



AMENDED: (AGENDA ITEM NO. 7)
**Regular City Council
And Successor Agency
Meeting Agenda**

January 25, 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 PRESENTATIONS

YHS Choir

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. 8 **1.** **SUBJECT:** APPROVE COUNCIL MINUTES OF JANUARY 11, 2016
- RECOMMENDATION:** That City Council approve City Council Minutes of January 11, 2016.
- P. 19 **2.** **SUBJECT:** COMMEMORATIVE PARTNER PROGRAM APPLICATION
- RECOMMENDATION:** That City Council:
- 1.** Approve the submittal of a Commemorative Partner Program Application in recognition of the 50th Anniversary of the Vietnam War; and
- 2.** Authorize the City Manager or his designee to sign and administer the terms of the application.
- P. 23 **3.** **SUBJECT:** JOINT USE AGREEMENT BETWEEN THE YUCAIPA-CALIMESA JOINT UNIFIED SCHOOL DISTRICT AND THE CITY OF YUCAIPA
- RECOMMENDATION:** That the City Council:
- 1.** Approve and authorize the City Manager to execute a Joint Use Agreement between the Yucaipa-Calimesa Joint Unified School District and the City for facilities, in-kind services, and (1) School Resource Officer position; and
- 2.** Authorize the City Manager or his designee to administer the terms of the Agreement.
- P. 53 **4.** **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 City Council waive further reading and adopt Ordinance No. 340, amending Section 88.0405 of Chapter 4 of Division 8 of the Yucaipa Development Code related to underground utility requirements.
- P. 59 **5.** **SUBJECT:** OFFERS OF DEDICATION – YUCAIPA BOULEVARD STREETSCAPE IMPROVEMENTS, 4TH STREET TO 5TH STREET– PROJECT NO. 10959
- RECOMMENDATION:** Accept Offers of Dedication for road and utility purposes from Frank F. Kudjer & Anna Kudjer (APN 319-013-05) and Albert Eshleman (APN 319-013-09).
- P. 69 **6.** **SUBJECT:** AWARD OF CONTRACT- PURCHASE OF ONE (1) 2016 CHEVROLET COLORADO 2WD CREW CAB
- RECOMMENDATION:** That City Council:
- 1.** Cancel the order for one (1) 2016- Ford F150 2WD Super Cab in the amount of \$26,548.50; and

-
2. Award and authorize the City Manager to execute a purchase contract with Rotolo Chevrolet, and the City Manager or his designee to administer the purchase of one (1) 2016 Chevrolet Colorado 2WD Crew Cab in the amount of \$26,180.

P. 76 **7.** **SUBJECT:** AWARD OF CONTRACT – CITY’S LLMD MAINTENANCE PROGRAM-PROJECT NO. 10936 – 2ND EXTENSION

RECOMMENDATION: That City Council award and authorize the Mayor to execute a 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 **\$201,980.34** for the City’s LLMD Maintenance Program- Project No. 10936- 2nd Extension.

P. 81 **8.** **SUBJECT:** 2015 WINTERFEST – EVENT WRAP-UP

RECOMMENDATION: That City Council receive and file the 2015 Winterfest wrap-up report outlined in this staff report.

P. 85 **9.** **SUBJECT:** AWARD OF CONTRACT - 2ND STREET IMPROVEMENTS, YUCAIPA BOULEVARD TO 300 FEET SOUTH – PROJECT NO. 11015

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, R-JS General Construction of Riverside, CA, in the total amount of \$48,337.50 for the 2nd Street Improvements, Yucaipa Boulevard to 300 feet south – Project No. 11015; and
2. Approve the amount of \$5,000 for construction contract contingency and the amount of \$5,000 for construction contract administration and inspection, survey and testing for a total construction budget in the amount of \$58,337.50; and
3. Accept an Offer of Dedication for road and utility purposes from Steven and Julie Trayer (APN 319-341-14); and
4. Approve Temporary Construction Easement Agreements between the City of Yucaipa and Steven and Julie Trayer (APN’s 319-341-13 and 319-341-14) and authorize the City Manager to execute the Temporary Construction Easement Agreements; and
5. Approve the Plans and Specifications prepared for the Project.

P. 114 **10.** **SUBJECT:** 7TH STREET POOL FACILITY AMENITIES, PROJECT NO. 10953

RECOMMENDATION: That City Council review and consider the proposed amenities for the 7th Street Pool Facility, Project No. 10953 and direct staff as appropriate.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

- P. 124 11. **SUBJECT:** COMMUNITY ACTIVITY GRANT ACCOUNTABILITY REPORT AND FISCAL YEAR 2015/2016 IN-KIND GRANT REQUESTS FROM THE YUCAIPA VALLEY LIONS CLUB, YUCAIPA VALLEY ART ASSOCIATION, CHILDHOOD CANCER FOUNDATION OF SOUTHERN CALIFORNIA, INC., AND THE YUCAIPA VALLEY CHAMBER OF COMMERCE

RECOMMENDATION: That City Council:

1. Receive the Community Activity Grant Accountability Report and deem the program requirement complete for the Crafton Hills College Student Senate – Outdoor Movie Night; and
2. Review and consider the FY 2015/2016 Community Activity Grant Application submitted by the Yucaipa Valley Lions Club requesting \$450 for in-kind support to waive the rental fee for the Yucaipa Senior Center Banquet Room; and
3. Review and consider the FY 2015/2016 Community Activity Grant Application submitted by Yucaipa Valley Art Association requesting \$935 for in-kind support to waive the rental fee for the Yucaipa Community Center Banquet Room, Meeting Room and Kitchen; and
4. Review and determine if the grant application submitted by Childhood Cancer Foundation of Southern California, Inc. should be exempt from the Grant Guideline (1) that requires the organization to be located in Yucaipa; and
5. Review and consider the FY 2015/16 Community Grant Application submitted by Childhood Cancer Foundation of Southern California, Inc., requesting \$435 for in-kind support to waive the rental fee for the Yucaipa Community Park Amphitheater and Shelter #2; and
6. Review and consider the FY 2015/2016 Community Activity Grant Application submitted by the Yucaipa Valley Chamber of Commerce requesting \$221 for in-kind support to waive the rental fee for the Yucaipa Community Center Banquet Room.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

- P. 168 12. **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:

1. That City Council waive further reading and adopt 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. That City Council waive further reading and adopt 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

- P. 180 13. **SUBJECT:** CHANGE ORDER NUMBER 1 AND 2 - 35058 YUCAIPA BLVD. BUILDING IMPROVEMENTS, PHASE I, PROJECT NO. 11014

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute Contract Change Order No. 1 to the contract with Torga Electrical of San Bernardino, CA for the 35058 Yucaipa Blvd. Building Improvements, Phase I, Project No. 11014 to construct the roof in the amount of \$58,000; and
2. Approve and authorize the City Manager to execute Contract Change Order No. 2 to the contract with Torga Electrical of San Bernardino, CA for the 35058 Yucaipa Blvd. Building Improvements, Phase I, Project No. 11014 to install the HVAC in the amount of \$6,000; and
3. Authorize an additional construction contract contingency amount of \$5,300 for a total project contingency in the amount of \$17,700 (6 percent) and increase the construction contract administration, inspection and testing budget by the amount of \$6,000 for a total project construction contract administration, inspection and testing budget in the amount of \$11,000 (4 percent of contract work); and
4. Allocate an additional amount of \$79,424 from the Economic Development initiative Account for the completion of the Project.

- P. 193 14. **SUBJECT:** Acquisition of Property – APN 0321-121-43 (37076 Oak Glen Road)

RECOMMENDATION: That City Council:

1. Approve a Memorandum of Understanding between the Yucaipa Valley Conservancy (YVC) and the City of Yucaipa for the acquisition of the 10.78 acre property (37076 Oak Glen Road, Yucaipa, CA 92399), Yucaipa located generally north of Oak Glen Road and south of El Dorado Ranch Park, and further defined as APN 0321-121-43; and

2. Authorize the City Manager to execute the necessary documents to complete the acquisition process; and
3. Allocate \$600,000 from the Unassigned General Fund Balance Account for the acquisition, grant deed preparation, closing costs, and inspection costs; and
4. Find that the City's acquisition of Assessor Parcel No. 0321-121-43 is consistent with the General Plan; and
5. Find that the project is Exempt from review under CEQA pursuant to Section 15061(b)(3) of the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended; and
6. Direct staff to file a Notice of Exemption.

P. 247 **15. SUBJECT: NEIGHBORHOOD TRAFFIC CALMING PROGRAM RECOMMENDATIONS-PHASE 9**

RECOMMENDATION: That City Council review and approve the Neighborhood Traffic Calming Program recommendations for Phase 9, as presented by staff.

P. 281 **16. SUBJECT: PUBLIC NUISANCE ABATEMENT AT 13691 CALIMESA BLVD.**

RECOMMENDATION: That City Council approve and authorize the City Manager to execute an Agreement for Contractor Services with GreenGo Landscape for public nuisance abatement services at 13691 Calimesa Boulevard (Edwin Banta).

P. 294 **17. SUBJECT: EXTERIOR/INTERIOR DESIGN, COLORS AND MATERIALS OF THE YUCAIPA PERFORMING ARTS CENTER**

RECOMMENDATION: That City Council review and approve the proposed colors, materials, and architectural design for the Yucaipa Performing Arts Center, as recommended by the YPAC Ad-Hoc Committee.

ADJOURN CITY COUNCIL AND CONVENE SUCCESSOR AGENCY

CONSENT AGENDA

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

P. 311 **SA 1. SUBJECT: APPROVE SUCCESSOR AGENCY MINUTES OF JANUARY 11, 2016.**

RECOMMENDATION: That the Successor Agency approve Successor Agency Minutes of January 11, 2016.

P. 313 **SA 2.** **SUBJECT:** RECOGNIZED OBLIGATION PAYMENT SCHEDULE 16/17

RECOMMENDATION: That the Board of Directors of the Successor Agency to the Yucaipa Redevelopment Agency adopt Resolution No. 2016-02, approving the Recognized Obligation Payment Schedule 16/17 for the twelve-month fiscal period from July 1, 2016 through June 30, 2017 and taking certain related actions.

P. 328 **SA 3.** **SUBJECT:** ADMINISTRATIVE BUDGET NO. 16/17

RECOMMENDATION: That the Board of Directors of the Successor Agency to the Yucaipa Redevelopment Agency adopt Resolution No. 2016-03, approving a proposed Administrative Budget No. 16/17 for the twelve-month fiscal period from July 1, 2016 through June 30, 2017, and taking certain other related actions.

ADJOURN THE SUCCESSOR AGENCY AND CONVENE CITY COUNCIL

STUDY SESSION

P. 335 **18.** **SUBJECT:** DESIGN OF THE UPTOWN URBAN PARK PLAZA

RECOMMENDATION: That City Council conduct a Study Session and consider the potential design of the Uptown Urban Park Plaza and direct staff as appropriate with regard to the overall proposed design elements, configuration, and conceptual budget.

ANNOUNCEMENTS

ADJOURNMENT