



Regular City Council Meeting Agenda

August 8, 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

City GIS Mapping

CONSENT AGENDA (ITEM NOS. 1 THROUGH 17)

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. 11 **1. SUBJECT: APPROVE COUNCIL MINUTES OF JULY 11, 2016**

RECOMMENDATION: That City Council approve City Council Minutes of July 11, 2016.

- P. 26 **2.** **SUBJECT:** ASSIGNMENT OF CONTRACT FOR ENGINEERING SERVICES – ATHALYE CONSULTING ENGINEERING SERVICES, INC. TO TRANSYSTEMS CORPORATION

RECOMMENDATION: That City Council accept the assignment of the contract to provide on-call Construction Management Services for various Public Works projects for Fiscal Year 2015/2016 and 2016/2017 from Athalye Consulting Engineering Services, Inc. to TranSystems Corporation and authorize the City Manager to execute the acknowledgement accepting the assignment.

- P. 28 **3.** **SUBJECT:** ADOPTION OF THE CITY OF YUCAIPA LOCAL HAZARD MITIGATION PLAN UPDATE

RECOMMENDATION: That City Council adopt Resolution No. 2016-36, adopting the City of Yucaipa Local Hazard Mitigation Plan Update, authorizing future non-substantive amendments to the Plan, and rescinding Resolution No. 2010-41.

- P. 33 **4.** **SUBJECT:** AWARD OF CONTRACT – COMMUNITY PARK OUTDOOR COURT RESURFACING - PROJECT NO. 11030

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute a contract, and the City Manager, or his designee to administer the terms of the contract, in the amount of \$16,200 with Taylor Tennis Courts, Inc., of Rancho Santa Margarita, CA for the Community Park Outdoor Court Resurfacing, Project No. 11030 (the “Project”); and
2. Approve the amount of \$1,097 for contract contingencies and the amount of \$500 for construction administration and inspection, for a total construction budget in the amount of \$17,797; and
3. Approve the Plans and Specifications prepared for the Project.

- P. 37 **5.** **SUBJECT:** AWARD OF CONTRACT – OAK GLEN NEIGHBORHOOD PARK/SOCCER COMPLEX PAVING – PROJECT NO. 11034

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$63,590, with Haitbrink Asphalt Paving, Inc. of Corona, CA for the Oak Glen Neighborhood Park/Soccer Complex Paving – Project No. 11034; and
2. Approve the amount of \$6,000 for construction contract contingency and the amount of \$6,000 for construction contract administration, survey and inspection, for a total construction budget in the amount of \$75,590; and

3. Approve the Plans and Specifications prepared for the Project.

P. 42 6. **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 waive further reading and adopt Ordinance No. 344, 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 .

P. 69 7. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – INSTALLATION OF ASPHALT SPEED HUMPS AND STRIPING ON FIR AVENUE- PROJECT NO. 11022

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by KAD Paving, Inc. of Yucaipa, CA. for the Installation of Asphalt Speed Humps and Striping on Fir Avenue- Project No. 11022 in the amount of \$10,260; and
2. Approve the final payment for the project; and
3. Authorize the recordation of the Notice of Completion.

P. 72 8. **SUBJECT:** OFFERS OF DEDICATION - FREMONT STREET AT WILSON CREEK LOW WATER CROSSING REPLACEMENT PROJECT – PROJECT NO. 10727

RECOMMENDATION: That City Council:

1. Approve the acquisition of approximately 0.24 acres (10,645 square feet) of Permanent Road Easement located along the west side of Fremont Street, north of Oak Glen Road at Wilson Creek, further defined as a portion of APN 0321-061-06, for a not-to-exceed amount of \$21,479; and
2. Approve the acquisition of approximately 0.03 acres (1,163 square feet) of Permanent Road Easement located along the west side of Fremont Street, north of Oak Glen Road, at Wilson Creek, further defined as a portion of APN 0321-061-07, for a not-to-exceed amount of \$4,451; and
3. Approve an amount up to \$21,000 for County of San Bernardino Real Estate Services, County Flood Control District, and County Legal Counsel fees for document

processing, closing costs and other miscellaneous costs associated with the acquisition of the properties for a total budget in the amount of \$46,930; and

4. Authorize the City Manager to execute the necessary documents to complete the acquisition process.

P. 86 **9.** **SUBJECT:** TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 REIMBURSEMENT

RECOMMENDATION: That City Council authorize staff to file reimbursement claim forms for Transportation Development Act, Article 3 funds for the Concrete Bus Pads at Various Locations Project included in the 2014-2015 Concrete Program.

P. 103 **10.** **SUBJECT:** AWARD OF CONTRACTS – PROFESSIONAL ENGINEERING SURVEY SERVICES FOR VARIOUS PROJECTS

RECOMMENDATION: That City Council award and authorize the City Manager to execute contracts, and his designee to administer the terms of the contracts with Yucaipa Valley Engineering in the not-to-exceed amount of \$150,000, RMD Surveying in the not-to-exceed amount of \$150,000, Westland Group, Inc. in the not-to-exceed amount of \$100,000 and Towill Surveying Mapping & GIS Services in the not to exceed amount of \$100,000 for a total amount of \$500,000 for providing on-call Professional Survey Services on Various Projects for FY2016/2017 and FY2017/2018.

P. 228 **11.** **SUBJECT:** AGREEMENT WITH DAVID TURCH AND ASSOCIATES

RECOMMENDATION: That City Council approve and authorize the City Manager to execute an agreement with David Turch and Associates for the not to exceed amount of \$44,000 for the period of time between August 8, 2016 and June 30, 2017.

P. 233 **12.** **SUBJECT:** RESOLUTION NO. 2016-31 - AMENDING CONSTRUCTION AND DEMOLITION COVERED PROJECT THRESHOLDS

RECOMMENDATION: That City Council adopt Resolution No. 2016-31 amending Resolution No. 2014-61, Section 2 and 3, increasing Construction and Demolition Covered Project Thresholds from 1,000 square feet to 2,000 square feet.

P. 235 **13.** **SUBJECT:** AWARD OF CONTRACT – CITY FACILITIES JANITORIAL SERVICES – PROJECT NO.11035

RECOMMENDATION: That City Council:

1. Approve 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/qualified bidder, Quinmar Janitorial, Inc., in the amount of \$44,990.40 to perform the City Facilities Janitorial Services – Project No. 11035 (the “Project”); and
2. Approve the Specifications for the Project.

P. 239 **14. SUBJECT: ACQUISITION OF PROPERTY – APN 0321-071-32**

RECOMMENDATION: That City Council:

1. Approve the acquisition of one parcel totaling approximately 13,000 square feet (.30 acres), APN 0321-071-32, located east of the Fremont Street Crossing of Wilson Creek and south of Creekside Drive, for an amount not-to-exceed \$1,050; and
2. Approve the amount up to \$450 for acquisition costs, closing costs, and other miscellaneous costs associated with the acquisition of the property for a total budget in the amount of \$1,500; and
3. Approve and authorize the Mayor to execute a purchase agreement with the Office of the Auditor-Controller/Treasurer/Tax Collector – County of San Bernardino; and
4. Authorize the City Manager or his designee to administer the terms of the purchase agreement.

P. 246 **15. SUBJECT: RIGHT-OF-WAY ACQUISITION - 5TH STREET WIDENING, YUCAIPA BOULEVARD TO AVENUE E, PROJECT NO. 10903**

RECOMMENDATION: That City Council:

1. Approve a Purchase and Sale Agreement with Valley Baptist Fellowship, (APN's 319-013-21 and 319-012-26) for a permanent easement and temporary construction easements along 5th Street for an amount not to exceed \$68,100; and
2. Approve an expenditure up to the amount of \$3,000 for closing costs for the purchase and sale agreement and other miscellaneous costs associated with the acquisition of the properties; and
3. Approve a Purchase and Sale Agreement with Alejandro Diaz, (APN 318-143-10) for a permanent easement and temporary construction easements along 5th Street for an amount not to exceed \$6,000; and
4. Approve an expenditure up to the amount of \$3,000 for closing costs for the purchase and sale agreement and other miscellaneous costs associated with the acquisition of the properties; and
5. Authorize the City Manager, or his designee, to execute the necessary documents to complete the acquisition process.

P. 341 **16. SUBJECT: APPROVAL OF FINAL PARCEL MAP NO. 18311**

RECOMMENDATION: That City Council approve Final Parcel Map No. 18311 and authorize the recordation of the map from Hideaway MHC, LLC.

P. 344 17. **SUBJECT:** CONSERVATION EASEMENT-INLAND EMPIRE RESOURCE CONSERVATION DISTRICT

RECOMMENDATION: That City Council:

1. Approve and authorize the mayor to execute a Conservation Easement to the Inland Empire Resource Conservation District for the protection of conservation values on 6.19 acres of land at El Dorado Ranch Park as mitigation for the construction of several Capital Improvement Program (CIP) Projects, and
2. Authorize an amount of \$237,577.97 from the FY2016/2017 CIP project budgets to fund the Endowment Agreement between the Inland Empire Resource Conservation District and the United States Army Corps of Engineers for the required mitigation related to the construction of the projects; and
3. Amend the FY2016/2017 CIP by reallocating the amount of \$96,000 from the Live Oak Canyon Road at Wildwood Creek Low Water Crossing Replacement Project to the El Dorado Ranch Park Project; and
4. Authorize the City Manager or his designee to administer the terms of the Conservation Easement; and
5. Authorize the City Manager to execute the necessary documents to complete the recordation of the Conservation Easement.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

P. 461 18. **SUBJECT:** DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR LEAGUE ANNUAL CONFERENCE

RECOMMENDATION: That City Council appoint a Voting Delegate and Voting Alternate for the 2016 League of California Cities Annual Conference.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 465 19. **SUBJECT:** REQUEST FROM YUCAIPA VALLEY HISTORICAL SOCIETY – OLD FIRE STATION MUSEUM

RECOMMENDATION: That City Council:

1. Approve the permanent placement of historic fire memorabilia at the Old Fire Station Museum at 35130 Avenue A; and

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2. Authorize the allocation of up to \$200 for the installation of a concrete pad at the Old Fire Station.

P. 470 **20.** **SUBJECT:** AGREEMENT FOR CROSSING GUARD SERVICES

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute a one (1) year Agreement for Crossing Guard Services between the Yucaipa-Calimesa Joint Unified School District and the City of Yucaipa; and
2. Approve an allocation from the Traffic Safety Fund in the amount of \$14,610 to cover the City's portion of the costs associated with the implementation of the Crossing Guard Services.

P. 482 **21.** **SUBJECT:** "S.T.A.R.S." BEFORE AND AFTER SCHOOL PROGRAM FUNDING

RECOMMENDATION: That City Council:

1. Amend the FY 2016/2017 Adopted Budget by adding \$76,888 in revenues and corresponding expenses to accommodate a new "S.T.A.R.S." Before and After School Program services at the Inland Leaders Charter School including; and
2. Adopt Resolution No. 2016-37, amending Resolution No. 2015-44 Section 1, adding new Community Services Department User Fees (for the "S.T.A.R.S." Program); and
3. Approve and authorize the City Manager to execute a Program Service Agreement between Inland Leaders Charter School and the City of Yucaipa and authorize the City Manager, or his designee, to administer the terms of the Agreement.

P. 527 **22.** **SUBJECT:** 2016 AUTUMNFEST

RECOMMENDATION: That City Council:

1. Review and approve the Special Event Application to conduct a two-day Autumnfest event to be held on Friday and Saturday, October 14 and 15, 2016 in order to commemorate the end of the Certified Farmers Market Season and traditional fall activities in the Historic Uptown District; and
2. Waive the Special Event Permit Application fee of \$15; and
3. Review and approve the event site plan and associated street closures; and
4. Approve a Beer Garden for the event and boundary configuration; and
5. Approve the Autumnfest proposed budget; and
6. Approve the live entertainment selection.

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. 538 **23. SUBJECT:** CONSIDERATION OF A DEVELOPMENT CODE AMENDMENT (ORDINANCE NO. 346) INITIATED BY THE CITY AMENDING VOLUME II (DEVELOPMENT CODE) OF THE YUCAIPA MUNICIPAL CODE TO AMEND CHAPTER 3, "LAND USE DISTRICTS," OF DIVISION 4, "LAND USES," ESTABLISHING THE PARK (P) LAND USE DISTRICT AND ESTABLISHING DEVELOPMENT STANDARDS FOR THAT DISTRICT; TO AMEND CHAPTER 3 (RESOURCE PRESERVATION) OF DIVISION 5 (OVERLAY DISTRICTS) TO ESTABLISH A HILLSIDE OVERLAY DISTRICT AND AMENDING CHAPTER 11 (REGULATION OF HILLSIDE AND/OR RIDGELINE DEVELOPMENTS) OF DIVISION 7 (GENERAL DESIGN STANDARDS); AND, TO AMEND CHAPTER 4 (LAND USE MODIFICATIONS) OF DIVISION 5 (OVERLAY DISTRICTS) TO ESTABLISH A COLLEGE VILLAGE OVERLAY DISTRICT AND TO ADOPT OVERLAY DISTRICT GUIDELINES CONSISTENT WITH THE GENERAL PLAN AS UPDATED IN 2016.

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

1. Approve first reading, by title only, as read by staff, of Ordinance No. 346 initiated by the City to amend Chapter 3, "Land Use Districts," of Division 4, "Land Uses," establishing the Park (P) Land Use District and establishing Development Standards for that District; to amend Chapter 3 (Resource Preservation) of Division 5 (Overlay Districts) to establish a Hillside Overlay District And Amending Chapter 11 (Regulation Of Hillside and/or Ridgeline Developments) of Division 7 (General Design Standards); and, to amend Chapter 4 (Land Use Modifications) of Division 5 (Overlay Districts) to establish a College Village Overlay District and to adopt Overlay District Guidelines consistent with the General Plan as updated in 2016; and,
2. Adopt the Findings as contained in the Agenda Report; and,

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3. Find that the adoption of the ordinance and the adoption of the College Village Overlay District Guidelines are within the scope of the General Plan Environmental Impact Report (EIR) pursuant to Section 15183 of the CEQA Guidelines in that the General Plan and General Plan EIR analyzed the impacts associated with the potential land uses and ultimate development contemplated by the College Village; and
 4. Direct Staff to file a Notice of Determination subsequent to adoption of the Ordinance.

P. 611 **24. SUBJECT: ESTABLISHMENT OF LIENS FOR THE COLLECTION OF UNPAID CIVIL FINES AND PENALTIES**

RECOMMENDATION: That City Council conduct a public hearing and subsequently adopt Resolution No. 2016 – 32, to forward the amounts remaining unpaid on the Certified Record of Delinquent Code Enforcement Civil Fines and Penalties to the County of San Bernardino Recorder for recordation as a lien against the subject properties.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2016-09, Roby P. Choo

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2016-07, Carol Hoertig

Public Employee Performance Evaluation [Gov't Code §54957] - City Manager

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 – Match Corporation v. KAD Paving Company, Donald J. Wheeler, Jr., and City of Yucaipa.

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Parcel No(s). 1, 2 of Parcel Map No. 3621 (formerly identified as APN No(s). 0318-013-07, 0318-013-08) - City Negotiator: Ray Casey, City Manager - Negotiating Parties: City of Yucaipa - Under Negotiation: Price and Terms of Payments

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Portions of APN Nos. 301-201-08, 301-201-10, 301-201-12, 301-201-13, 301-201-24, 301-163-05, 301-163-07, 301-181-04, 301-191-14, 301-191-15, 301-221-09, 318-213-07, 318-213-09, 318-071-07, 318-071-10, 318-111-14, 318-111-15, 318-111-01 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: Robinson Ranch Investment Co. - 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.

ADJOURNMENT