



Regular City Council Meeting Agenda

March 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

SPECIAL PRESENTATION

Award – “Turning Red Tape into Red Carpet – Yucaipa Incubator Center”

Yucaipa Swim Team Check Presentation

EMPLOYEE INTRODUCTION

CONSENT AGENDA (ITEM NOS. 1 THROUGH 3)

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 FEBRUARY 27, 2017**

RECOMMENDATION: That City Council approve City Council Minutes of February 27, 2017.

P. 13 **2. SUBJECT: 2016/17 ANIMAL CARE AND CONTROL AGREEMENT**

RECOMMENDATION: That City Council approve and authorize the Mayor to execute an amendment to the agreement with the County of San Bernardino, Department of Public Health, for the provision of animal care, control and sheltering services for fiscal year 2016/2017, to incorporate the 2015/2016 and 2016/2017 animal license canvassing program, in an amount not to exceed \$60,107.

P. 18 **3. SUBJECT: AUDITING SERVICES AGREEMENT**

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a one year extension to the Professional Services Agreement with Van Lant & Fankhanel, LLP, for auditing services for the fiscal year ending June 30, 2017 in the amount of \$29,300 for the 2016/2017 City and Single Audit reports.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

P. 26 **4. SUBJECT: APPOINTMENT TO THE MOBILEHOME RENT REVIEW COMMISSION**

RECOMMENDATION: That City Council consider the appointment of Thomas Powell to the Mobilehome Rent Review Commission.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 29 **5. SUBJECT: “COLOR ME MILES” YOUTH ADVISORY COMMITTEE COLOR RUN**

RECOMMENDATION: That City Council:

- 1.** Approve the Special Event Permit Application submitted by the Youth Advisory Committee to conduct “Color Me Miles,” a Color Run at Yucaipa Community Park and Bryant Glen Sports Complex trails on Saturday, April 22, 2017; and
- 2.** Waive the \$12 Special Event Application fee.

P. 36 **6. SUBJECT: SPECIAL EVENT PERMIT APPLICATIONS – YUCAIPA EQUESTRIAN ARENA COMMITTEE FEARLESS RIDER CLINIC AND SAN BERNARDINO COUNTY SHERIFF’S DEPARTMENT PEACE OFFICER STANDARD TRAINING (P.O.S.T) COURSE**

RECOMMENDATION: That City Council:

1. Approve the Special Event Permit Application submitted by the Yucaipa Equestrian Arena Committee to conduct a fearless rider clinic on Friday, March 17th through Sunday, March 19, 2017 at the Yucaipa Equestrian Arena; and
2. Approve the Special Event Permit Application submitted by the San Bernardino County Sheriff's Department to conduct a P.O.S.T. course on Monday, April 17th through Friday, April 22, 2017 at the Yucaipa Equestrian Arena; and
3. Waive Yucaipa Municipal Code Section 12.04.170 to allow temporary overnight camping for the above events held at the Yucaipa Equestrian Arena.

- P. 50 7. **SUBJECT:** RIGHT-OF-WAY ACQUISITION - PENDLETON AVENUE AT OAK GLEN CREEK LOW WATER CROSSING REPLACEMENT PROJECT, PROJECT NO. 10728

RECOMMENDATION: That City Council:

1. Approve a Purchase and Sale Agreement with Howard and Vicki Casner, (APN 0321-181-28) for the acquisition of approximately 3.12 acres of land located east of Pendleton Avenue within Oak Glen Creek for an amount not to exceed \$399,000; and
2. Approve an expenditure up to the amount of \$15,000 for closing costs for the purchase and sale agreement and other miscellaneous costs associated with the acquisition of the property; and
3. Authorize the City Manager, or his designee, to execute the necessary documents to complete the acquisition process.

- P. 89 8. **SUBJECT:** POULTRY RANCH INSPECTION MOU

RECOMMENDATION: That the City Council review and approve the Memorandum of Understanding between the County of San Bernardino Department of Public Health, Division of Environmental Health Services and the City of Yucaipa for Poultry Ranch Inspection Services.

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. 99 **9. SUBJECT:** ADOPTION OF RESOLUTION NO. 2017-09, RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF A PERMANENT STREET AND SLOPE EASEMENT FROM THE PROPERTY IDENTIFIED AS SAN BERNARDINO COUNTY ASSESSOR'S PARCEL NUMBER 0321-142-18 FOR THE PENDLETON AVENUE AT OAK GLEN CREEK LOW WATER CROSSING REPLACEMENT PROJECT

RECOMMENDATION: That City Council:

1. Conduct a public hearing to consider the adoption of Resolution No. 2017-09, a Resolution of Necessity, declaring certain real property interests necessary for public purposes and authorizing the acquisition thereof, in connection with the Pendleton Avenue at Oak Glen Creek Low Water Crossing Replacement 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 Resolution of Necessity, and consider all evidence to determine whether to adopt the proposed Resolution 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 the proposed Resolution of Necessity, then City staff recommends that the City Council, in the exercise of its discretion, adopt the above-referenced Resolution of Necessity, with the Resolution of Necessity requiring a 4/5ths vote of the entire City Council; and
4. If the City Council approves the Resolution 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 interest identified in the Resolution 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: APN No. 0319-064-10 -
City Negotiator: Ray Casey, City Manager - Negotiating Parties: City of Yucaipa - Under
Negotiation: Price and Terms of Payments

Conference with Labor Negotiator [Govt. Code §54957.6] 1 item – Agency Negotiator: Ray Casey,
City Manager; Employee Organization: Yucaipa City Employees Association

ADJOURNMENT