



Regular City Council Meeting Agenda

December 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

CONVENE CITY COUNCIL

- P. 11 1. **SUBJECT:** ELECTION RESULTS OF THE NOVEMBER 8, 2016 GENERAL MUNICIPAL ELECTION

RECOMMENDATION: That City Council adopt Resolution No. 2016-61, reciting the facts and declaring the results of the November 8, 2016 General Municipal Election held in the City of Yucaipa.

CEREMONIAL

SWEAR IN NEW OFFICERS AND ISSUE CERTIFICATES OF ELECTION

CONSENT AGENDA (ITEM NOS. 1 THROUGH 12)

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. 19 **2.** **SUBJECT:** APPROVE SPECIAL MEETING COUNCIL MINUTES OF DECEMBER 2, 2016.
- RECOMMENDATION:** That City Council approve Special Meeting City Council Minutes of December 2, 2016.
- P. 20 **3.** **SUBJECT:** APPROVE REGULAR MEETING COUNCIL MINUTES OF NOVEMBER 28, 2016
- RECOMMENDATION:** That City Council approve regular meeting City Council Minutes of November 28, 2016.
- P. 25 **4.** **SUBJECT:** AWARD OF CONTRACT – SCHERER CENTER INTERIOR PAINTING – PROJECT NO. 11051
- RECOMMENDATION:** That City Council:
1. Award and authorize the Mayor to execute a contract in the amount of \$36,000 with U.S. National Corp., of Pacoima, CA for the Scherer Center Interior Painting – Project No. 11051 (including the Nutrition Center); and
 2. Approve the amount of \$1,000 for construction contract contingency and the amount of \$500 for construction contract administration and inspection, for a total construction budget in the amount of \$37,500; and
 3. Approve the Plans and Specifications prepared for this project.
- P. 29 **5.** **SUBJECT:** FACILITY USE AGREEMENTS BETWEEN THE CITY OF YUCAIPA AND YOUTH SPORTS ORGANIZATIONS
- 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

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2. Approve and authorize the City Manager to execute a Facility Use Agreement Amendment between the City and the Yucaipa Valley National Little League, for use of facilities; and
 3. Approve and authorize the City Manager to execute a Facility Use Agreement between the City and the Yucaipa Valley American Little League, for use of facilities; and
 4. Approve and authorize the City Manager to execute a Facility Use Agreement between the City and the Yucaipa-Calimesa Amateur Softball Association, for use of facilities; and
 5. Approve and authorize the City Manager to execute a Facility Use Agreement between the City and the Yucaipa Youth Basketball, Inc., for use of facilities; and
 6. Approve and authorize the City Manager to execute a Facility Use Agreement between the City and the Yucaipa Valley Youth Soccer/Spartans for use of facilities; and
 7. Approve and authorize the City Manager to execute a Facility Use Agreement between the City and Live Fytt, Inc., for use of facilities; and
 8. Authorize the City Manager, or his designee, to administer the terms of the Agreements.

P. 343 **6.** **SUBJECT:** AWARD OF CONTRACT – 7TH STREET PARK BASKETBALL COURT RESURFACING - PROJECT NO. 11052

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 \$17,990 with Taylor Tennis Courts, Inc., of Rancho Santa Margarita, CA for the 7th Street Park Basketball Court Resurfacing - Project No. 11052 (the “Project”); and
2. Approve the amount of \$1,000 for contract contingencies and the amount of \$500 for construction administration and inspection, for a total construction budget in the amount of \$19,490; and
3. Approve the Plans and Specifications prepared for the Project.

P. 347 **7.** **SUBJECT:** AWARD OF CONTRACT – O&M SERVICES FOR CITY-OWNED FACILITIES HVAC SYSTEM AT VARIOUS LOCATIONS, PROJECT NO. 11054

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 \$27,786 with Allison Mechanical Inc., of Redlands, CA for O&M Services for City-Owned Facilities HVAC System at Various Locations, Project No. 11054 (the “Project”); and

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

P. 404 8. **SUBJECT:** AWARD OF CONTRACT – RESTROOM FACILITY AT OAK GLEN ROAD NEIGHBORHOOD PARK/SOCCER COMPLEX– PROJECT NO. 11044

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$216,283.50 (Base Bid, Additive Alternate No. 1 and Additive Alternate No. 2), with Three Peaks Corporation of Calimesa, CA for the Restroom Facility at Oak Glen Neighborhood Park/Soccer Complex Project– Project No. 11044; and
2. Approve the amount of \$10,000 for construction contract contingency and the amount of \$9,000 for construction contract administration and inspection, for a total construction budget in the amount of \$235,283.50; and
3. Amend the adopted FY 2016/2017 Capital Improvement Program by transferring the amount of \$80,000 in Park Capital Replacement Fund funding to the Oak Glen Road Neighborhood Park Project from the California Street at Wildwood Creek Soccer Park Project; and
4. Approve the Plans and Specifications prepared for the Project.

P. 411 9. **SUBJECT:** AWARD OF CONTRACT – VISION QUEST GALLERY – 35157 YUCAIPA BLVD. MODIFICATION, PROJECT NO. 11041

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 \$14,725, with Town and Country Construction, of Yucaipa, CA for the Vision Quest Gallery – 35157 Yucaipa Blvd. Modification, Project No. 11041 (the “Project”); and
2. Approve the amount of \$1,500 for contract contingencies and the amount of \$1,500 for construction administration, design and inspection, for a total Project construction budget in the amount of \$17,725; and
3. Amend the Fiscal Year 2016/2017 CIP to add the Project and to allocate the amount of \$17,725 to the Project from Annual Miscellaneous Park Replacement Account Carryover funds; and
4. Approve the Plans and Specifications prepared for the Project.

P. 416 10. **SUBJECT:** AWARD OF CONTRACT – WIRE-IN EMERGENCY GENERATOR AT FIRE STATION NO. 2, PROJECT NO. 11038

RECOMMENDATION: That City Council:

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1. Award and authorize the Mayor to execute a contract in the amount of \$18,400 with AG Engineering, Inc., for the Wire-in Emergency Generator at Fire Station No. 2, Project No. 11038 (Project); and
 2. Approve the amount of \$1,100 for contingencies for the Project and the amount of \$500 for construction administration and inspection, for a total construction budget in the amount of \$20,000; 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. 422 **11.** **SUBJECT:** 2016-2017 BUDGET AMENDMENT, POLICE SERVICES DEPARTMENT

RECOMMENDATION: That City Council:

1. Approve and authorize an amendment to the 2016-2017 Adopted Budget to reflect an increase in the Law Enforcement Services Contract between the City of Yucaipa and the San Bernardino County Sheriff's Department by the amount of \$305,319; and
2. Allocate the amount of \$175,000 from the 2015-2016 police service credits carryover account and the amount of \$130,319 from anticipated credit/savings in the 2016-2017 police personnel contract account resulting from scheduled vacancies and/or absences for a total allocation in the amount of \$305,319.

P. 440 **12.** **SUBJECT:** CONSERVATION SERVICES AGREEMENT-INLAND EMPIRE RESOURCE CONSERVATION DISTRICT

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute a Conservation Services Agreement between the Inland Empire Resource Conservation District (IERCD) and the City of Yucaipa (City) for the oversight of conservation values on 6.19 acres of land at El Dorado Ranch Park as mitigation for the necessary environmental impacts associated with the construction of several Capital Improvement Program (CIP) Projects; and
2. Authorize an amount not-to-exceed \$73,389.83 from the FY2016/2017 CIP project budgets to fund the Conservation Services Agreement between the IERCD and the City for the required oversight related to the mitigation of the projects; and
3. Authorize the City Manager or his designee to administer the terms of the Conservation Services Agreement; and
4. Authorize the City Manager to work with IERCD to make minor adjustments to the Conservation Services Agreement language as necessary, provided that if any significant changes are made, the Agreement will be brought back to City Council for further consideration.

PUBLIC COMMENT

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

P. 483 **13. SUBJECT: MAYOR AND MAYOR PRO TEMPORE SELECTION PROCESS**

RECOMMENDATION: That City Council:

1. Review and consider possible options for the process of selecting a Mayor and Mayor Pro Tempore; and
2. If Council chooses to make no changes to the selection process, that City Council choose one of its members as Mayor and another of its members as Mayor Pro Tempore as outlined in Resolution No. 94-31; or
3. If Council chooses to select a new process, direct staff to return to Council to consider amendments to Resolution No. 94-31 and conduct the annual Council reorganization pursuant to the amended process.

P. 488 **14. SUBJECT: CITIZEN SERVICE APPOINTMENTS TO VARIOUS COMMISSIONS AND COMMITTEES**

RECOMMENDATION:

1. That Councilmembers Avila, Bogh, Duncan, Hoyt, and Riddell each appoint one member to the Healthy Yucaipa Committee, and that the City Council appoint two at-large members to the Healthy Yucaipa Committee; and
2. That City Council appoint five at-large members to the Mobilehome Rent Review Commission; and
3. That Councilmembers Avila, Bogh, Duncan, Hoyt, and Riddell each appoint one member to the Parks and Recreation Commission; and
4. That Councilmembers Avila, Bogh, Duncan, Hoyt, and Riddell each recommend and nominate one member for appointment to the Planning Commission, and that the City Council appoint two at-large members to the Planning Commission; and
5. That Councilmembers Avila, Bogh, Duncan, Hoyt, and Riddell each appoint one member to the Trails and Open Space Committee, and that the City Council appoint four at-large members to the Trails and Open Space Committee.

P. 581 **15. SUBJECT: 2017 MEMBERSHIP ON VARIOUS COUNCIL COMMITTEES AND ORGANIZATIONS**

RECOMMENDATION: That City Council:

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1. Review and revise as appropriate current membership on various Council committees and organizations; and
 2. Provide direction on the City/Public Facilities Needs Assessment Ad-Hoc Committee.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 584 **16.** **SUBJECT:** 2016 AUTUMNFEST – EVENT WRAP-UP

RECOMMENDATION: That City Council receive and file the 2016 Autumnfest wrap-up report outlined in this staff report.

P. 590 **17.** **SUBJECT:** 2017-2018 PROPOSED CDBG PROJECTS

RECOMMENDATION: That City Council approve and authorize the City Manager, or his designee, to submit proposals to the San Bernardino County Department of Community Development and Housing for a determination of eligibility for the 2017-2018 Community Development Block Grant program, as follows:

1. One Public Service proposal to continue with the Community Services Scholarship program in the amount of \$20,000; and
2. Two Construction Improvement Projects to include:
 - a. Installation of drainage improvements along 5th Street, between Yucaipa Blvd. and Avenue E, in the amount of \$115,000; and
 - b. Removing existing ADA barriers and design and construction of ADA access and parking improvements in the Uptown area in the amount of \$110,000.

P. 653 **18.** **SUBJECT:** REQUEST FOR RELEASE OF CODE ENFORCEMENT LIEN/WAIVER OF FINES

RECOMMENDATION: That City Council:

1. Consider releasing code enforcement liens and waiving, reducing, or modifying in some manner the civil fines and penalties levied on the property as a result of uncorrected Municipal Code violations located at 12826 13th Street; and
2. Consider releasing code enforcement liens and waiving, reducing, or modifying in some manner the civil fines and penalties levied on the property as a result of uncorrected Municipal Code violations located at 13391 Ave H; and
3. Consider releasing code enforcement liens and waiving, reducing, or modifying in some manner the civil fines and penalties levied on the property as a result of uncorrected Municipal Code violations located at 12029 Bryant Street.

P. 656 **19.** **SUBJECT:** UPTOWN SECURITY

RECOMMENDATION: That the City Council adopt Resolution No. 2016-64 and Resolution No. 2016-65 stating the intention to amend the Property Management Plans for the Yucaipa Village Square Management Districts #1 and #2 to include private security as an eligible activity and to hold a public hearing thereon on January 9, 2017.

ADJOURN CITY COUNCIL AND CONVENE SUCCESSOR AGENCY

P. 664 SA 1. **SUBJECT:** APPROVE SUCCESSOR AGENCY MINUTES OF JUNE 27, 2016.

RECOMMENDATION: That the Successor Agency approve Successor Agency Minutes of June 27, 2016.

P. 667 SA 2. **SUBJECT:** SUCCESSOR AGENCY TO THE YUCAIPA REDEVELOPMENT AGENCY REORGANIZATION

RECOMMENDATION: That the Successor Agency to the Yucaipa Redevelopment Agency choose one of its members as Chairperson and one of its members as Vice-Chairperson.

ADJOURN THE SUCCESSOR AGENCY AND CONVENE HOUSING AUTHORITY

P. 668 HA 1. **SUBJECT:** APPROVE HOUSING AUTHORITY MINUTES OF JUNE 27, 2016.

RECOMMENDATION: That the Housing Authority approve Housing Authority Minutes of June 27, 2016.

P. 670 HA 2. **SUBJECT:** YUCAIPA HOUSING AUTHORITY REORGANIZATION

RECOMMENDATION: That the Yucaipa Housing Authority choose one of its members as Chairperson and one of its members as Vice-Chairperson.

ADJOURN THE HOUSING AUTHORITY AND CONVENE CITY COUNCIL

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. 671 **20.** **SUBJECT:** ANNEXATION OF TRACT MAP NO. 16783 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “LL”)

RECOMMENDATION: That City Council:

1. Conduct a public hearing and subsequently adopt Resolution No. 2016-62, approving the annexation of Tract Map No. 16783 into the City of Yucaipa Landscaping and Lighting Maintenance District No. 1; and
2. Adopt the methodology for and enact the assessments therein.

P. 679 **21.** **SUBJECT:** RESOLUTION NO. 2016-63 ORDERING THE ANNEXATION AND IMPROVEMENTS FOR THE CITY OF YUCAIPA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “EEE”) AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY FOR FISCAL YEAR 2017-2018

RECOMMENDATION: That City Council:

1. Conduct a Public Hearing regarding the annexation of territory (Zone EEE) to the Yucaipa Landscaping and Lighting Maintenance District No. 1 and the levy and collection of assessments within such territory; and
2. Adopt Resolution No. 2016-63 entitled “A Resolution of the City Council of the City of Yucaipa Ordering the Annexation of Territory (Zone EEE) to the District, Confirming a Diagram and Assessment, Ordering the Improvements and the Levy and Collection of Assessments within such Territory for Fiscal Year 2017-2018 Pursuant to the Provisions of Part 2 of Division 15 of the California Streets and Highways Code and as Provided by Article XIII D of the California Constitution”; and
3. Approve the methodology for and enactment of the assessments therein.

P. 688 **22.** **SUBJECT:** ADOPTION OF THE 2016 CALIFORNIA BUILDING AND FIRE CODES

RECOMMENDATION: That the City Council:

1. Adopt Ordinance No. 352, adopting by reference, and amending the current editions of certain California Building and Fire Codes related to the regulation of construction, and repealing Ordinance Nos. 327 and 328 and making findings regarding the urgency thereof (4/5 VOTES REQUIRED); and
2. Approve first reading, by title only, as read by staff, of Ordinance No. 352, adopting by reference, and amending the current editions of certain California Building and Fire

Codes related to the regulation of construction, and repealing Ordinance Nos. 327 and 328 and all provisions in conflict therewith, and setting January 9, 2017 as the public hearing date for its adoption.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov’t Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2016-12, Brenda Sagredo-Gordon

ADJOURNMENT