



Regular City Council Meeting Agenda

September 12, 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 PRESENTATIONS

Dr. Wei Zhou, President, Crafton Hills College

Retirement of Military Banners

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. 8 **1. SUBJECT: APPROVE COUNCIL MINUTES OF AUGUST 22, 2016**

RECOMMENDATION: That City Council approve City Council Minutes of August 22, 2016.

P. 23 **2.** **SUBJECT:** APPROVE SPECIAL COUNCIL MINUTES OF AUGUST 29, 2016

RECOMMENDATION: That City Council approve Special City Council Minutes of August 29, 2016.

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

RECOMMENDATION: That City Council:

1. Accept the contract work completed by Mazza’s Home Improvement Inc., of Yucaipa in the total amount of \$23,520 for the Scherer Center Exterior Painting – Project No. 11028; and
2. Approve the final payment for the project; and
3. Authorize the recordation of the Notice of Completion.

P. 31 **4.** **SUBJECT:** AGREEMENT AMENDMENT NO. 1 - CONSTRUCTION MANAGEMENT SERVICES AND PROJECT ENGINEERING MANAGEMENT SERVICES FOR VARIOUS ENGINEERING PROJECTS

RECOMMENDATION: That City Council approve Amendment No. 1 and authorize the City Manager or his designee to execute and administer the terms of the amendment to the Agreement with TranSystems Corporation in the not-to-exceed amount of \$180,000 to provide on-call Construction Management Services for various engineering projects for Fiscal Year 2016/2017-2017/2018.

P. 36 **5.** **SUBJECT:** ANNEXATION OF TRACT MAP NO. 16030 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “KK”)

RECOMMENDATION: That City Council:

1. Approve Resolution No. 2016-33 initiating proceedings for the annexation of Tract Map No. 16030 into the Landscaping and Lighting Maintenance District No. 1 and fixing a Time and Place to Conduct a Public Hearing and Assessment Ballot proceedings at 6:00 p.m. on November 14, 2016 in compliance with Proposition 218; and
2. Adopt the methodology for and enact the assessments therein.

P. 43 **6.** **SUBJECT:** AUTHORIZATION TO APPLY FOR FUNDING FROM THE HABITAT CONSERVATION FUND PROGRAM FOR THE OAK GLEN ROAD TRAIL HEAD PROJECT

RECOMMENDATION: That the City Council adopt Resolution No. 2016-35 approving and authorizing the submittal of a grant application requesting \$100,500 in funding for the construction and development of the Oak Glen Road Trail Head Project from the Habitat Conservation Fund Grant Program.

- P. 48 **7.** **SUBJECT:** CITY OF YUCAIPA (CASE NO. 16-076/DCA); DEVELOPMENT CODE AMENDMENT (ORDINANCE NO. 345) INITIATED BY THE CITY TO AMEND VOLUME II (DEVELOPMENT CODE) OF THE YUCAIPA MUNICIPAL CODE AS PART OF IMPLEMENTATION OF THE 2016 GENERAL PLAN TO UPDATE THE DEFINITIONS OF SOCIAL CARE FACILITY, BOARDING HOUSE, SINGLE-FAMILY HOUSEKEEPING UNIT, AND OTHER RELATED DEFINITIONS, AND UPDATING REGULATIONS AND ALLOWABLE LAND USES RELATED TO LARGE AND SMALL RESIDENTIAL CARE FACILITIES, PAROLEE HOMES, BED AND BREAKFAST LODGES, BOARDING HOUSES, AND ADDITIONAL USES IN THE RL, RS, RM, AND PD LAND USE DISTRICTS

RECOMMENDATION: That City Council waive further reading and adopt Ordinance No. 345, initiated by the City to amend Volume II (Development Code) of the Yucaipa Municipal Code as part of implementation of the 2016 General Plan to update the definitions of social care facility, boarding house, single-family housekeeping unit, and other related definitions, and updating regulations and allowable land uses related to large and small residential care facilities, parolee homes, bed and breakfast lodges, boarding houses, and additional uses in the RL, RS, RM, and PD Land Use Districts

- P. 81 **8.** **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

RECOMMENDATION: That City Council waive further reading and adopt 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.

- P. 88 **9.** **SUBJECT:** CONSIDERATION OF A DEVELOPMENT CODE AMENDMENT (ORDINANCE NO. 349) INITIATED BY THE CITY AMENDING VOLUME II (DEVELOPMENT CODE) OF THE YUCAIPA MUNICIPAL CODE 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)

RECOMMENDATION: That City Council waive further reading and adopt Ordinance No. 349, initiated by the City 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).

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

- P. 97 **10.** **SUBJECT:** LEAGUE OF CALIFORNIA CITIES 2016 ANNUAL CONFERENCE RESOLUTIONS PACKET

RECOMMENDATION: That City Council consider the following resolution introduced by the League of California Cities and determine a City position that the voting delegate can represent at the Annual Business Meeting:

1. RESOLUTION COMMITTING THE LEAGUE OF CALIFORNIA CITIES TO SUPPORTING VISION ZERO, TOWARD ZERO DEATHS, AND OTHER PROGRAMS OR INITIATIVES TO MAKE SAFETY A TOP PRIORITY FOR TRANSPORTATION PROJECTS AND POLICY FORMULATION, WHILE ENCOURAGING CITIES TO PURSUE SIMILAR INITIATIVES.

- P. 124 **11.** **SUBJECT:** COMMUNITY ACTIVITY GRANT ACCOUNTABILITY REPORTS FOR FISCAL YEAR 2015/2016 GRANT CYCLE AND FISCAL YEAR 2016/2017 IN-KIND GRANT REQUESTS FROM THE SAN BERNARDINO COUNTY SHERIFF – YUCAIPA EXPLORER POST, GIRL SCOUT TROOP #394 AND INLAND LEADERS CHARTER SCHOOLS

RECOMMENDATION: That City Council:

1. Receive the FY 2015/2016 Community Activity Grant Accountability Report and deem the program requirements complete for Inland Leaders Charter School – Student Production of Wizard of Oz and Yucaipa Youth Basketball, Inc. – Ziemann Memorial Basketball Tournament; and
2. Review and consider the FY 2016/2017 Community Activity Grant Application submitted by the San Bernardino County Sheriff – Yucaipa Explorer Post by requesting \$495 for in-kind support; and
3. Review and consider the FY 2016/2017 Community Activity Grant Application submitted by Girl Scouts of San Gorgonio Troop #394 requesting \$520 for in-kind support; and
4. Review and consider the FY 2016/2017 Community Activity Grant Application submitted by Inland Leaders Charter School requesting \$2,555 for in-kind support.

- P. 171 **12.** **SUBJECT:** APPOINTMENTS TO THE VECTOR CONTROL COMMITTEE

RECOMMENDATION: That the City Council appoint four (4) members to the Vector Control Committee (three (3) representing the General Public and one (1) representing the Poultry Industry) and direct as appropriate any change to the current meeting schedule.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 188 13. **SUBJECT:** AWARD OF BIDS FOR THE CONSTRUCTION OF THE YUCAIPA PERFORMING ARTS CENTER AND ESTABLISH A BUDGET ACCOUNT FOR THE YUCAIPA COMMUNITY FOUNDATION

RECOMMENDATION: That City Council:

1. Approve and authorize a loan from the General Fund Unassigned Fund Balance to the Public Facilities Fee Fund and allocate the additional amount of \$2,420,029, increasing the total project budget for the Yucaipa Performing Arts Center to \$16,195,870; and
2. Authorize a construction contingency for the Yucaipa Performing Arts Project of three percent (3%) of the combined bid amount; and
3. Accept letters of withdrawal from Oakview Constructors, Inc., McKernan Inc., and Construction Hardware Co., and reject all bids for Category 17 – Heating Ventilation Air Conditioning and re-bid this portion of the project with the revised specifications; and
4. Approve and authorize the Mayor to execute a Professional Services Agreement with Neff Construction, Inc., in the amount of \$1,257,370 for Construction Management Services of the Yucaipa Performing Arts Center, Urban Park and Parking Lot (Phases II and III) and authorize the City Manager or his designee to administer the terms of the Agreement; and
5. Award and authorize the Mayor to execute contracts with the apparent responsive low bidders for the following categories:

	<u>Category</u>	<u>Company</u>	<u>Base Bid</u>
Cat. 3	Concrete	Bogh Engineering, Inc.	1,099,000
Cat. 4	Masonry	Winegardner Masonry, Inc.	169,899
Cat. 5	Structural Steel	Construction Contractors Corp., Inc.	1,991,911
Cat. 7	Gypsum/Plaster	Caston, Inc.	1,098,985
Cat. 8	Casework	Stolo Cabinets, Inc.	449,582
Cat. 10	Sheet Metal	Risher Sutherland, Inc. dba United Contractors	379,000
Cat. 11	Glass & Glazing	Queen City Glass Co.	385,447
Cat. 12	Ceramic Tile	Inland Pacific Tile, Inc.	40,000

	<u>Category</u>	<u>Company</u>	<u>Base Bid</u>
Cat. 13	Acoustical	Southcoast Acoustical Interiors, Inc.	43,500
Cat. 14	Flooring	Donald M. Hoover Co.	47,911
Cat. 15	Painting	Simmons & Wood, Inc.	118,892
Cat. 16	Specialties	W.D. Gott Construction Co.	999,000
Cat. 18	Plumbing	JPI Development Group, Inc.	429,000
Cat. 19	Electrical	So. Cal. West Coast Electric, Inc.	1,850,500
Cat. 20	Fire Sprinklers	Daart Engineering Company, Inc.	119,892
Cat. 21	Doors & Hardware	Inland Building Construction Co., Inc.	243,900
Cat. 38	Theater Rigging	Janson Industries	218,200

6. Adopt Resolution No. 2016-43 finding that it is necessary to procure an environmental control and energy management system for the Heating Ventilation Air Conditioning (HVAC) system for the Yucaipa Performing Arts Center project from a single source, as authorized by California Public Contract Code §3400(C)(2); and
7. Establish a FY 2016/2017 Budget Account for the Yucaipa Community Foundation (YCF), transfer the previous fundraising costs of \$7,981 from the YPAC construction account to the YCF Account, and authorize a loan the amount of \$50,000 to the YCF Account from the General Fund Contingency Account to serve as fundraising start-up revenue.

P. 287 **14.** **SUBJECT:** FACILITY LEASE AGREEMENT FOR THE CITY PROPERTY LOCATED AT 35130 AVE. A

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a ten-year Facility Lease Agreement between the City of Yucaipa and Yucaipa Valley Historical Society for the Historic Fire Station located at 35130 Ave. A.

P. 299 **15.** **SUBJECT:** MOBILEHOME RENT STABILIZATION ORDINANCE AND RESOLUTION

RECOMMENDATION: That City Council:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 351, amending Sections 15.20.010, 15.20.085(A)(1) and 15.20.085(E) of Chapter 15.20 of Title 15 of the Yucaipa Municipal Code (YMC) pertaining to Rent Stabilization in Mobilehome Parks; and
2. Adopt Resolution No. 2016-44, amending Resolution No. 2011-52, adding Section 5.0010, renumbering Section 5.0010 as 5.0011, and amending Sections 6.0004(E)(1) and 6.0004(G).

P. 308 **16. SUBJECT: YUCAIPA VALLEY WATER DISTRICT AGREEMENTS**

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute a Sewer Utility Agreement between the City of Yucaipa and the Yucaipa Valley Water District for the installation and relocation of waterlines and appurtenances associated with the Yucaipa Boulevard Widening Project-Phase I, 18th Street to the I-10 Freeway; and
2. Approve and authorize the City Manager to execute a Water and Utilities Agreement between the City of Yucaipa and the Yucaipa Valley Water District for the installation and relocation of waterlines and appurtenances associated with the Yucaipa Performing Arts Center.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2016-08, Quan Am Buddhist Meditation

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2016-10, Marion Shymanski

Conference with Labor Negotiator [Govt. Code §54957.6] 1 item – Agency Negotiators: Mayor and Mayor Pro-Tem; Unrepresented Employee - City Manager

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Portion of APN Nos. 0319-091-19, 0319-121-27, 0319-441-07, 0319-031-52, 0319-042-01, 0319-121-16 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: Michael K. Pool and Cindy E. Pool, Steven Mohr and Cammy Lamson Mohr, Shirley A. Bowman, Sergio Candelas and Maria Yolanda Martinez, Peter G. Veldman and Mary M. Veldman, Fregoso Family Trust, Jose G. and Judith Fregoso - Under Negotiation: Price and Terms of Payments

ADJOURNMENT