



Regular City Council Meeting Agenda

July 11, 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

EMPLOYEE INTRODUCTION

CONSENT AGENDA (ITEM NOS. 1 THROUGH 11)

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 JUNE 27, 2016**

RECOMMENDATION: That City Council approve City Council Minutes of June 27, 2016.

P. 25 **2.** **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – YUCAIPA BOULEVARD STREETScape 4TH STREET TO 5TH STREET, PROJECT NO. 10959

RECOMMENDATION: That City Council:

1. Accept the contract work completed by Martinez Concrete, Inc. of Azusa, Ca. in the total amount of \$303,797.07 for the Yucaipa Blvd. Streetscape 4th Street to 5th Street-Project 10959; and
2. Approve the final payment for the project; and
3. Authorize the recordation of the Notice of Completion.

P. 28 **3.** **SUBJECT:** AWARD OF CONTRACT – SCHERER CENTER EXTERIOR PAINTING – PROJECT NO. 11028

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$22,870 with Mazza’s Home Improvement Inc., of Yucaipa for the Scherer Center Exterior Painting – Project No. 11028; and
2. Approve the amount of \$1,000 for construction contract contingency and the amount of \$1,000 for construction contract administration and inspection, for a total construction budget in the amount of \$24,870; and
3. Approve the Plans and Specifications prepared for this project.

P. 32 **4.** **SUBJECT:** AWARD CONTRACT – WATER CONSERVATION PHASE III, EQUESTRIAN CENTER AND AVENUE “T” PARK, PROJECT NO. 11029

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$170,518.15 with Clean Cut Landscape of Clovis, CA for the Water Conservation Phase III, Equestrian Center and Avenue “T” Park, Project No. 11029 (the “Project”); and
2. Approve the amount of \$4,500 for contingencies for the Project and the amount of \$4,000 for construction administration and inspection, for a total construction budget in the amount of \$179,018.15; and
3. Authorize the City Manager, or his designee, to administer the terms of the contract; and
4. Approve the Plans and Specifications prepared for the Project.

P. 38 **5.** **SUBJECT:** PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

RECOMMENDATION: That City Council receive and file the Annual Fiscal Reports prepared by the Property Owner’s Association Board of Directors of the Yucaipa Village Square Management Districts #1 and #2.

P. 47 **6.** **SUBJECT:** LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 98-1 OF THE CITY OF YUCAIPA (CHAPMAN HEIGHTS) FOR FISCAL YEAR 2016-2017

RECOMMENDATION: That City Council adopt Resolution No. 2016-26 authorizing the levy of special taxes within Community Facilities District No. 98-1 of the City of Yucaipa (Chapman Heights) for Fiscal Year 2016-2017.

P. 55 **7.** **SUBJECT:** SPECIAL ASSESSMENT FOR YUCAIPA PARAMEDIC PROGRAM

RECOMMENDATION: That City Council adopt Resolution Number 2016-30, fixing the Special Tax for fiscal year 2016-2017 for the Yucaipa Paramedic Program at the following rates;

Residential Dwelling Unit	\$52
Small Commercial Unit	\$78
Large Commercial Unit (> 10,000 sq. ft.)	\$156
Residential Care Facility	\$78 plus \$3 per bed over 26.

P. 74 **8.** **SUBJECT** FACILITY USE AGREEMENT BETWEEN THE CITY OF YUCAIPA AND YUCAIPA JUNIOR ALL AMERICAN FOOTBALL AND CHEER, INC.

RECOMMENDATION: That the City Council:

1. Approve and authorize the City Manager to execute a Facility Use Agreement between the City and the Yucaipa Junior All American Football and Cheer, Inc. for use of facilities; and
2. Authorize the City Manager, or his designee, to administer the terms of the Agreement.

P. 116 **9.** **SUBJECT:** FACILITY USE AGREEMENT – THUNDERBIRD WATER POLO CLUB INC.

RECOMMENDATION: That the City Council:

1. Approve and authorize the City Manager to execute a Facility Use Agreement between the City and the Thunderbird Water Polo Club, Inc. for the operation of a resident water polo club at Crafton Hills College Aquatic Center and use of the 7th Street Pool facility as necessary; and
2. Authorize the City Manager, or his designee, to administer the terms of the Agreement.

P. 184 **10. SUBJECT: YUCAIPA BASIN STUDY RECHARGE TEST PROTOCOL**

RECOMMENDATION: That City Council approve and authorize the City Manager, or his designee, to process payment to San Bernardino Valley Municipal Water District for the City's share in developing recharge testing protocol at various City drainage facilities in the amount of \$5,547.

P. 187 **11. SUBJECT: SECOND READING AND 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 the City Council:

1. Find that adoption of Ordinance 347 is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), and 15061(b)(3) of the State CEQA Guidelines, 14 Cal. Code Reqs § 15000, et seq., because it can be seen with certainty that the Ordinance has no potential for resulting in a significant effect on the environment, directly or indirectly; and
2. Approve second reading, by title only as read by staff, of Ordinance No. 347, amending requirements regarding manure management and civil fines at poultry ranches citywide; and
3. Approve and authorize the City Manager to execute a Memorandum of Understanding between the City of Yucaipa and the operators of "Eggmaster Inc." regulating the stockpiling and thin-spreading of poultry manure at 10863 Fremont Street; and
4. Approve and authorize the City Manager to execute a Memorandum of Understanding between the City of Yucaipa and the operators of "Hidden Villa Ranch" regulating the stockpiling and thin-spreading of poultry manure at 35999 Carter Street; and
5. Approve and authorize the City Manager to execute a Memorandum of Understanding between the City of Yucaipa and the duly authorized representatives of the operators of "Hoover Ranch 7" regulating the stockpiling and thin-spreading of poultry manure at 35870 Fir Avenue.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

- P. 203 **12.** **SUBJECT:** 2016 YUCAIPA MUSIC AND ARTS FESTIVAL – EVENT WRAP-UP
- RECOMMENDATION:** That City Council receive and file the 2016 Yucaipa Music and Arts Festival event wrap-up and provide direction for the 2017 event.
- P. 208 **13.** **SUBJECT:** BUSINESS INCUBATOR CENTER UPDATE
- RECOMMENDATION:** That City Council:
1. Receive an update relative to the Yucaipa Business Incubator Center; and
 2. Authorize the City Manager to execute a Professional Services Agreement with Robert Charles Lesser & Co. (RCLCO) to prepare a market analysis for the Incubator/Innovation Center in an amount not to exceed \$9,000.
- P. 234 **14.** **SUBJECT:** KEEP YUCAIPA CLEAN PROGRAM UPDATE
- RECOMMENDATION:** That the City Council review and approve the Keep Yucaipa Clean Program Update.
- P. 261 **15.** **SUBJECT:** LAND USE ALTERNATIVES ANALYSIS AND REVISED SCOPE OF SERVICES FOR THE WILSON CREEK INNOVATION CENTER SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT
- RECOMMENDATION:** That City Council:
1. Rename the “Wilson Creek Innovation Center Specific Plan” the “Oak Glen Creek Specific Plan”; and
 2. Review the results of the Land Use Alternatives Impact Analysis to date for the “preferred” residential land use alternative as part of the Oak Glen Creek Specific Plan and provide direction to staff; and
 3. Authorize the Mayor to execute an amendment to the Professional Services Agreement and authorize the City Manager, or his designee, to administer the terms of the agreement with Placeworks, in an amount not to exceed \$23,590, to implement the proposed revisions to the Oak Glen Creek Specific Plan Environmental Impact Report (EIR); and
 4. Authorize an additional amount of \$3,000 for contract contingency, administration and staff time for a total budget in the amount of \$26,590 to implement the proposed revisions to the Oak Glen Creek Specific Plan.

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. 279 **16.** **SUBJECT:** CONSIDERATION OF A DEVELOPMENT CODE AMENDMENT (ORDINANCE NO. 344) INITIATED BY THE CITY AMENDING ARTICLE 2 (TENTATIVE AND FINAL MAP) OF CHAPTER 4 (DIVISION OF LAND PROCEDURES) OF DIVISION 3 (PROCEDURES) AND CHAPTER 4 (LAND USE MODIFICATIONS) OF DIVISION 5 (OVERLAY DISTRICTS) OF VOLUME II (DEVELOPMENT CODE) OF THE YUCAIPA MUNICIPAL CODE TO ESTABLISH MOBILEHOME PARK CONVERSION STANDARDS

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

- 1. Approve first reading, by title only, as read by staff, of Ordinance No. 344 initiated by the City to amend Article 2 (Tentative and Final Map) of Chapter 4 (Division of Land Procedures) of Division 3 (Procedures) and Chapter 4 (Land Use Modifications) of Division 5 (Overlay Districts) of Volume II (Development Code) of the Yucaipa Municipal Code to establish mobilehome park conversion standards; and,
- 2. Adopt the Findings as contained in the Agenda Report; and,
- 3. Adopt an Addendum to the 2016 Yucaipa General Plan Environmental Impact Report in accordance with the requirements of the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended; and
- 4. Direct Staff to file a Notice of Determination for the project.

- P. 418 **17.** **SUBJECT:** ORDERING CONFIRMATION OF ANNUAL ASSESSMENTS FOR THE CITY OF YUCAIPA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

RECOMMENDATION: That City Council:

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1. Conduct a Public Hearing and subsequently adopt Resolution 2016-28, Ordering Confirmation of Assessment for City of Yucaipa Landscaping and Lighting Maintenance District No. 1, and
 2. Approve the application of 1.5% rate adjustments to LLMD Zones A and F through R and 5% rate adjustments to LLMD Zones B and S through DDD, and
 3. Approve the credit of funds as an offset against the 2015-2016 assessments for Zones A, B, D, F, G, H, J, K, M, P, T, U, V, W, X, Y, BB, CC, FF, GG, HH, II, JJ, NN, PP, RR, YY, ZZ and BBB in the total amount of \$158,326.26.

P. 445 **18.** **SUBJECT:** FORWARDING CERTIFIED SOLID WASTE LIEN LIST TO THE COUNTY OF SAN BERNARDINO FOR ADDITION TO THE PROPERTY TAX ROLLS

RECOMMENDATION: That City Council conduct a Public Hearing and subsequently adopt Resolution No. 2016-29 forwarding amounts remaining unpaid on the Certified Solid Waste Lien List to the County of San Bernardino for addition to the 2016-2017 Property Tax Rolls as a Special Assessment.

P. 460 **19.** **SUBJECT:** MERIDIAN LAND DEVELOPMENT (CASE NO. 15-061/TTM 19974); A PHASED TENTATIVE TRACT MAP AND ENVIRONMENTAL IMPACT REPORT TO SUBDIVIDE 236 GROSS ACRES INTO 184 SINGLE FAMILY LOTS WITH A MINIMUM LOT SIZE OF ONE (1) GROSS ACRE, WITH TWO (2) ADDITIONAL "NOT A PART" LOTS FOR AN EXISTING PRIVATE RESIDENCE (CASA BLANCA RANCH) AND WATER TANK/PUMP STATION SITE OWNED AND OPERATED BY YUCAIPA VALLEY WATER DISTRICT, LOCATED NORTH OF OAK GLEN ROAD AND EAST OF JEFFERSON STREET; APN(S): 0321-081-15; 0321-101-02, 12, AND 21

RECOMMENDATION: That the City Council conduct a public hearing, and:

1. Adopt Resolution No. 2016-27, adopting environmental findings pursuant to the California Environmental Quality Act (CEQA), certifying the Final Environmental Impact Report for Case No. 15-061/TTM 19974 (SCH No. 2015091088), adopting a Mitigation Monitoring Program; and
2. Approve Tentative Tract Map No. 19974 (Case No. 15-061/TTM 19974), subject to the Conditions of Approval as recommended by the Planning Commission; and
3. Adopt the Subdivision Findings as contained in this Agenda Report; and
4. Direct staff to file a Notice of Determination subsequent to certification of the Final Environmental Impact Report.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Existing Litigation [Govt. Code §54956.9(d)(1)]: 1 Case: California Superior Court County of San Bernardino – Central District Case Number CIVDS1607510 – Matich Corporation v. KAD Paving Company, Donald J. Wheeler, Jr., and City of Yucaipa.

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