



**Regular City Council
Meeting Agenda**

August 28, 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

Youth Advisory Committee Special Presentation

EMPLOYEE INTRODUCTION

CONSENT AGENDA (ITEM NOS. 1 THROUGH 5)

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 COUNCIL MINUTES OF AUGUST 14, 2017

RECOMMENDATION: That City Council approve City Council Minutes of August 14, 2017.

P.17 **2.** **SUBJECT:** DUNLAP NEIGHBORHOOD PARK - OUTDOOR ENVIRONMENTAL EDUCATION FACILITIES GRANT

RECOMMENDATION: That City Council adopt Resolution No. 2017-34, approving the submittal of a grant application in the amount of \$300,900.00 to fund a component of the construction of the Dunlap Neighborhood Park Project.

P. 22 **3.** **SUBJECT:** FIRST AMENDMENT TO THE EXCLUSIVE NEGOTIATING AGREEMENT REGARDING THE WILSON III BASIN PROJECT

RECOMMENDATION: That City Council approve the First Amendment to the Exclusive Negotiating Agreement by and between KB Home California LLC and the City of Yucaipa regarding the Wilson III Basin Project.

P. 34 **4.** **SUBJECT:** REGIONAL HOMELAND SECURITY GRANT ACCEPTANCE FIRE DEPARTMENT

RECOMMENDATION: That City Council:

- 1.** Approve the acceptance of the 2016/2017 Regional Homeland Security Grant award for a total in the amount of \$14,000 for the purchase of four Toughbook computers for use in response to incidents involving patient care reporting; and
- 2.** Approve and authorize the acquisition of four Toughbook computers for use in response to incidents where patient care reporting is required in the amount of \$14,400; and
- 3.** Allocate the local match amount of \$400 from the Fire Services Contingency account.

P. 35 **5.** **SUBJECT:** NEW TYPE III FIRE ENGINE 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 III fire engine in the amount of \$393,984; and
- 2.** Authorize the advance payment equal to 90% of the acquisition price upon order for a discount in the amount of \$15,200 for the net cost in the amount of \$364,800, plus tax in the amount of \$29,184, for a total cost of \$393,984; 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. Declare the 1995 Mack Fire Engine as surplus equipment and direct the City Manager, or his designee, to dispose of the engine, pursuant to the provisions identified in the City of Yucaipa Purchasing Policies and Procedures.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

- P. 37 6. **SUBJECT:** AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute an amendment to the City Manager's Employment Agreement for a three year term, effective with the first pay period of July, which begins on July 7, 2017, authorizing:
 - a). An adjustment to the total annual salary amount reflecting a cost of living adjustment in the total amount equal to 4.5%, applied to the annual base salary and the deferred compensation contribution paid by the City, such that the salary amount be increased by \$17,186 and the City paid deferred compensation contribution be reduced by \$6,767, resulting in an increase in the salary amount to \$241,945 in the first pay period of July 2017; and the salary amount shall be increased by an additional four and one-half percent (4.5%) in the first pay period of July 2018, and an additional four and one-half percent (4.5%) in the first pay period of July 2019; and
 - b). A reduction to the City paid employee's contribution to the California Public Employees Retirement System from the current amount of 4% by 1.33% each year of the three year period, such that the City contribution in 2017-2018 is 2.67%, with 4.33% paid by the employee; in 2018-2019, 1.33% with 5.66% paid by the employee; and in 2019-2020, 0% with 7% paid by the employee; and
 - c). An increase in the amount allotted for monthly benefits by the amount of \$100, effective in July, 2017; and
 - d). The closure of City facilities between Christmas Day and New Year's Eve.
2. Adopt Resolution 2017-38, amending Resolution No. 2017-28 to reflect the City Manager's Compensation on the Management, Supervisory and Confidential Salary Schedule.

P. 43 **7.** **SUBJECT:** 2017 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 13 and 14, 2017; 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 and boundary configuration for the event; and
5. Approve the Autumnfest proposed budget; and
6. Approve the live entertainment selection.

P. 55 **8.** **SUBJECT:** ESTABLISH STANDING YUCAIPA MUSIC AND ARTS FESTIVAL COMMITTEE

RECOMMENDATION: That City Council adopt Resolution No. 2017-39 establishing the Yucaipa Music and Arts Festival Committee and select two (2) members of the City Council to serve on the committee.

P. 61 **9.** **SUBJECT:** 2017 MAKE A DIFFERENCE DAY PROJECTS

RECOMMENDATION: That City Council review and approve the proposed 2017 Make a Difference Day projects.

P. 68 **10.** **SUBJECT:** ACQUISITION OF PROPERTY – PURCHASE TAX-DEFAULTED PROPERTY FROM THE COUNTY OF SAN BERNARDINO (APN. 0319-132-18)

RECOMMENDATION: That the City Council:

1. Approve the acquisition of one parcel totaling approximately 22,900 square feet (0.52 acres), APN 0319-132-18, located south of Avenue E between 2nd Street and 3rd Street, for an amount not-to-exceed \$1,350; and
2. Approve the amount up to \$1,000 for acquisition costs, closing costs, and other miscellaneous costs associated with the acquisition of the property for a total budget in the amount of \$2,350; 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. 75 **11. SUBJECT:** CONSIDERATION OF REPEAL OF SEX OFFENDER RESIDENCY RESTRICTION ORDINANCE

RECOMMENDATION: That City Council approve first reading, by title only, as read by staff, of Ordinance No. 361, repealing the City’s sex offender residency restriction ordinance codified in Chapter 9.28 of the Yucaipa Municipal Code.

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. 81 **12. 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. 2017 – 40, 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.

P. 109 **13. SUBJECT:** APPROVAL OF USER FEE UPDATE FOR THE COMMUNITY SERVICES DEPARTMENT (CONTINUED FROM THE AUGUST 14, 2017 MEETING)

RECOMMENDATION: That City Council conduct the Continued Public Hearing and adopt Resolution No. 2017-29, Rescinding Resolution No.s 2015-44 and 2016-37, and adopting revised Exhibit A – User Fee Schedule for various community services programs provided by the City.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov’t Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2017-07, Rosemarie Cannataro

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: (Portion of) APN No(s). 303-273-36, 303-273-39, 322-022-13, and 319-063-41, and - City Negotiator: Ray Casey, City Manager - Negotiating Parties: Michelle Jackson Bradley- Under Negotiation: Price and Terms of Payments

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: 33233 Yucaipa Boulevard (formerly identified as APN Nos. 318-013-07, 318-013-08) - City Negotiator: Ray Casey, City Manager - Negotiating Parties: City of Yucaipa - Under Negotiation: Disposition of Property by City

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: (Portion of) APN Nos. 0321-142-18 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: Avtar Singh Gore, Savita Kumari Gore, Rakesh K. Sohal and Akash Sohal, all as Joint Tenants - Under Negotiation: Price and Terms of Payments

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: (Portion of) APN No(s). 303-181-08 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: Calvary Chapel Yucaipa Wildwood Christian- Under Negotiation: Price and Terms of Payments

ADJOURNMENT