



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

June 27, 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

Recognition of Bob Henry's 108 ½ Birthday

American Planning Association Award

CONSENT AGENDA (ITEM NOS. 1 THROUGH 9)

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 JUNE 13, 2016**

RECOMMENDATION: That City Council approve City Council Minutes of June 13, 2016.

P. 20 **2. SUBJECT: EMPLOYEE COMPENSATION**

RECOMMENDATION: That City Council:

- 1.** Adopt Resolution No. 2016-24, amending Resolution No. 2016-10, implementing the third year of the 2014 Memorandum of Understanding with the Yucaipa Employees Association and adopting the General Employee Salary, Benefit and Classification Plan to:
 - a. Create a second Park Ranger position, Range 25 (\$52,189-\$65,177), as directed by City Council through the approval of a 2016-2017 Service Level Option, to be assigned to the Public Works Department; and
 - b. Increase the salary schedule for all affected positions by the amount of 3%, effective with the pay period beginning on July 8, 2016; and
 - c. Reduce the City paid employee's contribution to the California Public Employees Retirement System by the amount of 1%, such that the City contribution in 2016-2017 is 4%, with 3% paid by the employee; and
- 2.** Adopt Resolution No. 2016-23, amending Resolution No. 2016-09, and adopting the Management, Supervisory and Confidential Salary, Benefit and Classification Plan to:
 - a. Increase the salary schedule for all affected positions by the amount of 3%, effective with the pay period beginning on July 8, 2016; and
 - b. Reduce the City paid employee's contribution to the California Public Employees Retirement System by the amount of 1%, such that the City contribution in 2016-2017 is 4%, with 3% paid by the employee.

P. 28 **3. SUBJECT: RESOLUTION OF INTENTION FOR THE LEVY OF ANNUAL ASSESSMENTS FOR THE CITY OF YUCAIPA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1**

RECOMMENDATION: That City Council adopt Resolution No. 2016-21, a Resolution providing Notice of Intention setting the time and place for a Public Hearing on July 11, 2016 at 6:00 p.m. in the City Council Chambers regarding the levy of the annual assessments for the City of Yucaipa Landscaping and Lighting Maintenance District No. 1.

P. 51 **4. SUBJECT: RESOLUTION OF INTENTION TO CERTIFY SOLID WASTE DELINQUENT ACCOUNT LIEN LIST**

RECOMMENDATION: That City Council adopt Resolution No. 2016-22, a Resolution of Intention to set the time and place for a Public Hearing on July 11, 2016, at 6:00 p.m. in the City Council Chambers, relative to forwarding amounts remaining unpaid on the Solid Waste Lien List to the County of San Bernardino for addition to the 2016-2017 property tax rolls as special assessments.

P. 55 **5.** **SUBJECT:** OFFERS OF DEDICATION – 5TH STREET IMPROVEMENTS– PROJECT NO. 10903

RECOMMENDATION: That City Council accept an Offer of Dedication for road and utility purposes from Mr. Steven Bierma and Mrs. Judy Bierma, trustees of the Bierma Family Trust (APN 318-143-11).

P. 66 **6.** **SUBJECT:** AWARD OF CONTRACT – BRYANT STREET EMBANKMENT REPAIR – PROJECT NO. 11026

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$22,000, with Three Peaks Corporation of Calimesa, CA for the Bryant Street Embankment Repair – Project No. 11026; and
2. Approve the amount of \$2,200 for construction contract contingency and the amount of \$1,000 for construction contract administration, survey, testing and inspection, for a total construction budget in the amount of \$25,200; and
3. Approve the Plans and Specifications prepared for this project.

P. 70 **7.** **SUBJECT:** ORDINANCE NO. 348 – ADDING SECTIONS 1.08.020 THROUGH 1.08.060 TO CHAPTER 1.08 OF THE YUCAIPA MUNICIPAL CODE TO ESTABLISH BY-DISTRICT ELECTIONS WITH RESPECT TO ELECTING CITY COUNCIL MEMBERS AND ESTABLISHING DISTRICT BOUNDARIES

RECOMMENDATION: That City Council waive further reading and adopt Ordinance No. 348, adding Sections 1.08.020 through 1.08.060 to Chapter 1.08 of the Yucaipa Municipal Code to establish by-district elections with respect to electing City Council Members and establishing district boundaries.

P. 81 **8.** **SUBJECT:** AUTHORIZATION TO APPLY FOR FUNDING FROM THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION GRANT PROGRAM FOR THE DUNLAP PARK/OAK GLEN ROAD ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROJECT

RECOMMENDATION: That City Council adopt Resolution No. 2016-25 approving and authorizing the submittal of a grant application requesting the amount of \$400,000 in funding for the construction and development of the Oak Glen Road Environmental Enhancement and Mitigation Project from the Environmental Enhancement and Mitigation Grant Program.

P. 88 **9.** **SUBJECT:** COMMUNITY ACTIVITY GRANT ACCOUNTABILITY REPORTS FOR FISCAL YEAR 15/16 GRANT CYCLE.

RECOMMENDATION: That City Council receive the Community Activity Grant Accountability Reports and deem the program requirements complete for Yucaipa High School Video Production – 2016 Film Festival, Redlands Bicycle Classic, Inc. – 2016 Yucaipa Circuit Race, Girl Scouts Troop #394 – Meetings, Girl Scouts Troop #1752 – Meetings and Yucaipa Valley Chamber of Commerce – Events.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

P. 112 **10.** **SUBJECT:** SB 1387 (DE LEÓN) SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AS AMENDED APRIL 7, 2016. NOTICE OF OPPOSITION

RECOMMENDATION: That the City Council vote in opposition to SB 1387 (de León) South Coast Air Quality Management District.

P. 115 **11.** **SUBJECT:** LAZER BROADCASTING ANTENNA SITE NEAR WILDWOOD CANYON STATE PARK

RECOMMENDATION: That City Council approve a letter objecting to the Lazer Broadcasting, Inc. antenna facility that is proposed adjacent to Wildwood Canyon State Park, and direct staff as appropriate.

P. 119 **12.** **SUBJECT:** PRIORITIZATION OF FISCAL YEAR 2016/2017 COMMUNITY ACTIVITY GRANT APPLICATIONS

RECOMMENDATION: That City Council:

1. Review and consider the Fiscal Year 2016/2017 Community Activity Grant applications submitted by local applicants requesting financial and/or in-kind support to continue on-going services, proposing new services and/or proposing small to large scale special events that meet the established guidelines; and
2. Determine that the Childhood Cancer Foundation of Southern California, Family Service Association of Redlands, and Redlands Bicycle Classic, Inc. should be exempt from the Grant Guideline that requires the organization to be located in Yucaipa if their Community Activity Grant is awarded.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 293 **13.** **SUBJECT:** ADOPTION OF ORDINANCE NO. 347 AMENDING REQUIREMENTS REGARDING MANURE MANAGEMENT AND CIVIL FINES FOR POULTRY RANCHES CITYWIDE AND CONSIDERATION OF MEMORANDUMS OF UNDERSTANDING

(MOU) REGULATING MANURE MANAGEMENT AT “EGGMASTER INC.”, “HIDDEN VILLA RANCH”, AND “HOOVER RANCH 7”

RECOMMENDATION: That City Council waive further reading and adopt Ordinance No.347, amending requirements regarding manure management and civil fines at poultry ranches citywide.

P. 312 **14.** **SUBJECT:** AWARD OF PROFESSIONAL SERVICES AGREEMENT - PROJECT ENGINEERING DESIGN SERVICES FOR THE EXTENSIONS OF 15TH STREET AND CHAPMAN HEIGHTS ROAD AND THE SAND CANYON ROAD IMPROVEMENTS PROJECT

RECOMMENDATION: That City Council:

1. Authorize the Mayor to execute a Professional Services Agreement (Agreement) and authorize the City Manager or his designee to administer the terms of the Agreement with TKE Engineering, Inc. of Riverside, CA. in the not-to-exceed amount of \$119,470 to provide Project Engineering Design Services for Extensions of 15th Street and Chapman Heights Road and the Sand Canyon Road Improvements Project; and
2. Approve a project contingency in the amount of \$12,000 and the amount of \$15,000 for staff time (consulting staff) and administration for a total design cost in the amount of \$146,470 for the project.

P. 341 **15.** **SUBJECT:** APPROVAL OF FAS STANDARD CONTRACT WITH THE SAN BERNARDINO COUNTY PUBLIC WORKS/TRANSPORTATION DEPARTMENT REGARDING ROAD REPAIRS/IMPROVEMENT ON THE NORTH SIDE OF OAK GLEN ROAD

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute, and the City Manager, or his designee to administer, the attached FAS Standard Contract with the San Bernardino County Public Works/Transportation Department in the amount of \$43,597 for the road repairs/improvement on the north side of Oak Glen Road from 0.81 to 1.39 miles east of Casa Blanca Avenue, for a total net repair of approximately .58 miles; and
2. Approve a reimbursement in the amount of \$43,597 from the City’s 2016-2017 Pavement Management Program to the San Bernardino County Public Works/Transportation Department to pay for the project.

P. 348 **16.** **SUBJECT:** SHERIFF’S CONTRACT AMENDMENT – FY 2016-2017

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute an amendment to the Law Enforcement Services Contract between the City of Yucaipa and the San Bernardino County Sheriff’s Department, for a total annual service contract in an amount not to exceed \$8,241,777,

less the annual personnel credit in the amount of \$198,949, plus the costs of grant funded equipment in the amount of \$14,018, for a total net contract amount of not to exceed \$8,056,846 for fiscal year 2016-2017; and

2. Approve and authorize the Mayor to execute a Letter of Understanding between the City of Yucaipa and the San Bernardino County Sheriff's Department regarding police services for the City of Yucaipa and the contiguous unincorporated service areas.

P. 361 17. **SUBJECT:** AGREEMENTS WITH YUCAIPA-CALIMESA JOINT UNIFIED SCHOOL DISTRICT AND UNITED STATES POSTAL SERVICE TO UTILIZE POWER FOR ZONE DDD STREET LIGHTS

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute agreements with Yucaipa-Calimesa Joint Unified School District and United States Postal Service to Utilize Power for Zone DDD Street Lights; and
2. Authorize the City Manager or his designee to administer the terms of the agreement; and
3. Approve the acquisition of approximately 0.003 acres (132 square feet) of utility easement located on USPS property, further defined as a portion of APN 0319-092-05 and approximately 0.01 acres (520 square feet) of utility easement located on YCJUSD property, further defined as a portion of APN 0319-093-01, in exchange for LED light conversions of YCJUSD and USPS parking lot lights.

ADJOURN CITY COUNCIL AND CONVENE SUCCESSOR AGENCY

P. 406 SA 1. **SUBJECT:** APPROVE SUCCESSOR AGENCY MINUTES OF MAY 23, 2016.

RECOMMENDATION: That the Successor Agency approve Successor Agency Minutes of May 23, 2016.

ADJOURN THE SUCCESSOR AGENCY AND CONVENE HOUSING AUTHORITY

P. 409 HA 1. **SUBJECT:** APPROVE HOUSING AUTHORITY MINUTES OF MAY 23, 2016.

RECOMMENDATION: That the Housing Authority approve Housing Authority Minutes of May 23, 2016.

CONVENE JOINT CITY COUNCIL AND SUCCESSOR AGENCY AND HOUSING AUTHORITY

P. 412 18. **SUBJECT:** FISCAL YEAR 2016-2017 BUDGET AND CAPITAL IMPROVEMENT PROGRAM

RECOMMENDATION:

That City Council:

1. Adopt Resolution No. 2016-16 approving Fiscal Year 2016-2017 Budgets for the City of Yucaipa General Fund, Special Revenue funds, Capital Projects funds, the Internal Service Fund, and the 2016-2017 Capital Improvement Program; and
2. Adopt Resolution No. 2016-17, adjusting the Appropriations Limit for Fiscal Year 2016-2017; and
3. Adopt Resolution No. 2016-18, adopting the Measure I, Five-Year Capital Improvement Program; and
4. Amend the Fund Balance Policy for the General Fund by increasing the portion of the City's General Fund Balance, committed for severe economic emergencies, from 20% to 30% of the annual operating budget.

That the Successor Agency to the Yucaipa Redevelopment Agency:

1. Adopt Resolution No. 2016-19, approving the 2016-2017 Budget for the Successor Agency to the Yucaipa Redevelopment Agency.

That the Yucaipa Housing Authority:

1. Adopt Resolution No. 2016-20, approving the 2016-2017 Budget for the Yucaipa Housing Authority.

ADJOURN THE SUCCESSOR AGENCY AND 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. 461 **19. SUBJECT:** YUCAIPA DISPOSAL INC., ANNUAL REPORT AND SOLID WASTE RATE ADJUSTMENT

RECOMMENDATION: That City Council conduct a public hearing and subsequently:

1. Receive the Solid Waste Annual Report from Yucaipa Disposal; and
2. Approve the continuation of the recycling program enhancements for Fiscal Year 2016/17 to include:
 - a. Continue the subsidized commercial recycling program;
 - b. Continue the “Right Stuff” campaign;
 - c. Continue the free mulch program;
 - d. Continue the enforcement efforts pertaining to scavenging;
 - e. Continue the Shred-It event twice per year;
 - f. Continue the education and outreach programs; and
3. Determine the Residential Rate Adjustments, to be implemented July 1, 2016, which will modify the rates by either:
 - a. (Option 1) Implementing a \$0.25 increase on all service levels resulting in a 15-gallon rate increase of \$0.25 (from \$11.70 to \$11.95), 30-gallon rate increase of \$0.25 (from \$16.88 to \$17.13) and a 60-gallon rate increase of \$0.25 (from \$25.13 to \$25.38).
 - b. (Option 2) Implementing all standard increases; however, the rates are remixed to maintain some subsidy to the 15 and 30-gallon rates resulting in a 15-gallon rate increase of \$0.15 (from \$11.70 to \$11.85), 30-gallon rate increase of \$0.25 (from \$16.88 to \$17.13) and a 60-gallon rate increase of \$0.26 (from \$25.13 to \$25.39).
 - c. (Option 3) Implementing all standard increases; however, the rates are remixed to minimize the subsidy to the 15 and 30-gallon rates resulting in a 15-gallon rate increase of \$0.59 (from \$11.70 to \$12.29), 30-gallon rate increase of \$0.50 (from \$16.88 to \$17.38) and a 60-gallon rate increase of \$0.10 (from \$25.13 to \$25.23); and
4. Approve the proposed Commercial Refuse Rate Adjustment with Recycling and Food Waste; and
5. Approve the Construction and Demolition Program threshold for covered projects be increased to 2,000 square feet.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: (Portion of) APN Nos. 0303-151-23, 0303-151-36, 0303-181-13, 0303-181-19, 0303-191-01, 0303-191-04 - City Negotiator:

Ray Casey, City Manager - Negotiating Parties: San Bernardino County Flood Control District - Under Negotiation: Price and Terms of Payments

Conference with Legal Council

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in litigation.

Anticipation of Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) – 1 Item - Correspondence has been received by the City regarding City regulations and matters to be under consideration by the City Council.

ADJOURNMENT