



**Regular City Council
And Housing Authority
Meeting Agenda**

February 13, 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

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.9 1. **SUBJECT:** APPROVE COUNCIL MINUTES OF JANUARY 23, 2017

RECOMMENDATION: That City Council approve City Council Minutes of January 23, 2017.

P. 23 2. **SUBJECT:** 2015 YUCAIPA FIRE DEPARTMENT HOMELAND SECURITY GRANT PROGRAM AWARD AND PURCHASE ACCEPTANCE

RECOMMENDATION: That City Council:

1. Accept the 2015 Homeland Security Grant Program award for the Yucaipa Fire Department in the amount of \$13,297; and
2. Accept the purchase of a rescue litter and shield from Fire Etc, for the Yucaipa Fire Department in the amount of \$1,297; and
3. Accept the purchase of an intercom system for a rescue vehicle from Day Wireless Systems, for the Yucaipa Fire Department in the amount of \$3,675.09; and
4. Accept the purchase of three portable radios and one portable radio for the rescue vehicles from Silverado Avionics Inc., for the Yucaipa Fire Department in the amount of \$5,102.08; and
5. Accept the purchase of two handheld radios and one mobile radio for the new medic engine from Johnson Equipment, for the Yucaipa Fire Department in the amount of \$3,222.83.

P. 24 3. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – YUCAIPA BMX – BMX CALIFORNIA STATE QUALIFIER RACES

RECOMMENDATION: That City Council approve the Special Event Permit Application submitted by Yucaipa BMX to conduct BMX California State Qualifier Races on Sunday, March 19, 2017, at the Yucaipa BMX Park.

P. 30 4. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – EAST VALLEY ROLLER DERBY – ROLLER DERBY BOUT

RECOMMENDATION: That City Council approve the Special Event Permit Application submitted by East Valley Roller Derby to conduct a Roller Derby Bout on Sunday, February 26, 2017, at the 7th Street park basketball courts.

P. 36 5. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – 2015-2016 CRACK SEALING PROGRAM- PROJECT NO. 11045

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by American Asphalt South in the amount of \$55,626 for the 2015-2016 Crack Sealing Program- Project No. 11045; and
2. Approve the final payment for the project; and
3. Authorize the recordation of the Notice of Completion.

P. 40 6. **SUBJECT:** DUNLAP PARK – APPLICATION FOR GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

RECOMMENDATION: That the City Council:

1. Approve and adopt Resolution No. 2017-03 approving the application for grant funding in the amount of \$1,000,000 for the construction of Dunlap Park from the United States Department of the Interior Bureau of Reclamation, WaterSMART Grants; and
2. Appoint the City Manager, or his designee, as agent to conduct all negotiations, execute and submit all documents which may be necessary for the completion of the project.

P. 44 7. **SUBJECT:** 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 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:

- A) Approve second 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 second 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.

P. 67 8. **SUBJECT:** AGREEMENT AMENDMENT NO. 2 - AGREEMENT FOR THE FLOOD CORRIDOR PROGRAM WITH THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES

RECOMMENDATION: That City Council approve Amendment No. 2 and authorize the City Manager or his designee to execute and administer the terms of the amendment to the Agreement

with the State of California Department of Water Resources for the Oak Glen Creek Open Space Acquisition Project.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

- P. 73 9. **SUBJECT:** COMMUNITY ACTIVITY GRANT FISCAL YEAR 16/17 IN-KIND GRANT REQUEST FROM YUCAIPA VALLEY CHAMBER OF COMMERCE

RECOMMENDATION: That City Council review and consider the FY 2016/2017 Community Activity Grant Application submitted by the Yucaipa Valley Chamber of Commerce requesting \$890 for in-kind support.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

- P. 83 10. **SUBJECT:** AWARD OF CONTRACT – YUCAIPA PERFORMING ARTS CENTER UTILITY RELOCATION UNDERGROUND - PROJECT NO. 11057

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$233,207 with Three Peaks Corporation of Calimesa, CA for the Yucaipa Performing Arts Center Utility Relocation Underground - Project No. 11057; and
2. Approve the amount of \$12,000 for construction contract contingency and the amount of \$9,000 for construction contract administration, survey, testing and inspection, for a total budget for the Yucaipa Performing Arts Center Utility Relocation Underground - Project No. 11057 in the amount of \$254,207; and
3. Approve the Plans and Specifications prepared for the project; and
4. Amend the FY 2016/2017 Capital Improvement Program Budget by allocating the amount of \$250,000 in Public Education Government Access Channel Program funding to the Yucaipa Performing Arts Center Project.

- P. 89 11. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – 2017 YUCAIPA MUSIC AND ARTS FESTIVAL

RECOMMENDATION: That City Council:

1. Review and approve the Special Event Permit Application to conduct the Yucaipa Music and Arts Festival (YMAF) to be held on Friday, Saturday, and Sunday May 5, 6, and 7, 2017 in the Historic Uptown District; and
2. Waive the Special Event Permit Application fee of \$15; and

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3. Review and approve the event site plan and associated street closures; and
 4. Approve the 2017 Yucaipa Music and Arts Festival flyer; and
 5. Direct staff in regard to the selection of the YMAF headline entertainment for Friday night; and
 6. Approve the 2017 Music and Arts Festival proposed budget.

P. 100 **12.** **SUBJECT:** REAUTHORIZING THE PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS SUPPORT FEE

RECOMMENDATION: That City Council:

1. Adopt Urgency Ordinance No. 356-U, by title only, as read by staff, making urgency findings and reauthorizing the City's Public, Educational, and Governmental Access Support Fee; and
2. Approve first reading, by title only, as read by staff, of Ordinance No. 357, reauthorizing and readopting the City's Public, Educational, and Governmental Access Support Fee.

ADJOURN CITY COUNCIL AND CONVENE HOUSING AUTHORITY

P. 105 **HA 1** **SUBJECT:** APPROVE HOUSING AUTHORITY MINUTES OF DECEMBER 12, 2016.

RECOMMENDATION: That the Housing Authority approve Housing Authority Minutes of December 12, 2016.

CONVENE JOINT CITY COUNCIL AND HOUSING AUTHORITY

P. 107 **13.** **SUBJECT:** 2016-2017 MID-YEAR BUDGET REPORT

RECOMMENDATION: That City Council review the 2016-2017 Mid-Year Budget Report and:

1. Amend the 2016-2017 General Fund Adopted Budget by:
 - a. Increasing the Property Tax revenue estimate by the amount of \$210,000; and
 - b. Increasing the Vehicle License Fee Swap estimate by the amount of \$246,921; and
 - c. Increasing the revenue estimate for residual property tax receipts by the amount of \$60,000 as the City's share of excess property tax revenue, from the Redevelopment Property Tax Trust Fund (RPTTF), as distributed to various taxing entities; and
 - d. Increasing the revenue estimate for interest earnings by the amount of \$30,000; and

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- e. Increasing the revenue and expense account estimates for the Building and Safety Division of the Community Development Department by the amount of \$100,000; and
 - f. Increase the revenue and expense account estimates for the Community Services Department Divisions of S.T.A.R.S, Senior Services, Community Center and Aquatics, by the amounts of \$25,000, \$5,000, \$10,000 and \$5,000, respectively; and
 - g. Allocating the amount of \$100,000 from the additional General Fund revenue estimates, identified in this report, to restore funding to the Equestrian Arena/Neighborhood Park Project; and
2. Review the following Service Level Options (SLOs) that were deferred to Mid-Year in the 2016-2017 Adopted Budget, and continue to defer SLOs, identified as items a, b, c, d, e, f and h, to the 2017-2018 budget process and approve SLO, identified as item g, as revised:
 - a. Uptown Archway at Bryant St. and Yucaipa Blvd.—\$200,000
 - b. Performing Arts Center—\$212,930
 - c. Regional Disability Program—\$5,000
 - d. City Mobile Application (*revised*)—\$15,000
 - e. Information Systems Strategic Plan (*revised*)—\$55,000
 - f. DELL KACE—\$25,000
 - g. Police Department Enhancement (*revised*)—\$150,000
 - h. City-Wide LED Light Conversion—\$221,000
 3. Review the following Service Level Options that were deferred, as funds which were previously approved by Council, were reallocated to the construction of the Yucaipa Performing Arts Center, and continue to defer the remaining balance of SLO, item i, to the 2017-2018 budget process, and approve items j, k and l:
 - i. Five Winds Ranch Planning, Design, Implementation (*revised*)—\$150,000
 - j. Expand GeoFence/ALPR Program Phase II—\$100,000
 - k. City Cameras Phase V—\$100,000
 - l. Uptown Security—\$10,000
 4. Approve and authorize the allocation of funds for the SLO, item g from Recommendation No. 2 and SLOs included in this report and previously approved by Council from Recommendation No. 3, including SLOs j, k and l, as follows:
 - a. Authorize an appropriation in the amount of \$310,000 from the additional anticipated General Fund revenues for the following SLOs:
 - g. Police Department Enhancement (*revised*)—\$150,000
 - j. Expand GeoFence/ALPR Program Phase II—\$50,000
 - k. City Cameras Phase V—\$100,000
 - l. Uptown Security—\$10,000

b. Authorize an appropriation in the amount of \$50,000 from the State COPS Grant Carryover Fund for the following SLO:

j. Expand GeoFence/ALPR Program Phase II—\$50,000

5. Amend the 2016-2017 Capital Improvement Program budget by adjusting the amount of 2016-2017 resources available in the development related funds, based upon the previous year-end fund balance reconciliation, as follows:

Fund	Recommended amendments to the 2016-2017 CIP
Pavement Management Program	\$2,282
Drainage Impact Fees	6,570
Fire Facilities Fees	11,238
Parks Facilities Fees	49,767
Public Facilities Fees	43,564
Traffic Facilities Fees	251,394

ADJOURN THE HOUSING AUTHORITY

PUBLIC HEARING

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. 138 **14. SUBJECT:** PRIORITIZATION OF FISCAL YEAR 2017-18 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS/PROGRAMS

RECOMMENDATION: That City Council conduct a public hearing and prioritize eligible project proposals for submission to the San Bernardino County Board of Supervisors for Community Development Block Grant funding consideration.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2017-02, Kristina Spalding

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2017-03, David Pitallos

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2017-04, Jimmy Doyle Ford

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2017-05, Rosemarie V. Ticktin

ADJOURNMENT