21 4. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – AVENUE D AT WILSON CREEK LOW WATER CROSSING REPLACEMENT PROJECT – 10003 AND 13<sup>TH</sup> STREET AT WILSON CREEK LOW WATER CROSSING REPLACEMENT PROJECT – 10004
- RECOMMENDATION:** That City Council approve the following recommendations for each project:
- A) Avenue D at Wilson Creek Low Water Crossing Replacement Project:
1. Accept the contract and extension work completed by Mamco, Inc. DbA Alabbasi of Perris, CA in the amount of \$1,825,312.60 for the Avenue D at Wilson Creek Low Water Crossing Replacement Project – Project No. 10003; and
  2. Approve the final payment for the project; and
  3. Authorize the recordation of the Notice of Completion; and
  4. Amend the FY 2016/2017 Capital Improvement Program by transferring the amount of \$28,729 in Pavement Management Program funds from the Avenue D at Wilson Creek Low Water Crossing Replacement Project to the 13<sup>th</sup> Street

---

at Wilson Creek Low Water Crossing Replacement Project.

B) 13<sup>th</sup> Street at Wilson Creek Low Water Crossing Replacement Project:

5. Approve and authorize the City Manager to execute Change Order No's. 4 and 5 in the additional net amount of \$83,063.24 for the 13th Street at Wilson Creek Low Water Crossing Replacement Project – Project No. 10004; and
6. Accept the contract and extension work completed by Mamco, Inc. DbA Alabbasi of Perris, CA in the amount of \$2,093,543.30 for project; and
7. Approve the final payment for the project; and
8. Authorize the recordation of the Notice of Completion.
9. Authorize the City Manager, or his designee, to reconcile the final accounting between the two projects once the Highway Bridge Program grant fund reimbursements are completed.

P. 30 **5.** **SUBJECT:** AWARD OF CONTRACT – CITY'S LLMD MAINTENANCE PROGRAM-PROJECT NO. 10936 – 3<sup>RD</sup> EXTENSION

**RECOMMENDATION:** That City Council award and authorize the Mayor to execute a one year contract extension with a CPI adjustment of two percent, and the City Manager or his designee to administer the terms of the contract extension to Excel Landscape, Inc., in the amount of \$218,801.58 for the City's LLMD Maintenance Program- Project No. 10936- 3<sup>rd</sup> Extension.

P. 35 **6.** **SUBJECT:** AWARD OF CONTRACTS – ASBESTOS AND LEAD ABATEMENT AT 35096 YUCAIPA BLVD. (PROJECT NO. 11048) AND DEMOLITION OF 35096 YUCAIPA BLVD.- (PROJECT NO. 11049)

**RECOMMENDATION:** That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$8,500, with ServiceMaster of Riverside, CA for the Asbestos and Lead Removal at 35096 Yucaipa Blvd– Project No. 11048; and
2. Approve the amount of \$2,500 for construction contract contingency and the amount of \$2,000 for construction contract administration, survey, testing and inspection, for a total asbestos and lead removal budget in the amount of \$13,000; and
3. Award and authorize the Mayor to execute a contract in the amount of \$24,975, with Sandwood Enterprise, Inc., Orange, CA for the Demolition of the Building at 35096 Yucaipa Blvd– Project No. 11049; and
4. Approve the amount of \$2,500 for construction contract contingency and the amount of \$2,300 for construction contract administration, survey, testing and inspection, for a total demolition budget in the amount of \$29,775; and

---

5. Approve the Plans and Specifications prepared for the projects.

P. 43 **7.** **SUBJECT:** DISPOSITION OF CITY PROPERTY: 1.025 ACRE PARCEL, SOUTH SIDE OF YUCAIPA BOULEVARD, WEST OF 10<sup>TH</sup> STREET (FORMER APNS 318-013-07 & 08)

**RECOMMENDATION:** That City Council:

1. Approve the sale of City-owned property located on the south side of Yucaipa Boulevard, west of 10th Street, further defined as former APNs 318-013-07 & 08, for an amount of \$587,594 to Schneider Real Estate Associates, Inc.; and
2. Authorize staff to establish an amount from the proceeds of the sale of the property sufficient to pay the City's share of closing costs and expenses; and
3. Authorize the City Manager to execute a Purchase and Sale Agreement and other necessary documentation in order to complete the property disposition process; and
4. Allocate the net proceeds from the sale to the One Time Capital Projects Fund.

P. 62 **8.** **SUBJECT:** FLOOD CORRIDOR GRANT PROGRAM - ACQUISITION OF PROPERTY APN 0321-411-08

**RECOMMENDATION:** That City Council:

1. Approve the acquisition of approximately 8.03 acres of land located west of Pendleton Avenue within Oak Glen Creek, further defined as APN 0321-411-08 for an amount not-to- exceed \$96,000; and
2. Approve the expenditure of up to the amount of \$10,000 for closing costs and other miscellaneous costs associated with the acquisition of the property; and
3. Authorize the City Manager to execute the necessary documents to complete the acquisition process.

## **PUBLIC COMMENT**

## **MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)**

P. 85 **9.** **SUBJECT:** SUPPORT OF AB 1 (FRAZIER) – TRANSPORTATION FUNDING AND SB 1 (BEALL) TRANSPORTATION FUNDING

**RECOMMENDATION:** That the City Council consider and, if approved, authorize a letter of support for AB 1 (Frazier) – Transportation Funding and SB 1 (Beall) Transportation Funding.

P. 91 **10.** **SUBJECT:** APPOINTMENTS TO THE MOBILEHOME RENT REVIEW COMMISSION

**RECOMMENDATION:** That City Council appoint five at-large members to the Mobilehome Rent Review Commission.

---

P. 105 **11. SUBJECT:** COMMUNITY ACTIVITY GRANT FISCAL YEAR 2016/2017 IN-KIND GRANT REQUEST FROM YUCAIPA VALLEY LIONS CLUB, INC.

**RECOMMENDATION:** That City Council review and consider the FY 2016/2017 Community Activity Grant Application submitted by the Yucaipa Valley Lions Club requesting \$825 for in-kind support.

**POSSIBLE ACTION ON PENDING LEGISLATION**

**DEPARTMENT REPORTS**

P. 117 **12. SUBJECT:** FIRE PROTECTION AND PARAMEDIC SERVICES STRATEGIC PLAN

**RECOMMENDATION:** That the City Council:

1. Award and authorize the Mayor to execute a professional services agreement with CityGate Associates, LLC, Fire & Emergency Services, in an amount equal to \$47,830, plus anticipated expenses in the estimated amount of \$6,923, for a total agreement in the amount of \$54,753, for the development of a Fire and Paramedic Services Strategic Plan for the future provision of fire protection and paramedic related services; and
2. Approve the amounts of \$7,000 for a project contingency account and \$7,000 for administration and staff time for a total project in the amount of \$68,753; and
3. Authorize the City Manager, or his designee, to administer the terms of the agreement; and
4. Amend the 2016-2017 Capital Improvement Program by reallocating the amount of \$28,753 from funds encumbered for the construction of Fire Station No. 4 to the completion of the Fire Protection and Paramedic Services Strategic Plan.

P. 163 **13. SUBJECT:** YUCAIPA MUSIC AND ARTS FESTIVAL ENTERTAINMENT SELECTION

**RECOMMENDATION:** That City Council:

1. Confirm the Rockin' Road Trip Tour 2017 featuring Dishwalla, Marcy Playground, Candlebox, and Fuel as the opening headline entertainment for the 2017 Yucaipa Music and Arts Festival; and
2. Authorize the City Manager to execute a contract with the selected opening headline entertainment artist; and
3. Authorize the City Manager, or his designee, to administer the terms of the contract; and
4. Provide direction to staff regarding the music selection process for the 2018 Yucaipa Music and Arts Festival.

P. 166 **14. SUBJECT:** ENGINEERING DESIGN SERVICES FOR THE WILSON III BASIN PROJECT

---

**RECOMMENDATION:** That City Council:

1. Accept the engineering design services contract termination with Michael Baker International (MBI) for the Wilson III Basin Project; and
2. Award and authorize the Mayor to execute an engineering design contract with Albert A. Webb (Webb) Associates, in an amount not-to-exceed \$225,695 for the completion of the engineering design of the Wilson III Basin Project, as well as the related Lake Park design; and
3. Authorize the amounts of \$22,000 for engineering design contract contingency and \$15,000 for contract administration and staff time for a total revised engineering design budget in the amount of \$785,287; and
4. Authorize the City Manager, or his designee, to administer the terms of the engineering design contract.

- P. 198 **15.** **SUBJECT:** AWARD - AGREEMENT FOR PROFESSIONAL SERVICES FOR PROVIDING CIVIL ENGINEERING, ARCHITECTURAL, LANDSCAPE CONCEPT PLANS, CONSTRUCTION DOCUMENTS, PLANS, SPECIFICATIONS AND ESTIMATES FOR DUNLAP PARK

**RECOMMENDATION:** That City Council:

1. Approve and authorize the Mayor to execute a contract with RHA Landscape Architects-Planners Inc. (RHA), in an amount not-to-exceed \$347,000, for providing professional services for Civil Engineering, Architectural, Landscape Concept Plans, Construction Documents, Plans, Specifications, and Estimates for the construction of Dunlap Park; and
2. Approve the amount of \$35,000 for contract contingency and the amount of \$20,000 for staff time, contract administration and project coordination for a total design cost in the amount of \$402,00 for the Project; and
3. Authorize the City Manager or his designee to administer the terms of the contract; and
4. Allocate \$402,000 from the General Fund One-Time Capital Projects Fund for FY 2016/2017 as a loan to be repaid by the Parks Development Impact Fee Fund over time; and
5. Amend the Fiscal Year (FY) 2016/2017 Capital Improvement Program (CIP) by adding the amount of \$402,000 for the design of the Dunlap Park Project; and
6. Direct staff to include the Dunlap Park Project in the Development Impact Fee Program at its next regularly scheduled update.

**ADJOURN CITY COUNCIL AND CONVENE SUCCESSOR AGENCY**

- P. 232 SA 1. **SUBJECT:** APPROVE SUCCESSOR AGENCY MINUTES OF JANUARY 9, 2017

---

**RECOMMENDATION:** That the Successor Agency approve Successor Agency Minutes of January 9, 2017.

P. 234 SA 2. **SUBJECT:** RECOGNIZED OBLIGATION PAYMENT SCHEDULE 17/18

**RECOMMENDATION:** That the Board of Directors of the Successor Agency to the Yucaipa Redevelopment Agency adopt Resolution No. 2017-01, approving the Recognized Obligation Payment Schedule 17/18 for the twelve-month fiscal period from July 1, 2017 through June 30, 2018 and taking certain related actions.

P. 251 SA 3. **SUBJECT:** ADMINISTRATIVE BUDGET NO. 17/18

**RECOMMENDATION:** That the Board of Directors of the Successor Agency to the Yucaipa Redevelopment Agency adopt Resolution No. 2017-02, approving a proposed Administrative Budget No. 17/18 for the twelve-month fiscal period from July 1, 2017 through June 30, 2018, and taking certain other related actions.

### **ADJOURN THE SUCCESSOR AGENCY AND CONVENE CITY COUNCIL**

#### **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. 258 16. **SUBJECT:** CONSIDERATION OF A DEVELOPMENT CODE AMENDMENT (ORDINANCE NO. 354) AMENDING CHAPTER 13 OF DIVISION 12 OF THE YUCAIPA DEVELOPMENT CODE, AND AMENDING CHAPTER 9 OF DIVISION 4 OF THE YUCAIPA DEVELOPMENT CODE TO UPDATE THE EXISTING PROHIBITION AGAINST ALL COMMERCIAL MARIJUANA ACTIVITY IN THE CITY TO INCLUDE NON-MEDICAL MARIJUANA, AND TO ALLOW MARIJUANA CULTIVATION ON PRIVATE RESIDENCES CONSISTENT WITH STATE LAW; AND CONSIDERATION OF A MUNICIPAL CODE AMENDMENT (ORDINANCE NO. 355), AMENDING CHAPTER 5.30 (MEDICAL MARIJUANA DISPENSARIES) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE CITY'S MUNICIPAL CODE TO UPDATE THE CITY'S

---

EXISTING PROHIBITION TOWARDS ALL COMMERCIAL MARIJUANA ACTIVITY IN THE CITY TO INCLUDE NON-MEDICAL MARIJUANA.

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

- A) Approve first reading, by title only, as read by staff, of Ordinance No. 354 amending Divisions 4 and 12 of the Yucaipa Development Code to update the existing prohibition against all commercial marijuana activity in the City to include non-medical marijuana, and to allow marijuana cultivation on private residences consistent with State law, and amending the definition of marijuana and marijuana cultivation site to Chapter 13 of Division 12 of the Yucaipa Development Code, and adding the definition of commercial marijuana activity to Chapter 3 of Division 12 of the Yucaipa Development Code; and
- B) Approve first reading, by title only, as read by staff, of Ordinance No. 355, amending Chapter 5.30 (Medical Marijuana Dispensaries) of Title 5 (Business Licenses and Regulations) of the City's Municipal Code to update the City's existing prohibition towards all commercial marijuana activity in the City to include non-medical marijuana; and
- C) Find that the ordinance is exempt from Environmental Review pursuant to Section 15061(b)(3) of the CEQA Guidelines.

P. 281 17.

**SUBJECT:** ADOPTION OF RESOLUTIONS NO. 2017-66, NO. 2017-67, NO. 2017-68 AND NO. 2017-69, RESOLUTIONS OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF FOUR PROPERTIES AT THE INTERSECTIONS OF AVENUE E AT 2<sup>ND</sup> AND 3<sup>RD</sup> STREETS FOR PHASE 1 OF THE AVENUE E AND BRYANT STREET INTERSECTION AND DRAINAGE IMPROVEMENT PROJECT

**RECOMMENDATION:** That City Council:

- 1. Conduct a public hearing on the adoption of the proposed Resolutions of Necessity, Resolutions No. 2017-66, No. 2017-67, No. 2017-68, and No. 2017-69, declaring certain real property interests necessary for public purposes and authorizing the acquisition thereof, in connection with Phase 1 of the Avenue E and Bryant Street Intersection and Drainage Improvement Project; and
- 2. Receive from staff the evidence stated and referred to in this Agenda Report ("Report"), take testimony from any person wishing to be heard on issues A, B, C, and D below with respect to the proposed Resolutions of Necessity, and consider all evidence to determine whether to adopt the proposed Resolutions of Necessity; and
- 3. If the City Council finds, based upon the evidence contained and referred to in this Report, the testimony and comments received at the hearing, and all written testimony submitted to the City Council, that the evidence warrants the necessary findings with respect to each of the proposed Resolutions of Necessity, then City staff recommends that the City Council, in the exercise of its discretion, adopt the above-referenced Resolutions of Necessity, with each Resolution of Necessity requiring a separate 4/5ths vote of the entire City Council; and



- 
4. If the City Council approves the Resolutions of Necessity, then City staff recommends that the City Council authorize the City Attorney's office and City staff to take all necessary steps to acquire the real property interests identified in the Resolutions of Necessity and to take all necessary steps to deposit with the State Treasurer's Office the probable compensation required by law for issuance of an Order for Pre-Judgment Possession; and
  5. Authorize the City Manager to execute all necessary documents.

### **ANNOUNCEMENTS**

### **CLOSED SESSION**

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: 31961 Yucaipa Boulevard; APN No. 301-013-15 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: City of Yucaipa - Under Negotiation: Price and Terms for Disposition of Property by City

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Portion of APN No. 0318-235-24 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: City of Yucaipa - Under Negotiation: Price and Terms of Payment.

### **ADJOURNMENT**