

City of Yucaipa
City Council Minutes
Regular Meeting of July 13, 2015

A Regular meeting of the City Council of the City of Yucaipa, California was called to order in the Council Chambers, 34272 Yucaipa Boulevard, Yucaipa, California, on July 13, 2015 at 6:00 PM.

PRESENT: Denise Hoyt, Mayor
Greg Bogh, Mayor Pro Tem
David Avila, Councilmember
Bob Duncan, Councilmember
Dick Riddell, Councilmember
Ray Casey, City Manager
Jennifer Shankland, Director of General Services/City Clerk
David Snow, City Attorney

ABSENT: None

CONVENE CITY COUNCIL

The meeting was opened with the Pledge of Allegiance led by Chief Janssen.

EMPLOYEE INTRODUCTION

Director of Development Services Lambert introduced Assistant Planner Benjamin Matlock. Benjamin stated that he is excited to work for the City of Yucaipa.

CONSENT AGENDA

Mayor Hoyt asked if there were any Consent Agenda items to be removed for discussion. No items were removed for discussion.

1. **SUBJECT:** APPROVE COUNCIL MINUTES OF JUNE 22, 2015

RECOMMENDATION: That City Council approve City Council Minutes of June 22, 2015.

2. **SUBJECT:** SPECIAL ASSESSMENT FOR YUCAIPA PARAMEDIC PROGRAM

RECOMMENDATION: That City Council adopt Resolution Number 2015-35, fixing the Special Tax for fiscal year 2015-2016 for the Yucaipa Paramedic Program at the following rates;

Residential Dwelling Unit	\$52
Small Commercial Unit	\$78
Large Commercial Unit (> 10,000 sq. ft.)	\$156
Residential Care Facility	\$78 plus \$3 per bed over 26

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3. **SUBJECT:** LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 98-1 OF THE CITY OF YUCAIPA (CHAPMAN HEIGHTS) FOR FISCAL YEAR 2015-2016

RECOMMENDATION: That City Council adopt Resolution No. 2015-36 authorizing the levy of special taxes within Community Facilities District No. 98-1 of the City of Yucaipa (Chapman Heights) for Fiscal Year 2015-2016.

4. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK - 2014-2015 SLURRY SEAL PROGRAM- PROJECT NO. 10946

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by Doug Martin Contracting, Inc. of La Habra, CA. for the 2014-2015 Slurry Seal Program– Project No. 10946 in the amount of \$159,386.05; and
2. Approve the final payment for the project; and
3. Authorize the recordation of the Notice of Completion.

5. **SUBJECT:** FACILITY LEASE AGREEMENT FOR CITY PROPERTY LOCATED AT 33994 AVENUE E

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Facility Lease Agreement between the City of Yucaipa and the Heartland Players Theatre Company, Inc. for the City facility located at 33994 Avenue E.

6. **SUBJECT:** RESOLUTION IDENTIFYING THE CITY OF YUCAIPA'S FEDERAL AND STATE FUNDED CAPITAL IMPROVEMENT PROGRAM PROJECTS SUBJECT TO THE AGENCY-STATE MASTER AGREEMENT NO. 08-5457

RECOMMENDATION: That City Council adopt Resolution No. 2015-37 identifying the City of Yucaipa's Federal and State Funded Capital Improvement Program (CIP) projects subject to the executed Agency-State Master Agreement No. 08-5457 for Federal-Aid projects between the California Department of Transportation (Caltrans) and the City of Yucaipa.

7. **SUBJECT:** AUTHORIZATION TO APPLY FOR FUNDING FROM THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION GRANT PROGRAM – OAK GLEN ROAD ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROJECT

RECOMMENDATION: That the City Council adopt Resolution No. 2015-34 approving and authorizing the submittal of a grant application requesting \$400,000 in funding for the construction and development of the Oak Glen Road Environmental

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Enhancement and Mitigation Project from the Environmental Enhancement and Mitigation Grant Program.

8. **SUBJECT:** APPROVE FINAL TRACT MAP NO. 16030, AUTHORIZE RECORDATION AND ACCEPT SECURITIES FROM BOWLUS-PACIFIC VENTURES, LLC

RECOMMENDATION: That City Council approve Final Tract Map No. 16030, authorize recording of the map and accept securities from Bowlus-Pacific Ventures, LLC.

9. **SUBJECT:** PAID SICK LEAVE POLICY FOR PART-TIME, TEMPORARY EMPLOYEES

RECOMMENDATION: That City Council adopt the City of Yucaipa Paid Sick Leave Administrative Policy and Procedure pursuant to AB 1522 for part-time, temporary employees.

Mayor Hoyt stated that due to her absence from the June 8, 2015 City Council meeting, the June 22, 2015 minutes should be amended to reflect her abstention from Consent Agenda Item No.1.

ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY COUNCILMEMBER DUNCAN, CARRIED 5-0, TO APPROVE (AMENDED) CONSENT AGENDA ITEM NO. 1.

ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY COUNCILMEMBER DUNCAN, CARRIED 4-0-0-1 (MAYOR PRO TEM BOGH ABSTAINED), TO APPROVE CONSENT AGENDA ITEM NO. 3.

ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY COUNCILMEMBER DUNCAN, CARRIED 5-0, TO APPROVE CONSENT AGENDA ITEMS NO. 2 AND 4 THROUGH 9.

PUBLIC COMMENT

None

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

Mayor Pro Tem Bogh commended J.R., the Yucaipa Valley Lions Club, and City staff for organizing a great 4th of July event.

Mayor Hoyt complimented USAFR Lt. Col. Tim Harris for the flyover at the 4th of July event and Bella Scherneck for her performance singing the Star Spangled Banner.

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Mayor Pro Tem Bogh stated that the concerts in the park are great events and encouraged residents in the community to attend.

10. **SUBJECT:** COMMUNITY ACTIVITY GRANT ACCOUNTABILITY REPORT FOR FISCAL YEAR 2014/2015 GRANT CYCLE AND FISCAL YEAR 2015/2016 IN-KIND GRANT REQUESTS FROM THE GIRL SCOUT TROOP #1752, #2106, AND #2122 AND YUCAIPA VALLEY CHAMBER OF COMMERCE.

RECOMMENDATION: That City Council:

1. Receive the FY 2014/2015 Community Activity Grant Accountability Report and deem the program requirements complete for the Yucaipa Valley Chamber of Commerce – 23rd Annual State of the City Luncheon, Chamber of Commerce – FY 2014/2015 Certified Farmers Market, Chamber of Commerce – Yucaipa First! Program, Yucaipa High School – 5th Annual Film Festival, Girl Scout Troop #1752 and Girls Scout Troop #2106; and
2. Review and consider the FY 2015/2016 Community Activity Grant Application submitted by Girl Scout of San Gorgonio Troop #1752 requesting \$1,350 for in-kind support; and
3. Review and consider the FY 2015/2016 Community Activity Grant Application submitted by Girl Scout of San Gorgonio Troop #2106 requesting \$1,000 for in-kind support; and
4. Review and consider the FY 2015/2016 Community Activity Grant Application submitted by Girl Scout of San Gorgonio Troop #2122 requesting \$900 for in-kind support; and
5. Review and consider the FY 2015/2016 Community Activity Grant Application submitted by the Yucaipa Valley Chamber of Commerce requesting \$1,570 for in-kind support.

DISCUSSION: Director of General Services/City Clerk Shankland presented the Agenda Report.

ACTION: MOTION BY COUNCILMEMBER DUNCAN, SECOND BY MAYOR PRO TEM BOGH, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

POSSIBLE ACTION ON PENDING LEGISLATION

None

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DEPARTMENT REPORTS

11. **SUBJECT:** REJECT ALL BIDS – FIRE STATION NO. 2 SEISMIC RETROFIT/TENANT IMPROVEMENTS PROJECT NO. 10993

RECOMMENDATION: That City Council

1. Reject all bids for the Fire Station No. 2 Seismic Retrofit/Tenant Improvements Project No. 10993; and
2. Revise the scope of the Project to bid the site work separately; and
3. Direct staff to revise the plans and specifications for the Project to reflect separate components and re-advertise the Project for construction bids.

DISCUSSION: Director of Public Works Hemsley presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER DUNCAN, SECOND BY MAYOR PRO TEM BOGH, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

12. **SUBJECT:** AWARD OF PROFESSIONAL SERVICES AGREEMENT - ENVIRONMENTAL DOCUMENTATION RELATED TO CASE NO. 15-061/TTM 19974 (WILSON CREEK ESTATES)

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute a Professional Services Agreement with AECOM of Ontario, CA for an amount not to exceed \$150,375.32 for the preparation of the Initial Study and necessary CEQA documentation related to Case No. 15-061/TTM 19974 (Wilson Creek Estates); and
2. Authorize a contract contingency amount not to exceed \$15,000 for a total project amount of \$165,375.32; and
3. Authorize the City Manager or his designee to administer the terms of the Agreement.

DISCUSSION: Director of Development Services Lambert presented the Agenda Report and addressed issues raised during public comment.

Linda Bedford, Yucaipa, stated that the project site is a historic part of our community and raised questions regarding the potential impacts this project would have on the open space and aesthetics valued by many, the native and migratory wildlife, population

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growth in the area, and light pollution; and requested these be considered in the environmental study.

Richard Siegmund, Yucaipa, stated that it was a pleasure to serve on the Wilson Creek Estates Consultant Selection Ad-Hoc Committee and believes AECOM is the most qualified consultant and they will provide a professional environmental document for the project.

Vanessa Register, Yucaipa, stated that she is encouraged and open minded regarding the proposed project and requested additional information to gain a better understanding of the project and noted that it would be helpful if the study addressed plant life, water percolation, soil absorption and soil capacity impacts.

Kandie Cansler, Oak Glen, stated that as an avid horseback rider in the project area, she would like to see the study consider the nesting season for the White-tailed Kite species of bird that have been sighted in the area.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY COUNCILMEMBER DUNCAN, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION WITH PUBLIC COMMENT CONSIDERATION.

13. **SUBJECT:** AWARD OF CONTRACT AND REJECT BIDS - UTILITY INSTALLATIONS AT BMX FACILITY, 13TH STREET SPORTS COMPLEX & FIRE STATION FACILITY- PROJECT NO. 11002

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$28,800, with Torga Electrical, Inc. of San Bernardino, CA for the Utility Installations at 13th Street Sports Complex (Bid Schedule B); and
2. Approve the amount of \$2,880 for contingencies for the Project and the amount of \$2,535 for construction administration, inspection and surveying, for a total construction budget in the amount of \$34,215; 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; and
5. Reject all bids for the Sewer Lateral Installation to the BMX Facility (Bid Schedule A); and

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6. Reject all bids for the Sewer Lateral Installation to Fire Station No. 2 (Bid Schedule C).

DISCUSSION: City Engineer Preciado presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY MAYOR PRO TEM BOGH, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

14. **SUBJECT: AGREEMENT FOR PURCHASING RECYCLED WATER FROM SOUTH MESA WATER COMPANY**

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute an agreement with South Mesa Water Company to serve recycled water to City facilities within their service area; and
2. Authorize the City Manager or his designee to administer the terms of the agreement.

DISCUSSION: Director of Public Works Hemsley presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER DUNCAN, SECOND BY COUNCILMEMBER RIDDELL, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

15. **SUBJECT: COMPREHENSIVE USER FEE STUDY AND COST ALLOCATION PLAN**

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Professional Services Agreement with Willdan Financial Services, and the City Manager, or his designee, to administer the terms of the Agreement, to conduct a comprehensive User Fee Study and Cost Allocation Plan in the amount of \$37,235, including out of pocket expenses, and a contingency amount of \$5,000 for a total project in the amount of \$42,235.

DISCUSSION: Director of Administrative Services Franklin presented the Agenda Report.

After Council discussion, the following Motion was made:

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ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY COUNCILMEMBER DUNCAN, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

16. **SUBJECT: CONTRACT AWARD FOR MARKETING SERVICES FOR YUCAIPA PERFORMING ARTS CENTER FUNDRAISING**

RECOMMENDATION: That City Council:

1. Direct staff to undertake marketing efforts to solicit lead donor fundraising activities for the Yucaipa Performing Arts Center (YPAC); and
2. Approve and authorize the City Manager to execute a Professional Services Agreement with Geographics in the amount of \$8,200 for Marketing Services for the preparation of YPAC fundraising marketing materials and a contingency in the amount of \$1,200 and authorize the City Manager or his designee to administer the terms of the Agreement; and
3. Approve the appointment of the YPAC Ad-Hoc Committee City Council members to the Yucaipa Community Foundation Board.

DISCUSSION: Director of Community Development Toomey presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY MAYOR PRO TEM BOGH, SECOND BY COUNCILMEMBER AVILA, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATIONS NO. 1 AND 2, AND APPOINT MAYOR PRO TEM BOGH AND COUNCILMEMBER DUNCAN TO THE YPAC AD-HOC COMMITTEE.

17. **SUBJECT: CITY-WIDE DEPARTMENT REORGANIZATION**

RECOMMENDATION: That City Council approve a City-wide reorganization and:

1. Adopt Resolution No. 2015-41 amending Resolution No. 2015-33, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on July 24, 2015 by:
 - a. Reallocating the position of Director of Administrative Services, Salary Range 59 (\$121,345-\$151,543) to Assistant City Manager, Salary Range 63 (\$133,942-\$167,276); and

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- b. Reallocating the position of Director of General Services/City Clerk, Salary Range 52 (\$102,083-\$127,488) to Deputy City Manager/City Clerk, Salary Range 59 (\$121,345-\$151,543); and
2. Adopt Resolution No. 2015-43 amending Resolution No. 2015-32, amending the General Unit Salary, Benefit and Classification Plan effective with the pay period beginning on July 24, 2015 by:
 - a. Reallocating one position of Code Enforcement Officer, Salary Range 25 (\$50,669-\$63,278) to Senior Code Enforcement Officer, Salary Range 29 (\$55,929-\$69,847); and
 - b. Reallocating the position of Development Services Technician II, Salary Range 21 (\$45,903-\$57,327) to Senior Development Services Technician, Salary Range 25 (\$50,669-\$63,278); and
3. Amend the City's Personnel Rules, Rule XII, Section 2 C, establishing the range for salary adjustments resulting from promotions to 5%-10%.

DISCUSSION: City Manager Casey presented the Agenda Report.

ACTION: MOTION BY COUNCILMEMBER AVILA, SECOND BY MAYOR PRO TEM BOGH, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

PUBLIC HEARINGS

18. **SUBJECT:** ORDERING CONFIRMATION OF ANNUAL ASSESSMENTS FOR THE CITY OF YUCAIPA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

RECOMMENDATION: That City Council:

1. Conduct a Public Hearing and subsequently adopt Resolution 2015-39, Ordering Confirmation of Assessment for City of Yucaipa Landscaping and Lighting Maintenance District No. 1, and
2. Approve the application of 0.5% rate adjustments to LLMD zones A and F through R and 5% rate adjustments to LLMD zones B and S through BBB, and
3. Approve the credit of funds as an offset against the 2014-2015 assessments for zones A, B, D, F, G, H, J, K, P, T, U, V, W, X, Y, BB, CC, DD, GG, HH, II, JJ, NN, PP, RR, VV, YY, ZZ and BBB in the total amount of \$122,739.77.

DISCUSSION: Mayor Hoyt opened the Public Hearing Item No. 18.

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City Manager Casey recused himself as to Zone T due to a potential conflict of interest because he owns property in that Zone.

Councilmember Avila recused himself as to Zone CC due to a potential conflict of interest because he owns property in that Zone.

Councilmember Duncan recused himself as to Zone DDD due to a potential conflict of interest because he owns property close to that Zone.

Director of Administrative Services Franklin presented the Agenda Report.

Public Comment

None

Mayor Hoyt closed the Public Hearing.

After Council discussion, the following Motion was made:

ACTION: MOTION BY MAYOR PRO TEM BOGH, SECOND BY COUNCILMEMBER RIDDELL, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION AS TO ALL ZONES EXCEPT ZONE CC WHICH CARRIED 4-0-0-1 (COUNCILMEMBER AVILA RECUSED), AND ZONE DDD WHICH CARRIED 4-0-0-1 (COUNCILMEMBER DUNCAN RECUSED).

19. **SUBJECT: FORWARDING CERTIFIED SOLID WASTE LIEN LIST TO THE COUNTY OF SAN BERNARDINO FOR ADDITION TO THE PROPERTY TAX ROLLS**

RECOMMENDATION: That City Council conduct a Public Hearing and subsequently adopt Resolution No. 2015-38 forwarding amounts remaining unpaid on the Certified Solid Waste Lien List to the County of San Bernardino for addition to the 2015-2016 Property Tax Rolls as a Special Assessment.

DISCUSSION: Mayor Hoyt opened the Public Hearing Item No. 19. Director of Administrative Services Franklin presented the Agenda Report.

Public Comment

None

Mayor Hoyt closed the Public Hearing.

After Council discussion, the following Motion was made:

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ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY COUNCILMEMBER AVILA, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION WITH AN AMENDMENT TO REMOVE TROY CANSLER FROM THE LIEN LIST.

20. **SUBJECT:** RESOLUTION NO. 2015-42 ORDERING THE ANNEXATION AND IMPROVEMENTS FOR THE CITY OF YUCAIPA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “DDD”) AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY FOR FISCAL YEAR 2015-2016

RECOMMENDATION: That City Council:

1. Authorize the City Manager to complete the ballot on behalf of the City for those properties owned by the City within the proposed territory to be annexed into the City of Yucaipa Landscaping and Lighting Maintenance District No. 1 (the “District”); and
2. Conduct a Public Hearing regarding the annexation of territory to the District and the levy and collection of assessments within such territory; and
3. Adopt Resolution No. 2015-42 entitled “A Resolution of the City Council of the City of Yucaipa Ordering the Annexation of Territory (Zone DDD) to the District, Confirming a Diagram and Assessment, Ordering the Improvements and the Levy and Collection of Assessments within such Territory for Fiscal Year 2015-2016 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
4. Approve the methodology for and enactment of the assessments therein.

DISCUSSION: Mayor Hoyt opened the Public Hearing Item No. 20.

Councilmember Duncan recused himself due to a conflict of interest pertaining to Zone DDD.

Director of Public Works Hemsley presented the Agenda Report.

Public Comment

None

Mayor Hoyt closed the public input portion of the Hearing.

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ACTION: MOTION BY COUNCILMEMBER AVILA, SECOND BY MAYOR PRO TEM BOGH, CARRIED 4-0-1-0 (COUNCILMEMBER DUNCAN ABSENT), TO APPROVE STAFF RECOMMENDATION NO. 1.

This item was recessed in order to give staff the opportunity to tabulate the ballots.

This item reconvened. Director of Public Works Hemsley reported that staff tabulated the ballots and the results were as follows: 24 of the ballots voted in favor and 15 voted in opposition. Director of Public Works Hemsley reported that there was majority support to order the annexation and improvements for the City of Yucaipa Landscape Lighting Maintenance District No. 1 (Zone "DDD") and the levy and collection of assessments within such territory for fiscal year 2015-2016.

Mayor Hoyt closed the Public Hearing.

ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY MAYOR PRO TEM BOGH, CARRIED 4-0-1-0 (COUNCILMEMBER DUNCAN ABSENT), TO APPROVE STAFF RECOMMENDATIONS NO. 2 THROUGH 4.

21. SUBJECT: APPROVAL OF USER FEE UPDATE FOR THE COMMUNITY SERVICES DEPARTMENT

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

1. Approve the User Fee Update for Community Services Department Programs and Services; and
2. Adopt Resolution No. 2015-44, Rescinding Resolution No. 1991-45, Amending Resolution 1993-06, and adopting certain new fees and revising certain existing fees for various services provided by the City; effective immediately as of July 13, 2015 for all fees, with the exception of the Field Enhancement Fee which will be effective January 1, 2016.

DISCUSSION: Mayor Hoyt opened the Public Hearing Item No. 21. Director of Community Services Hernandez presented the Agenda Report.

City Manager Casey read a section of Resolution No. 2015-44, "Community Services Department User Fees that are not included in Exhibit A, and that have not been revised by this resolution shall remain in effect and are not amended, revised, or reenacted by this resolution", and clarified that other than the proposed changes, the rest of the fee schedule remains unchanged.

Public Comment

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None

Mayor Hoyt closed the Public Hearing.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER RIDDELL, SECOND BY COUNCILMEMBER AVILA, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

ANNOUNCEMENTS

Chief Janssen provided an update to the Mill Fire and confirmed that 54 acres have burned within SRA (state responsibility area) lands with 60% containment and addressed questions raised by the Council.

David Matza, a representative of Senator Mike Morrell's office, confirmed office hours are every third Tuesday from 9:00AM to 1:00PM.

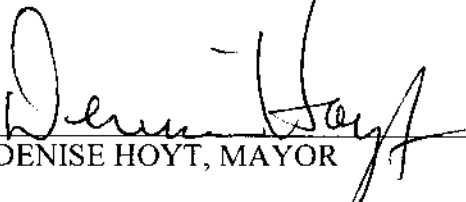
City Attorney Snow announced the Closed Session item.

CLOSED SESSION

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

ADJOURNMENT

The meeting adjourned. The next regularly scheduled meeting will be August 10, 2015 at 6:00 PM.



DENISE HOYT, MAYOR

ATTEST:

for 

JENNIFER SHANKLAND
CITY CLERK