



Regular City Council Meeting Agenda

August 10, 2015 - 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 PRESENTATIONS

Suveg Cellars and Vineyard Recognition

Yucaipa Explorer Program

YMAF & Flower Basket Volunteer Recognition

CONSENT AGENDA

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. 7 **1.** **SUBJECT:** APPROVE SPECIAL MEETING COUNCIL MINUTES OF JULY 13, 2015
RECOMMENDATION: That City Council approve Special Meeting City Council Minutes of July 13, 2015.

P. 10 **2.** **SUBJECT:** APPROVE COUNCIL MINUTES OF JULY 13, 2015
RECOMMENDATION: That City Council approve City Council Minutes of July 13, 2015.

P. 23 **3.** **SUBJECT:** AWARD OF CONTRACT- PURCHASE OF ONE (1) 2015 CHEVROLET COLORADO, ONE (1) 2015 F-150 SUPER CAB AND ONE (1) 2015 F-150 CREW CAB
RECOMMENDATION: That City Council award and authorize the City Manager to execute a purchase contract with National Auto Fleet Group, and the City Manager or his designee to administer the purchase of one (1) 2015- Chevrolet Colorado 2WD Crew Cab in the amount of \$25,427.62, one (1) 2015- Ford F150 2WD Crew Cab in the amount of \$27,946.43 and one (1) 2015- Ford F150 2WD Super Cab in the amount of \$25,436.98.

P. 51 **4.** **SUBJECT:** AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT
RECOMMENDATION: That City Council approve and authorize the Mayor to execute an amendment to the City Manager’s Employment Agreement, effective with the first pay period of July, which begins on July 10, 2015, authorizing:

1. An adjustment to the annual base salary to reflect a cost of living adjustment in an amount equal to 3% and an increase in City paid deferred compensation of \$310.00 annually; and
2. 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 2015-2016, is 5% with 2% paid by the employee.

P. 54 **5.** **SUBJECT:** AWARD OF CONTRACT – POLICE STATION MAINTENANCE PROGRAM-PROJECT NO. 10963 - 1ST EXTENSION

RECOMMENDATION: That City Council award and authorize the Mayor to execute a contract extension, and the City Manager or his designee to administer the terms of the contract extension to Homer’s Janitorial Service in the amount of \$36,867.36 for the “Police Station Maintenance Program- Project No. 10963- 1st Extension.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 58 **6. SUBJECT: 2015 YUCAIPA MUSIC AND ARTS FESTIVAL – EVENT WRAP-UP**

RECOMMENDATION: That City Council receive and file the 2015 Yucaipa Music and Arts Festival event wrap-up report outlined in this staff report and provide direction regarding the 2016 Festival.

P. 64 **7. SUBJECT: AUTUMNFEST**

RECOMMENDATION: That City Council:

1. Approve the Special Event Application to conduct a two-day Autumnfest event to be held on Friday and Saturday, September 25 and 26, 2015 in order to commemorate the end of the Certified Farmers Market Series and traditional fall activities in the Historic Uptown District; and
2. Approve the Autumnfest configuration and associated street closures; and
3. Approve a beer garden for the event in the areas specified; and
4. Approve the live entertainment selection.

P. 75 **8. SUBJECT: ORDINANCE NO. 337 REGARDING SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM PERMITS**

RECOMMENDATION: That City Council:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 337, amending the Yucaipa Municipal Code, adding Section 15.04.140 to Chapter 15.04 (Construction Codes Adopted), Title 15 (Buildings and Construction) regarding a streamlined permitting process for small residential rooftop solar energy systems; and
2. Find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) and that the proposed Municipal Code text amendments will have no significant negative effect on the environment.

P. 81 **9. SUBJECT: FACILITY MODIFICATION CONSIDERATIONS**

RECOMMENDATION: That the City Council review potential modifications to the Transit Center restroom facility and Center Park gazebo.

P. 84 **10. 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. 95 **11.** **SUBJECT:** NEW FIRE ENGINE PURCHASE/NEW RESCUE VEHICLE PURCHASE

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 with Kovatch Mobile Equipment (KME) Fire Apparatus of Ontario California, for the purchase of one new Type 1 fire engine in the amount of \$502,405.00; and
2. Authorize the advance payment equal to 90% of the acquisition price upon order for a discount in the amount of \$13,564.00 for the net cost in the amount of \$488,841 plus tax \$39,107 for a total cost of \$527,948; and
3. Dispense with the formal bidding procedures required by section 2.40.060 of Ordinance No. 90-42, upon finding that it is impractical to follow such procedures for the purchase of a fire engine, and that the public welfare would be promoted by dispensing with the same; and
4. Approve the purchase of associated equipment not to exceed \$65,000 in order to outfit it with up to date nozzles, breathing apparatus, tools and rescue equipment; and
5. Determine that the 1991 Beck fire engine (license number E-347014) is unfit for further duty and deem it a surplus vehicle that which therefore may be disposed; and
6. Donate the 1991 Beck fire engine (license number E-347014) to the Crafton Hills College Foundation; and
7. Approve and authorize the Mayor to execute a contract, and the City Manager or his designee to administer the terms of the contract with Race Car Dynamics (RCD) of El Cajon California, for the purchase of a new Rescue Vehicle for the net cost in the amount of \$27,160.00 plus tax and license fees in the estimated amount of \$2,430.00 for a total cost of \$29,590.00; and
8. Dispense with the formal bidding procedures required by section 2.40.060 of Ordinance No. 90-42, upon finding that it is impractical to follow such procedures for the purchase of a rescue vehicle, and that the public welfare would be promoted by dispensing with the same.

P. 104 **12.** **SUBJECT:** AGREEMENT WITH DAVID TURCH AND ASSOCIATES

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute an agreement with David Turch and Associates for the not to exceed amount of \$12,000 for the period of time between August 2015 and October 2015; and
2. Allocate \$12,000 from the FY 2015/2016 Contingency Fund.

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. 109 **13. 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. 2015 – 47, 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.

STUDY SESSION

- P.136 **14. SUBJECT: PROPERTY ANNEXATION**

RECOMMENDATION: That the City Council conduct a Study Session and provide direction regarding a proposal to annex a portion of property located within the City's Sphere of Influence along the northern boundary and the appropriate land use designations.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Govt. Code §54956.9(d)(4)] - 1 item

Conference with Legal Counsel – Pending Litigation [Govt. Code §54956.9(d)(1)]: 2 Items:

FM & Sons Inc. v. City of Yucaipa; Superior Court of the State of California, San Bernardino County, Case No. CIV DS1507447.

Lin v. The Bank of New York Mellon, et al; Superior Court of the State of California, San Bernardino County, Case No. CIV DS1412878.

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: APN Nos. 0303-253-33, 0303-253-38, 0303-253-39 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: City of Yucaipa - Under Negotiation: Price and Terms of Payments

ADJOURNMENT