



City Council Meeting Agenda

November 28, 2022 – 6:00 PM

City Council Chambers - Yucaipa City Hall
34272 Yucaipa Blvd., Yucaipa, California

ACT OF 1990. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING (PURSUANT TO 28 CFR 35.102.35.104 ADA TITLE II), PLEASE CALL THE CITY CLERK'S DEPARTMENT AT (909) 797-2489 AT LEAST 48-HOURS PRIOR TO THE MEETING.

PURSUANT TO GOVERNMENT CODE SECTION 54957.5, ANY DISCLOSABLE PUBLIC RECORDS RELATED TO AN OPEN SESSION ITEM ON A REGULAR MEETING AGENDA AND DISTRIBUTED BY THE CITY OF YUCAIPA TO ALL OR A MAJORITY OF THE CITY COUNCIL, LESS THAN 72 HOURS PRIOR TO THAT MEETING, ARE AVAILABLE FOR PUBLIC INSPECTION AT YUCAIPA CITY HALL, 34272 YUCAIPA BOULEVARD, YUCAIPA, CA 92399, DURING NORMAL BUSINESS HOURS.

IF YOU WISH TO ADDRESS THE COUNCIL DURING THE MEETING, PLEASE COMPLETE A SPEAKER'S FORM AND RETURN IT TO THE CITY CLERK PRIOR TO THE BEGINNING OF THE MEETING. THERE IS A THREE-MINUTE TIME LIMIT FOR SPEAKING.

PUBLIC COMMENT VIA MAIL OR EMAIL must be submitted no later than three (3) business hours prior to the meeting at which the commenter seeks to provide comment. Public comment may be submitted via U.S. Mail to the City Clerk at 34272 Yucaipa Blvd., Yucaipa, CA 92399 or via email to publiccomment@yucaipa.org. All mail and email correspondence will be archived, distributed to City Council, and retained as part of the public record; however, submissions will not be read out loud during the meeting. The subject line should specify "Public Comment" and include the date of the meeting.

WRITTEN PUBLIC COMMENT SUBMITTED ON NON-AGENDA ITEMS AND ON SPECIFIC AGENDA ITEMS will be made available to the public pursuant to the City of Yucaipa policy regarding the distribution of written public comments at City Council and Commission meetings, which may be accessed on the City's website at <https://yucaipa.org/agendas-minutes/>. Individuals should be aware that comments provided, including personal information, may be disclosable pursuant to the California Public Records Act.

LIVE AUDIO STREAM/RECORDING OF CITY COUNCIL MEETINGS. Members of the public may listen to city council meetings live at: <https://yucaipa.org/live>.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

SPECIAL PRESENTATION

IEEP Award Presentation – Wilson II Basin

EMPLOYEE INTRODUCTION

PUBLIC COMMENT

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 COUNCIL MINUTES OF NOVEMBER 14, 2022
- RECOMMENDATION:** That City Council approve City Council Minutes of November 28, 2022.
- P. 17 2. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE COVID-19 PANDEMIC IMPACT ON THE EMERGENCY MEDICAL SERVICES SYSTEM
- RECOMMENDATION:** That City Council review the need to continue the local emergency, thereby recognizing the continued existence of perilous conditions as a result of the COVID-19 Pandemic impact on the Emergency Medical Services system.
- P. 19 3. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE 2022 SEPTEMBER STORM EVENT
- RECOMMENDATION:** That City Council review the need to continue the local emergency, thereby recognizing the continued existence of perilous conditions as a result of the 2022 September Storm Event, and direct staff as deemed appropriate.
- P. 21 4. **SUBJECT:** REVISIONS TO THE CITY-WIDE ADOPTED RECORDS RETENTION SCHEDULE
- RECOMMENDATION:** That City Council adopt Resolution No. 2022-62, rescinding Resolution No. 2009-66, and approving the revised City-wide Adopted Records Retention Schedule.

- P. 136 **5.** **SUBJECT:** RESOLUTION NO. 2022-61 TO SET A TIME AND PLACE TO CONDUCT A PUBLIC HEARING FOR THE ANNEXATION OF TRACT MAP NO. 17349 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “FFF”)

RECOMMENDATION: That City Council:

1. Approve Resolution No. 2022-61 to set a time and place to conduct a Public Hearing and Assessment Ballot proceedings at 6:00 p.m. on January 23, 2023 in compliance with Proposition 218, and to approve the annexation of Tract Map No. 17349 into the City of Yucaipa Landscaping and Lighting Maintenance District No. 1; and
2. Adopt the methodology for and enact the assessments therein.

- P. 143 **6.** **SUBJECT:** AWARD OF CONTRACT – EXTERIOR PAINTING OF VARIOUS CITY FACILITIES – PROJECT NO. 11179

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$182,000 with Color New Co. of Woodland Hills, CA for the Exterior Painting of Various City Facilities – Project No. 11179; and
2. Approve the amount of \$45,000 for contract contingency and the amount of \$9,000 for contract administration, inspection, and staff time for a total budget in the amount of \$236,000; and
3. Authorize the City Manager, or his designee, to administer the terms of the contract.

- P. 152 **7.** **SUBJECT:** ENHANCED INFRASTRUCTURE FINANCE DISTRICT RESOLUTION OF INTENTION

RECOMMENDATION: That City Council:

1. Adopt Resolution 2022-60, a Resolution declaring its intention to establish the Yucaipa Enhanced Infrastructure Financing District (EIFD) and establishing the Yucaipa EIFD Public Financing Authority (PFA); and
2. Approve the organization of the Public Financing Authority Board, which would consist of two Council Members, one additional Council Member that would serve as an alternate Board member, and one additional member of the public, direct staff to solicit candidates for the member at large and then return to Council for the formal appointments to the Board; and,
3. Find that the adoption of the Resolution of Intention and establishment of the Public Financing Authority are exempt from the California Environmental Quality Act (“CEQA”) as these actions do not constitute a “project” pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5), and that these actions are also exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

- P. 165 **8.** **SUBJECT:** AGREEMENT FOR FIRE PROTECTION AND PARAMEDIC SERVICES BETWEEN THE CITY OF YUCAIPA AND THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute an Agreement with the County of San Bernardino County Fire Protection District for the purpose of providing first alarm fire protection and advanced life support (ALS) paramedic services in the unincorporated area of Oak Glen; and
2. Approve and authorize the City Manager to execute and maintain an Assistance by Hire Agreement between CAL FIRE and the City of Yucaipa to extend CAL FIRE’s LG-1 provision of services to the unincorporated area of Oak Glen.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

- P. 207 **9.** **SUBJECT:** CHANGE ORDER NO. 4 – DEBRIS REMOVAL/WILSON III BASIN PHASE 1C IMPROVEMENTS

RECOMMENDATION: That City Council:

1. Formally approve a Notification of Obligation and Payment (Funding Agreement) from the California Governor’s Office of Emergency Services for the CDAA Grant Program (CDAA-2022-03, Cal OES ID: 071-87042; and
2. Amend the FY 2022/2023 Non-Capital Budget in the Miscellaneous Special Revenues Fund by adding Change Order No. 4 – Debris Removal/Wilson III Basin Phase 1C Improvements Project with a budget of \$812,382 comprised of \$623,456 in CDAA Grant Program Funding and the amount of \$188,926 in local match funds as follows:
 - a. Increase expenditures budget in the project in the amount of \$812,382 in the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
 - b. Increase revenues budget in the project in the amount of \$623,456 (CDAA grant) in the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
 - c. Authorize a transfer of \$188,926 to the project for the CDAA grant local match requirement from the Miscellaneous Capital Fund (Munis Fund 600 – formerly Eden Fund 35) to the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
3. Approve and authorize the City Manager to execute Change Order No. 4 -Debris Removal/ Wilson III Basin Phase 1C Project with Borden Excavating Inc. (Borden) for

emergency work on a time and material basis in accordance with the terms of the CDAA Grant Program in the not to exceed amount of \$755,704; and

4. Find that the construction of the emergency work for the El Dorado Fire Debris Removal at Wilson III Basin Project is Exempt from CEQA pursuant to Section 21080(b)(3) of the Public Resources Code, and direct staff to file a notice of exemption.

P. 219 **10. SUBJECT: COMMUNITY SERVICES DEPARTMENT REORGANIZATION**

RECOMMENDATION: That City Council:

1. Approve the Reorganization of the Community Services Department and amend the Fiscal Year 2022-2023 budget by (**Recommended by the Finance Committee**):
 - a. Increasing the Annual Budget for Salary and Benefits in the amount of \$311,094; and
 - b. Increasing the Annual Budget for Revenues in the amount of \$226,500; and
2. Adopt Resolution No. 2022-63, amending Resolution No. 2022-57, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on December 3, 2022, by:
 - a. Creating one (1) position of Recreation Superintendent, Salary Range 41 (\$100,607-\$125,644); and
3. Adopt Resolution No. 2022-64, amending Resolution No. 2022-56, amending the General Unit Employee Salary, Benefit and Classification Plan effective with the pay period beginning on December 3, 2022, by:
 - a. Adding two (2) additional positions of Community Services Coordinator, Salary Range 20 (\$57,910-\$72,322); and
 - b. Creating three (3) positions of Community Services Specialist, Salary Range 10 (\$45,239-\$56,498).

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. 227 11. **SUBJECT:** ADOPTION OF URGENCY ORDINANCE NO. 418-U, EXTENDING ORDINANCE NO. 404-U, WHICH WAS PREVIOUSLY EXTENDED BY ORDINANCE NO. 405-U, AND ESTABLISHED INTERIM STANDARDS FOR THE IMPLEMENTATION OF SB9

RECOMMENDATION: That the City Council conduct a public hearing and approve Urgency Ordinance No. 418-U, which will extend Ordinance No. 404-U (previously extended as Ordinance No. 405-U), an urgency ordinance related to the regulation of urban lot splits and second dwelling units associated with the implementation of Senate Bill 9 (SB9) and making findings regarding the urgency thereof. (4/5 VOTES REQUIRED)

- P. 234 12. **SUBJECT:** ADOPTION OF THE 2022 CALIFORNIA BUILDING AND FIRE CODES

RECOMMENDATION: That the City Council conduct a public hearing and:

1. Approve second reading, by title only, as read by staff, of Ordinance No. 417, adopting by reference, and amending the current editions of certain California Building and Fire Codes related to the regulation of construction, and repealing Ordinance No. 381 and all provisions in conflict therewith; and
2. Adopt Resolution No. 2022-58, setting forth findings for amendments to the 2022 California Codes relative to local conditions.

- P. 287 13. **SUBJECT:** ANNUAL ADJUSTMENT OF DEVELOPMENT IMPACT FEES

RECOMMENDATION: That the City Council continue the Public Hearing for Annual Adjustment of Development Impact Fees to the City Council meeting of December 12, 2022.

ANNOUNCEMENTS

ADJOURNMENT

City of Yucaipa
City Council Minutes
Regular Meeting of November 14, 2022

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 November 14, 2022 at 6:00 PM.

PRESENT: David Avila, Mayor
Justin Beaver, Mayor Pro Tem
Greg Bogh, Councilmember
Bobby Duncan, Councilmember
Jon Thorp, Councilmember
Ray Casey, City Manager
Jennifer Crawford, Assistant City Manager/City Clerk
David Snow, City Attorney

ABSENT: None

CONVENE CITY COUNCIL

The meeting was opened by Captain Landen with the Pledge of Allegiance led by Sheriff's Explorer Captain Rylan Fernandez.

City Manager Casey announced that a handout to Agenda Item No. 13 and an amended Agenda Item No. 17 were distributed to the City Council and made available to the public.

SPECIAL PRESENTATION

The City Council presented special recognition to commission and committee members in appreciation of their service. Members of the Economic Development Advisory Committee, Five-Winds Ranch Improvement Committee, Healthy Yucaipa Committee, Mobilehome Rent Review Commission, Parks and Recreation Commission, Planning Commission, Public Arts Committee, Trails and Open Space Committee, Vector Control, Youth Advisory Committee, and the Yucaipa Valley Wine Country Planning Committee were presented with a Certificate of Recognition and a gift.

EMPLOYEE INTRODUCTION

Chief Malinowski introduced Fire Captain-Paramedic Scott Gillespie.

Fire Captain-Paramedic Gillespie stated that he is proud and honored to serve Yucaipa.

PUBLIC COMMENT

Hansen Wang, Yucaipa, thanked the City Council for all of the work being done and noted that he will be applying to serve on a Committee.

George Sardeson, Yucaipa, thanked Mayor Avila and Councilmember Bogh for their years of service to the City of Yucaipa

Eric Stalter, Calimesa, addressed his concerns pertaining to the construction of the roundabouts on County Line Road and stated that something needs to be done about the issue with the flooding along Bryant Street.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

Mayor and Councilmember Business (Reports) was opened before the Consent Agenda.

Mayor Avila announced that he, along with Director of Development Services/City Engineer Fermin Preciado and Public Information Officer/Grants Coordinator Shane Massoud, recently attended the Inland Empire Economic Partnership (IEEP) annual awards ceremony. Director of Development Services/City Engineer Preciado reported that the City's Wilson III Basin Project was selected as the winner for the Inland Empire Economic Partnership (IEEP) for the Collaboration Between Cities and Counties and Private Public Partnerships Category.

CONSENT AGENDA

Mayor Avila asked if there were any Consent Agenda items to be removed for discussion. Mayor Pro Tem Beaver requested that Agenda Item No. 3 be removed for discussion.

1. **SUBJECT:** APPROVE COUNCIL MINUTES OF OCTOBER 24, 2022

RECOMMENDATION: That City Council approve City Council Minutes of October 24, 2022.

2. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE COVID-19 PANDEMIC IMPACT ON THE EMERGENCY MEDICAL SERVICES SYSTEM

RECOMMENDATION: That City Council review the need to continue the local emergency, thereby recognizing the continued existence of perilous conditions as a result of the COVID-19 Pandemic impact on the Emergency Medical Services system.

4. **SUBJECT:** 2021 HOMELAND SECURITY GRANT ACCEPTANCE – POLICE DEPARTMENT

RECOMMENDATION: That City Council:

1. Approve the acceptance of the 2021 Homeland Security Grant award in the amount of \$19,441 for the acquisition and installation of removable traffic safety bollards to be installed in the Up-Town district: and
2. Approve an amendment to the Fiscal Year ~~2021-2022~~ 2022-2023 Annual Budget for the 2021 Department of Homeland Security Grant, with an increase in each the grant revenue and the capital outlay expenditure budgets in the amount of \$19,441; and
3. Approve and authorize the acquisition and installation of removable bollards from Three Peaks Corporation Extrication in the amount of \$19,441.

5. **SUBJECT:** MONTHLY TREASURER’S REPORT: SEPTEMBER 2022
RECOMMENDATION: That City Council receive and file the Monthly Treasurer’s Report for September 2022.
6. **SUBJECT:** CANCELLATION OF DECEMBER 26, 2022, CITY COUNCIL MEETING
RECOMMENDATION: That City Council cancel its regularly scheduled meeting of December 26, 2022.
7. **SUBJECT:** FINAL PARCEL MAP 20588
RECOMMENDATION: That City Council:
1. Approve Final Parcel Map No. 20588; and
 2. Accept an Offer of Dedication for Public Roads, City Highways and Public Utility Purposes on a portion of 5th Street as delineated on Final Parcel Map No. 20588; and
 3. Authorize the recordation of the map from Michaelson Family Trust of 2001.
8. **SUBJECT:** LAND LEASE EXTENSION WITH AMERICAN TOWER FOR A WIRELESS COMMUNICATION’S FACILITY AT FIRE STATION NO. 3
RECOMMENDATION: That the City Council approve and authorize the City Manager to execute an Extension to the Land Lease Agreement between the City of Yucaipa and American Tower (site formerly owned by Royal Street Communications) for the continued operation of a wireless communications facility at Fire Station No. 3.
9. **SUBJECT:** AMENDMENT NO. 2 - PROFESSIONAL ENGINEERING & LAND SURVEY SERVICES FOR VARIOUS PROJECTS
RECOMMENDATION: That City Council Authorize the City Manager to execute Contract Amendment No. 2 to the Agreement with Yucaipa Valley Engineering for On-Call Professional Engineering and Land Survey Services for Various Projects in the amount of \$5,000 for additional land survey and engineering services for a revised contract total in the amount of \$244,000.
10. **SUBJECT:** CASE NO. 21-202/GPA/CUP/ARC: A MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF A SPLIT-ZONED PARCEL (APN 0318-011-48), CURRENTLY DESIGNATED AS RS-20M (SINGLE RESIDENTIAL) (1.43 ACRES) AND CG (GENERAL COMMERCIAL) (4.5-ACRES), TO A SINGLE LAND USE DESIGNATION OF CG (GENERAL COMMERCIAL) TOTALING 5.93 ACRES, AND A CONDITIONAL USE PERMIT AND ARCHITECTURAL REVIEW TO PERMIT FOR THE CONSTRUCTION OF A SECURED-GATED SELF-STORAGE FACILITY SITUATED ON TWO (2) PARCELS TOTALING APPROXIMATELY 6.25 ACRES AND LOCATED ON THE WEST SIDE 11TH STREET, ON THE SOUTH SIDE OF YUCAIPA BOULEVARD, 500 FEET EAST OF 12TH STREET AND 470 FEET NORTH OF AVENUE D
RECOMMENDATION: That City Council waive further reading and adopt Ordinance No. 416, amending Ordinance No. 343, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa

11. **SUBJECT:** AWARD OF CONTRACT – EL DORADO/FIVE WINDS RANCH PARK LAKE GRADING (PHASE 2) – PROJECT NO. 11180

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$265,568 with Three Peaks Corp. of Calimesa, CA for the El Dorado/Five Winds Ranch Park Lake Grading (Phase 2) – Project No. 11180; and
 2. Approve the amount of \$39,000 for construction contract contingency and the amount of \$30,000 for construction contract administration, survey and inspection for a total construction budget in the amount of \$341,768; 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 this project.
12. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – ROTARY CLUB OF YUCAIPA 67TH ANNUAL CHRISTMAS PARADE

RECOMMENDATION: That City Council:

1. Approve the Special Event Permit Application submitted by the Rotary Club of Yucaipa to conduct the 67th Annual Yucaipa Christmas Parade, on Saturday, December 10, 2022; and
2. Review and approve the street closures identified in the agenda report; and
3. Approve a City co-sponsorship of the 67th Annual Yucaipa Christmas Parade.

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

ACTION: MOTION BY COUNCILMEMBER DUNCAN, SECOND BY COUNCILMEMBER THORP, CARRIED, 5-0, TO APPROVE CONSENT AGENDA ITEMS NO. 2 AND 4 THROUGH 12.

ITEM REMOVED FOR DISCUSSION

3. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE 2022 SEPTEMBER STORM EVENT

RECOMMENDATION: That City Council review the need to continue the local emergency, thereby recognizing the continued existence of perilous conditions as a result of the 2022 September Storm Event, and direct staff as deemed appropriate.

DISCUSSION: City Manager Casey presented the Agenda Report.

After Council discussion, the following Motion was made:

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

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

13. SUBJECT: SERVICE WALK NOMINATIONS

RECOMMENDATION: That City Council:

1. Review and approve the proposed nomination and, if approved, the specific language to be placed on the plaque for Nominee Denise Allen **Hoyt** for the “Service Walk”; and
2. Review and approve the proposed nomination and, if approved, the specific language to be placed on the plaque for Nominee Denise Work for the “Service Walk”; and
3. Review and approve the proposed nomination and, if approved, the specific language to be placed on the plaque for Nominee Tom Masner for the “Service Walk”.

DISCUSSION: City Manager Casey presented the Agenda Report.

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY COUNCILMEMBER DUNCAN, CARRIED, 5-0, TO APPROVE STAFF RECOMMENDATION AS AMENDED TO REVISE THE NAME ON THE PLAQUE FOR NOMINEE DENISE ALLEN TO REFLECT DENISE ALLEN **HOYT.**

14. SUBJECT: CONSIDERATION OF A LETTER OF INTEREST FOR THE CITY’S PARTICIPATION IN THE SAN BERNARDINO REGIONAL HOUSING TRUST

RECOMMENDATION: That City Council receive a presentation from the San Bernardino Council of Governments (SBCOG) and consider the submittal of a Letter of Interest from the Mayor on behalf of the City Council for participation in the San Bernardino Regional Housing Trust.

DISCUSSION: Planning Manager/City Planner Matlock presented the Agenda Report and introduced Monique Arellano, Council of Governments and Equity Programs Manager.

Ms. Arellano provided a brief summary of the San Bernardino Regional Housing Trust and introduced Elizabeth Dixon, Dudek Planning Consultant.

Ms. Dixon provided information pertaining to the San Bernardino Regional Housing Trust, the overall benefits of participating in the program, and the vision and goals for the Housing Trust.

Ms. Arellano provided an overview of Dudek’s local funding gap analysis, the Housing Trust structure, and the overall administration plan.

Ms. Dixon provided a recap to visualize how the Housing Trust would work.

After Council discussion, the following Motion was made:

ACTION: MOTION BY MAYOR PRO TEM BEAVER, SECOND BY COUNCILMEMBER THORP, CARRIED, 4-1 (COUNCILMEMBER DUNCAN VOTED NO), TO APPROVE STAFF RECOMMENDATION.

POSSIBLE ACTION ON PENDING LEGISLATION

None

DEPARTMENT REPORTS

15. **SUBJECT:** PURCHASE AND SALE AGREEMENT - EAGLE NEST 6, L.P. – .46-ACRE PARCEL NORTHEAST CORNER 5TH STREET AND COUNTY LINE ROAD (APN 0319-233-91)

RECOMMENDATION: That City Council:

1. Approve the Purchase and Sale Agreement with Eagle Nest 6, L.P., for the sale of the City-owned property located at Northeast corner of 5th Street and County Line Road (APN 0319-233-91) in the amount of \$100,000; and
2. Approve a loan to Eagle Nest 6, L.P. in the amount of \$170,247 plus any deferred City development fees, to be repaid over time through residual receipts.
3. Approve the attached Density Bonus Agreement (DBA) for the Eagle Nest 6, L.P. for 6 senior apartment units; and
4. Authorize the City Manager, or his designee, to execute the necessary documents to complete the property sale process.

DISCUSSION: Housing and Economic Development Analyst Miller presented the Agenda Report.

After Council discussion, the following Motion was made:

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

16. **SUBJECT:** 2022 AUTUMNFEST – EVENT WRAP-UP

RECOMMENDATION: That City Council receive and file the 2022 Autumnfest Wrap-Up Report.

DISCUSSION: Director of Community Services Wolfe presented the Agenda Report.

After discussion, Council received and filed the report.

17. **SUBJECT:** GENERAL FUND FINANCIAL UPDATE FOR FISCAL YEAR 21-22 AND Q1 FY 22-23 (***AMENDED***)

RECOMMENDATION: That City Council:

1. Receive the preliminary Fiscal Year (FY) 21-22 financial results; and
2. Approve a minor reorganization and amending the Fiscal Year 22-23 Annual Budget for Salary and benefits, as follows:
 1. Adopt Resolution No. 2022-57, amending Resolution No. 2022-37, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on November 19, 2022.
 - a. Eliminating the position of Information Systems Productions Supervisor, Salary Range 28 (\$72,982-\$91,145); and
 - b. Reallocating the position of Assistant City Manager/City Clerk, Salary Range 63 (\$173,202-\$216,306) to Assistant City Manager, Salary Range 63 (\$173,202-\$216,306) effective December 31, 2022; and
 - c. Reallocating the position of Deputy City Clerk/Information Systems Technician (Confidential), Salary Range 28 (\$72,982-\$91,145) to City Clerk/Deputy Rent Administrator, Salary Range 39 (\$95,759-\$119,590) effective December 31, 2022; and
 - d. Reallocating the position of Deputy Rent Administrator/Records Technician (Confidential), Salary Range 25 (\$67,771-\$84,637) to Deputy City Clerk/Records Technician (Confidential), Salary Range 28 (\$72,982-\$91,145); and
 2. Adopt Resolution No. 2022-56, amending Resolution No. 2022-36, amending the General Unit Employee Salary, Benefit and Classification Plan effective with the pay period beginning on November 19, 2022.
 - a. Adding one (1) additional position of Accounting Assistant, Salary Range 17 (\$53,775-\$67,158), allocating 50% to the General Fund and the other 50% to Fire and Paramedic Funds; and
 - b. Creating one (1) position of Network Support Specialist, Salary Range 21 (\$59,358-\$74,130); and
 3. Approving an increased budget in the General Fund of \$26,114 to fund the General Fund's share of the reorganization in FY 22-23 from prior year's net revenues; and
 4. Approving an increased budget in the following funds to fund non-General Fund departments for their share of the Accounting Assistant in FY 22-23:

- a. \$12,595.24 for the respective share in the Fire Fund; and
 - b. \$12,595.23 for the respective share in the Paramedic Fund, and related transfer from the Fire Fund (which utilizes the Fire Fund Balance) to the Paramedic Fund for the same amount; and
3. Amend the FY22-23 Budget and Capital Improvement Program Budget by:
- a. Reallocating the amount of \$46,493, less grants received, originally budgeted in the FY 21-22 budget for a 4 Wheel Drive Truck in General Fund monies to Miscellaneous Capital Fund (Munis Fund 600, formerly Eden Fund 35) within FY 22-23 as the delivery was made in FY 22-23; and
 - b. Approving a revision to the first page of the CIP section entitled “Proposed CIP Budget by Project” detailed FY 22-23 Revenues, Expenditures, Transfers In and Transfers Out with general revisions to revenue and interfund transfers per Attachment 1, and authorize any related corresponding budget revisions; and
4. Amend the FY 21-22 budget by:
- a. Approving a ~~\$1,700,000~~ 1,850,000 capital funding transfer resulting from a portion of FY 21-22 adjusted General Fund Net Revenues from the General Fund to the City’s Capital Projects Fund (Fund 35) to fund future capital projects; and
 - b. Approving a reduction of the budgeted ARPA transfer due to General Fund savings in FY 21-22 that requires less ARPA funding in the amount of \$1,250,000 from a portion of FY 21-22 adjusted General Fund Net Revenues from the General Fund to the City’s American Rescue Plan Act (ARPA) Fund (Fund 57); and
 - c. **Table on page 7 is revised as follows:**

Description	\$
Proposed transfer to Fund 35 (future capital)	\$1,700,000
Unused ARPA allocation in FY 21-22	\$1,250,000
Additional recommendations:	
Ice Rink - Diesel Fuel for Generator in FY 22-23	\$100,000
Proposed FY 22-23 reorganization	\$26,114
Remaining Unallocated	\$223,886
Total / Preliminary adjusted FY 21-22 Net Revenues	\$3,300,000

5. Amend the FY 22-23 budget by:
- a. Approving a transfer of an initial \$1 million to fund the City’s future library construction from the City’s Capital Projects Fund (Fund 35) to the Public Facilities Fund (Fund 23); and
 - b. Approving a FY 22-23 budget adjustment within the Paramedic Fund to purchase a used ambulance, not to exceed \$75,000; and

- c. Approving a FY 22-23 budget adjustment to purchase \$100,000 of paramedic gear within the Paramedic Fund; and
- d. Approving a FY 22-23 transfer from the Fire Fund (which utilizes the Fire Fund Balance) to the Paramedic Fund in the amount of \$175,000 to fund the used ambulance and paramedic gear; and
- e. Increase expenditures budget in the amount of \$100,000 in the Miscellaneous Capital Fund (Munis Fund 600 - formerly Eden Fund 35) using existing funds in this fund for the Jefferson Basin debris removal and other minor miscellaneous storm-related work; and
- f. Increase FY 22-23 expenditures budget in the General Fund to purchase \$100,000 of fuel to run the generator at the Ice Rink; and
 - 1. Find that the public interest will not be best served by a formal proposal process, waive the formal solicitation of proposals; and
 - 2. Authorize Calimesa Tech Services to provide generator services to the Ice Rink in an amount not to exceed \$38,275; and
 - 3. Authorize Calimesa Tech Services to provide refueling services for the Ice Rink generator in an amount not to exceed \$100,000.
- 6. Authorize future capital equipment purchases be made from available funds within the Miscellaneous Capital Fund (Fund 35), subject to required budgetary and procurement approvals.

DISCUSSION: Director of Finance Hamilton presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED, 4-1 (COUNCILMEMBER DUNCAN VOTED NO), TO APPROVE STAFF RECOMMENDATION AS AMENDED.

PUBLIC HEARING

18. **SUBJECT:** ADOPTION OF THE 2022 CALIFORNIA BUILDING AND FIRE CODES

RECOMMENDATION: That the City Council conduct a public hearing and approve first reading, by title only, as read by staff, of Ordinance No. 417, adopting by reference, and amending the current editions of certain California Building and Fire Codes related to the regulation of construction, and repealing Ordinance No. 381 and all provisions in conflict therewith, and setting November 28, 2022, as the public hearing date for its adoption.

DISCUSSION: Mayor Avila opened the Public Hearing Item No. 18. Planning Manager/City Planner Matlock presented the Agenda Report.

Public Comment

None

Mayor Avila closed the Public Hearing.

After Council discussion, the following Motion was made:

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

ANNOUNCEMENTS

Councilmember Duncan announced the upcoming Winterfest and Ice Rink.

City Attorney Snow announced the Closed Session item.

CLOSED SESSION

Conference with Legal Counsel – Existing Litigation [Gov’t Code §54956.9(d)(1)] – 1 item – San Bernardino County Superior Court Case No. CIVDS2014247 – Allyn Smith v. City of Yucaipa

ADJOURNMENT


The meeting adjourned. The next regularly scheduled meeting will be November 28, 2022 at 6:00 PM.

DAVID AVILA, MAYOR

ATTEST:

JENNIFER CRAWFORD
CITY CLERK

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council Members
FROM: Trevor A. Benson, Emergency Services Coordinator 
FOR: City Council Meeting of November 28, 2022
SUBJECT: Extending the Existence of a Local Emergency Due to the COVID-19 Pandemic Impact on the Emergency Medical Services System

RECOMMENDATION:

That City Council review the need to continue the local emergency, thereby recognizing the continued existence of perilous conditions as a result of the COVID-19 Pandemic impact on the Emergency Medical Services system.

COVID-19 PANDEMIC BACKGROUND/DISCUSSION:

The Coronavirus Disease 2019, known as COVID-19 (“COVID-19”), is an infectious disease caused by a novel (new) coronavirus known as severe acute respiratory syndrome coronavirus 2 (“SARS-CoV-2”). The disease was first identified in China in late 2019 and has spread globally. The first cases in California were confirmed in the end of January 2020.

On March 4, 2020, Governor Gavin Newsom declared a state-wide state of emergency due to the spread of COVID-19. On March 10, 2020, the San Bernardino County Department of Public Health proclaimed a Public Health Emergency, and the Board of Supervisors issued a Proclamation of Local Emergency. On March 11, 2020, the World Health Organization declared the COVID-19 outbreak to be a pandemic. On March 13, 2020, the President of the United States declared a national state of emergency.

On March 18, 2020, the City Council held an emergency meeting and adopted Resolution No. 2020-16, declaring the existence of a local emergency due to the spread of COVID-19. Government Code Section 8630(c) requires the City Council to review the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency.

On March 1, 2022, after nearly two years, the San Bernardino County Board of Supervisors approved to terminate the County Emergency Proclamation for COVID-19; however, proclaimed a local emergency within San Bernardino County resulting from the impacts of the worldwide Novel Coronavirus pandemic on the Emergency Medical Services system.

On March 14, 2022, City Council adopted Resolution No. 2022-13, also proclaiming the termination of the COVID-19 local emergency and declaring the urgent need to proclaim a local emergency within the City of Yucaipa, resulting from the impact of the worldwide Novel Coronavirus pandemic on the Emergency Medical Services system.

While general conditions of extreme peril due to the COVID-19 Pandemic no longer exist, the emergency for the impact on the Emergency Medical Services system remains and extending the local emergency will allow the City to remain aligned with the County in their efforts to take any and all appropriate measures to continue to improve those services for Yucaipa residents, while remaining eligible to receive State and Federal assistance.


Pursuant to Yucaipa Municipal Code 8.36.160 the City Council shall review, at least every fourteen (14) days, unless waived by the City Council to meet State requirements, until such local emergency is terminated, the need for continuing the local emergency. Such declaration facilitates the City's response to combat perilous conditions by providing limited immunity for emergency actions of public employees and governing bodies, authorizing the issuance of orders and regulations to protect life and property, and activating pre-established local emergency provisions.

FISCAL IMPACT:

The extension of this declaration of local emergency will maintain the City's compliance with State and Federal requirements for emergency response and continue the City's eligibility to receive related State and Federal emergency assistance funds.

Approved by: 

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council Members
FROM: Trevor Benson, Emergency Services Coordinator 
FOR: City Council Meeting of November 28, 2022
SUBJECT: Extending the Existence of a Local Emergency Due to the 2022 September Storm Event

RECOMMENDATION:

That City Council review the need to continue the local emergency, thereby recognizing the continued existence of perilous conditions as a result of the 2022 September Storm Event, and direct staff as deemed appropriate.

2022 SEPTEMBER STORM BACKGROUND/DISCUSSION:

On September 14, 2022, the Yucaipa City Manager proclaimed a local emergency due to the 2022 September Storm Event in Yucaipa and surrounding communities. The storm which was caused by remnants of Hurricane Kay produced conditions of extreme peril to the safety of persons and property within the City of Yucaipa, in the form of infrastructure damage, from extreme weather including intense rain, wind, flooding and debris flow.

On September 14, 2022, the County of San Bernardino declared a County-Wide, local emergency due to the storm.

At the September 20, 2022, during a special City Council Meeting, Council adopted resolution number 2022-54, ratifying the proclamation of the existence of a local emergency by the City Manager.

Post storm assessments were conducted in the burn areas and debris basins to identify on-site and downstream threats to public health or safety from landslides, debris flow, flooding, road hazards and other post-fire related concerns, as well as to determine measures to prevent or mitigate identified threats.

As a direct result of the September Storm Event, several areas within the City were impacted, requiring emergency work, such as El Dorado Park, Oak Glen Road and Pendleton Road. Staff is developing cost estimates for this required emergency response work necessary to address these areas. In addition to the emergency work performed to close, cleanup and reopen City facilities/roadways, additional emergency work is anticipated to address approximately 18,000 cubic yards of mud, silt and debris that impacted areas within the Wilson III Basin/Channel area.

In addition, the Oak Glen Creek Basin system sustained approximately 25,000 cubic yards of mud, silt, and debris, that, in conjunction with San Bernardino County Flood Control District, will need to be removed.

Subsequently, the City recently experienced another significant storm event this past week with rainfall totaling as much as 4.5 inches in parts of the community, once again testing the systems constructed over the past twenty years and maintained between and during these storm events.

Pursuant to Yucaipa Municipal Code 8.36.160, the City Council shall review, at least every fourteen (14) days, unless waived by the City Council to meet State requirements, until such local emergency is terminated, the need for continuing the local emergency.

Such declaration facilitates the City's response to combat perilous conditions by providing limited immunity for emergency actions of public employees and governing bodies, authorizing the issuance of orders and regulations to protect life and property, and activating pre-established local emergency provisions.



FISCAL IMPACT:

The extension of this declaration of local emergency will maintain the City's compliance with State and Federal requirements for emergency response and continue the City's eligibility to receive State and Federal emergency assistance funds.

Approved by: 

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Jennifer Crawford, Assistant City Manager 
Kimberly Everts, Deputy Rent Administrator/Records Technician CMC 

FOR: City Council Meeting of November 28, 2022

SUBJECT: Revisions to the City-wide Adopted Records Retention Schedule

RECOMMENDATION:

That City Council adopt Resolution No. 2022-62, rescinding Resolution No. 2009-66, and approving the revised City-wide Adopted Records Retention Schedule.

DISCUSSION:

On October 26, 2009, City Council adopted Resolution No. 2009-66, authorizing the destruction of certain City records as provided by Section 34090 of the California Government Code, approved an Electronic Mail Management and Retention Policy, and provided the flexibility of making future minor updates and amendments with the approval of the City Manager, City Attorney, and City Clerk. Since the adoption of Resolution No. 2009-66, technology advances and changes in law resulted in the need to reevaluate the retention requirements of records in various departments.

The proposed adoption of Resolution No. 2022-62, is presented to the City Council for consideration as it recommends significant revisions to the City-wide Adopted Records Retention Schedule (Schedule) that will simplify the structure of the Schedule, reorient records to their appropriate location on the Schedule, add new records, eliminate obsolete records, outdated record types, and duplications, correct errors, and encourage the transition to a more paper-free work environment.

The process of transitioning to a more digital environment is nearly effortless with the assurances of document integrity and security that Laserfiche and Tyler Munis Content Management provides. The State of California defines a “trusted system” for maintaining all electronic records created or stored as an official record as, “a combination of techniques, policies, and procedures for which there is no plausible scenario in which a document retrieved from or reproduced by the system could differ substantially from the document that is originally stored.” IT Division staff has combined the necessary hardware, media storage techniques, and backup to prevent any unauthorized additions, modifications, or deletions to a document.

Exhibit A to Resolution No. 2022-62, is a result of collaboration with staff of all departments to confirm revisions to individual department retention schedules. Additionally, the draft Schedule

has been reviewed by the City Attorney to ensure conformance with the current legal requirements set forth by state law.

FISCAL IMPACT:

There is no fiscal impact as a result of this proposed action. With the adoption of the Revised City-wide Adopted Records Retention Schedule, the City may realize potential cost savings related to the management of City records.

Attachments: A: Resolution No. 2022-62
B: Exhibit A
C: Redlined Records Retention Schedule

Approved by: 

RESOLUTION NO. 2022-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA, RESCINDING RESOLUTION NO. 2009-66, AND ADOPTING A REVISED CITYWIDE RECORDS RETENTION SCHEDULE, AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS IN ACCORDANCE WITH THE PROVISIONS OF THE RECORDS RETENTION SCHEDULE

WHEREAS, the maintenance of numerous records is unnecessary after a certain period of time for the effective and efficient operation of the government of the City of Yucaipa; and

WHEREAS, Section 34090 of the Government Code of the State of California provides a procedure whereby any City record which has served its purpose and is no longer required to be maintained by law may be destroyed; and

WHEREAS, in addition to Government Code Section 34090, various other state and federal laws provide for retention periods for certain government records; and

WHEREAS, the City of Yucaipa previously set forth a records retention schedule with the adoption of Resolution No. 2009-66; and

WHEREAS, the City Council desires to rescind Resolution No. 2009-66 and adopt a Records Retention Schedule in accordance with Government Code Section 34090 and other applicable state and federal laws.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: Resolution No. 2009-66 is hereby rescinded.

Section 2: The Records Retention Schedule, attached hereto as Exhibit "A," is hereby adopted as the records retention schedule for the City of Yucaipa. The records of the City of Yucaipa shall be retained as set forth in the Records Retention Schedule. Updates and amendments to the Records Retention Schedule are hereby authorized to be made with the consent of the City Manager, City Attorney, and City Clerk, without further action by the City Council of the City of Yucaipa.

Section 3: Unless otherwise provided by law, the records of the City of Yucaipa may be destroyed as provided by Section 34090 of the Government Code of the State of California in accordance with the provisions of the Records Retention Schedule upon the request of the Department Head of the Department having control over the record, and with the written consent of the City Attorney and City Clerk, without further action of the City Council of the City of Yucaipa.

Section 4: The City Clerk shall certify as to the adoption of this Resolution.

Section 5: This Resolution shall be deemed effective upon adoption.

PASSED, APPROVED and ADOPTED by the City Council of the City of Yucaipa this 28th day of November, 2022.

David Avila
Mayor

ATTEST:

Jennifer Crawford
City Clerk



**CITY OF YUCAIPA
RECORDS RETENTION
SCHEDULE**

The following guidelines represent legal requirements for the retention of local government records. The records of the City of Yucaipa shall be retained as set forth in this Records Retention Schedule. Records may be destroyed in accordance with the provisions of this Records Retention Schedule upon the request of the Department Head and with the written consent of the City Attorney and the City Clerk, without further action by the City Council of the City of Yucaipa. With the consent of the City Manager, City Attorney, and City Clerk, updates and amendments are authorized to be made to the Records Retention Schedule without further action by the City Council. Records that may not be addressed in this document will be reviewed by the City Clerk and approved by the City Attorney for the determination of the appropriate legal citation and retention period.

DOCUMENT REVISION HISTORY

Row#	Revision Date	Revision Description	Revision Tracking Notes
1	06/2011	Added "PE" to footers	Added Permanent Electronic (PE)
2	02/2013	Clarified "PE" and destruction of paper copies	Modified scanned column to reflect LF storage eligibility
3	06/2013	Added "Marketing and Publicity Materials"	Added new Record Series "Marketing and Publicity Materials" to Administration Department
4	10/2013	Added "Historical"	Added new Record Series "Historical" to General Services/City Clerk Department
5	11/2022	Comprehensive Update	Simplified the structure of the Schedule; Reoriented records to their appropriate location in the Schedule; Added new records; Eliminated obsolete records, outdated record types, and duplications; and corrected errors

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EC	_____	California Elections Code
FC	_____	California Finance Code
FMLA	_____	Family & Medical Leave Act
GC	_____	California Government Code
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HUD	_____	Housing and Urban Development
LC	_____	California Labor Code
OMB	_____	Federal Office of Management & Budget
OSHA	_____	Occupational Safety & Health Act
PC	_____	Penal Code
R&T	_____	Revenue & Taxation Code
UFC	_____	Uniform Fire Code
USC	_____	United States Code
WIC	_____	Welfare & Institutions Code

Record	Retention Period	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
ADMINISTRATION/RISK MANAGEMENT					
Accident, Reports (City Assets)	CL+7	GC 34090; 29 CFR 1904.2, 1904.6			Theft, arson, vandalism, property damage or similar occurrence (excluding fire/law enforcement) (includes incidents occurring on City property) - Reports and related records
Accident, Incident, Injury Reports – Public (Claim)	CL+7	GC 34090; 29 CFR 1904.2			Members of the public (not a City employee)
Accident, Incident, Injury Reports – Public (Non-Claim)	CL+2	GC 34090			Members of the public that do not result in a claim
Administrative Hearings	P	GC 34090	X		
Agendas	CU+2	GC 34090	X		Original agendas for Council, Commissions, Boards, and Committees
Appeals, Civil	CL+3	GC 34090; CCP 583.320(a)(3)	X		
Bids, RFQ's, RFP's (Documents)	AU+4	GC 34090; CCP 337	X	CU+2	City created documents
Bids, RFQ's, RFP's (Successful)	AU+5	GC 34090; CCP 337	X	CU+2	
Bids, RFQ's, RFP's (Unsuccessful)	CU+2	GC 34090; CCP 337			
City Council Correspondence	CU+2	GC 34090			
City Council Subcommittees	CU+2	GC 34090, 54960.1(c)(1)			All records pertaining to City Council appointments to outside agencies and subcommittees
City Manager Council Reports and Memos	CU+2	GC 34090			
City Manager Project files	CL+2	GC 34090			
Claims, Against City	CL+5	GC 34090, 911.2, 945; PC 832.5; CCP 337	X	CL+2	Paid/Denied Litigation, complaints, and/or claims suspend normal retention periods (retention begins after settlement)

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City of Yucaipa Records Retention Schedule, Resolution No. 2022-62 Exhibit “A”

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ADMINISTRATION/RISK MANAGEMENT					
Claims, By City	CL+5	GC 34090, 911.2, 945; PC 832.5; CCP 337			
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Grants - Federal, State & Local - Successful	CL+7	GC 34090; 24 CFR 85.42, 570.502(b); 29 CFR 97.42	X		Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement
Grants - Federal, State & Local - Unsuccessful	CL+2	GC 34090			
Insurance, Bonds (City)	PE	CCP 337.2, 343	X	CU+2	Bonds & insurance policies insuring city property & other assets
Insurance - Liability/Property/Worker's Compensation	PE	GC 34090	X	CU+2	City owned policies/certificates, Liability - General/Public, workers compensation, property
Insurance, PARSAC	PE	GC 34090	X	CU+2	Public Agency Risk Sharing Authority of California excess liability insurance
Insurance, Rental/Use of City Facility	T+2	GC 34090	X		Insurance binders for rental/use of City facilities
Legal Opinions	S+2	GC 34090, 6254			Confidential (Attorney-Client Privileged)
Litigation/Lawsuits	CL+5 (PE)	GC 34090, 911.2, 945; CCP 337	X	After Settled	Includes logs, complaints, police reports, court orders, motions, notes, briefs, closing statements, etc.
Litigation/Lawsuits (High Profile)	P	GC 34090	X		Significant cases which have importance and/or set legal precedence. Includes logs, complaints, court orders, motions, notes, briefs, closing statement, etc.
Marketing and Publicity Materials	S+2	GC 34090			Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose

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ADMINISTRATION/RISK MANAGEMENT					
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
Risk Management Reports	CL+5	GC 34090; 29 CFR 1904.4	X	CL+2	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies
EMERGENCY MANAGEMENT					
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Emergency Response & Preparedness Planning	S+2	GC 34090	X		Includes Council approved emergency preparedness plans, etc.
Emergency Documents	PE	GC 34090	X	CU+2	All documents relating to a declared emergency
Grants - Federal, State & Local - Successful	CL+7	GC 34090; 24 CFR 85.42, 570.502(b); 29 CFR 97.42	X		Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement (added)
Grants - Federal, State & Local - Unsuccessful	CL+2	GC 34090			
Marketing and Publicity Materials	S+2	GC 34090			Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions

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BUILDING AND SAFETY					
Building Permit Database	L	GC 34090, H&S 19850			CityView Database
Building Permits, Issued	PE	GC 34090, H&S 19850	X	CU+2	Plans, building, signs, grading, and correction notices
Building Plans/Construction Documents (Commercial and required multi-family structures)	PE	GC 34090, H&S 19850	X	CU+2	Finalized commercial and required multi-family structures
Building Plans/Construction Documents, Institutional	PE	GC 34090, H&S 19850	X	CU+2	Finalized institutional structures (including City facilities, schools, libraries, churches, etc.)
Building Plans/Construction Documents (SFR)	CL+180 days	GC 34090, H&S 19850			Finalized SFR building plans reviewed by Building Inspector to guarantee structures meet local building codes and need only be kept 180 days after building final pursuant to provisions of the California Building Codes
Code Books	P	GC 34090(e)	X		National Electrical Code, Uniform Building, Fire, Mechanical, Plumbing & Supplements
Projects Not Completed or Denied	CL+1	GC 34090(d)			
Reports Annual Historical Reports of Bldg. Permit Activity	P	GC 34090	X		
Reports Monthly & Periodic Reports of Bldg. Activity	CU+2	GC 34090			Dodge reports, etc.
Soils Reports and Geo-technical Reports accompanied by site plan, if available	PE		X	CU+2	

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CODE ENFORCEMENT					
Abandoned Vehicles	CL+2	GC 34090			
Abatement, Code Enforcement	CU+2	GC 34090			Reports, assessments, resolutions, documentation
Banner Permits, Temporary Signs	CL+2	GC 34090			Temporary uses
Case Files (Code Enforcement)	CL+5	GC 34090; PC 801	X	CU+2	Building, housing and mobilehome code violation records including inspections; public nuisance, abatement, citations, massage parlor permits, general. Case is open until fully resolved.
Complaints/Violations, Building, Property and Zoning	CL+2	GC 34090(d)			
Correction Notices, Stop Work Orders, etc.	CL+1	GC 34090			
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Graffiti Reports & Photographs	CL+2	GC 34090			
Liens & Releases – Support Documentation	CL+2	GC 34090			
Permit, Parking	CU+2	GC 34090			Residential
Permit, Temporary Use Permit	CL+2	GC 34090			
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions

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COMMUNITY SERVICES					
Agendas	CU+2	GC 34090	X		Original agendas for Council, Commissions, Boards, and Committees
Bids, RFQ's, RFP's (Documents)	AU+4	GC 34090; CCP 337	X	CU+2	City created documents
Bids, RFQ's, RFP's (Successful)	AU+5	GC 34090; CCP 337	X	CU+2	
Bids, RFQ's, RFP's (Unsuccessful)	CU+2	GC 34090; CCP 337			
Class Rosters and Enrollments	CU+2	GC 34090			
Contracts	CU+2	GC 34090			Bands, instructors, programs, sports organizations
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Enrollment Forms	CU+4	GC 34090; CCP 337, 343			Field trips, camps, S.T.A.R.S. Enrollment Forms
Evaluations/Surveys of Programs	CU+1	GC 34090			
Facility Rentals/Use	CU+2	GC 34090			Supporting documentation
Grants - Federal, State & Local - Successful	CL+7	GC 34090; 24 CFR 85.42, 570.502(b); 29 CFR 97.42	X		Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement
Grants - Federal, State & Local - Unsuccessful	CL+2	GC 34090			
Liability Release Forms	CU+4	GC 34090; CCP 337, 343			Includes signed participant waivers and release of liability forms
Marketing and Publicity Materials	S+2	GC 34090			Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain

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COMMUNITY SERVICES					
					copies longer for administrative/historical purpose
Permission Slips	CU+4	GC 34090; CCP 337, 343			Field trips and camps
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
Receipt Copies	CU+2	GC 34090			Handwritten receipts from satellite locations
Special Event Permits	CL+4	GC 34090; CCP 337			All documents relating to approved permit

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FINANCE/ACCOUNTING/PAYROLL					
Accounts Payable	AU+4	GC 34090	X	CU+2	Invoices, payment requests, copies of checks, supporting documents, etc.
Accounts Receivable	AU+4	GC 34090	X	CU+2	Invoices to outside entities and private individuals, copies of payments and billing records, supporting documents, etc.
Annual Audit Reports (Copies)	S	GC 34090.7	X		Audits (independent auditor analysis) Treasurer's Reports, Annual Financial Reports
Annual Audit Reports (Originals)	PE	GC 34090	X	CU +2	Audits (independent auditor analysis) Treasurer's Reports, Annual Financial Reports
Annual Audit Reports, Back Up and Supporting Documents	AU+2	GC 34090			Back up and supporting documents generated by City staff in the course of the audit.
Assessment Districts	PE	GC 34090; CCP 337, 337.1(a), 337.15, 343	X	CU +2	Original financial documentation (including transcript binder, collection information, account statements, administration, bonds, coupons, certifying compliance with state law) Assessment / Maintenance / Landscape & Lighting / Street Improvement District Projects / Community Facilities Districts (All finance records)
Assessment Rolls	CU+5	GC 34090			
Bank Deposits / Deposit Transmittal Records	AU+4	GC 34090, 43900, 26 CFR 1.6001-1	X	CU +2	Deposit tickets and supporting documentation
Bank Reconciliations	AU+5	GC 34090; 26 CFR 1.6001-1	X	CU +2	Including backup and supporting documentation
Bank Statements	PE	GC 34090, 43900, 26 CFR 1.6001-1	X	CU +2	
Bids, RFQ's, RFP's (Documents)	AU+4	GC 34090; CCP 337	X	CU+2	City created documents
Bids, RFQ's, RFP's (Successful)	AU+5	GC 34090; CCP 337	X	CU+2	

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FINANCE/ACCOUNTING/PAYROLL					
Bids, RFQ's, RFP's (Unsuccessful)	CU+2	GC 34090; CCP 337			
Bonds, Transcripts/Certificates of Participations	PE	GC 34090, 43900, CCP, 337.5(2)	X	CU +2	Destruction requirements per GC 43901
Bonds	PE	GC 34090; CCP 336, 337.5(2)	X	CU +2	Types of Bonds issued by City to include: Development, Financial, Security, CFD, Audit
Bonds, Account Statements	PE	GC 34090; CCP 337.5	X	CU +2	Monthly statement of transactions
Bonds, Administration	PE	GC 34090; CCP 337.5	X	CU +2	Supporting documentation
Bonds, Coupons	CL+2	GC 34090, 53921			Paid/cancelled
Budget Adjustments/Amendments	AU+2	GC 34090			Transactional documents, supporting documentation
Budgets, Adopted (Copies)	S	GC 34090.7			City Council/RDA adopted operating and capital budgets, Council priorities, CIP
Budgets, Adopted (Originals)	PE	GC 34090, 40802, 53901	X	CU+2	City Council/RDA adopted operating and capital budgets, Council priorities, CIP, Department goals and objectives
Budget Hearing & Review	AU+2	GC 34090			Budget as presented to City Council/RDA
Budget Worksheets	S	GC 34090			
Business License (Yucaipa)	S+2	GC 34090			Includes applications, reports, customer files
Business License (outside Yucaipa)	CL+2	GC 34090			
Business License (home-based business)	CL+2	GC 34090			
CAFR - Comprehensive Annual Financial Reports	PE	GC 34090	X	CU+2	Including Audit Opinions and Reports
CALPERS Bi-Weekly Reports	AU+5	GC 34090			

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
FINANCE/ACCOUNTING/PAYROLL					
Capital Improvement Projects, Financial Records	CL+10	GC 34090; CCP 337	X	CU +2	Project Administration, Certified Payrolls, Project Schedules, Progress meetings, Real Estate Appraisals, etc.
Cash Receipts & Summaries	AU+4	GC 34090; 26 CFR 1.6001-1	X	CU +2	Includes checks, coin, currency, backup and supporting documentation
Cashier's Reports/Daily Revenue	AU+4	GC 34090; 26 CFR 1.6001-1	X	CU +2	Daily cash reports, supporting documentation, processed deposit information, credit card settlement, etc.
Certified Mail/Electronic/Postage Receipts	AU+7	GC 34090	X	CU +2	Meet Statute of Limitations Standards
Chart of Accounts	AU+4	GC 34090			
Checks	AU+5	GC 34090; CCP 337	X	CU +2	Includes payroll, canceled, voided, vendor, cashed
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Credit Card, Agreements	L+4	GC 34090,34090.7	X	CU +2	
Deposit Log Sheets/Books	AU+4	GC 34090			
Encumbrance Reports	AU+4	GC 34090			
Escheat (Unclaimed Money / Uncashed Checks)	CU+5	GC 34090; CCP 340(d), 1519			All tangible property held by government agencies escheats after 3 years; Statute of Limitations is 1 year for seized property; meets auditing requirements
Financial Statements	PE	GC 34090; CCP 337	X	CU +2	Monthly financial statements and supporting documentation
Fines, Civil and Penalties	AU+4	GC 34090			Includes backup and supporting documentation
Fines, False Alarm	AU+4	GC 34090			Includes backup and supporting documentation
Fines, JDS	AU+4	GC 34090			Includes backup and supporting documentation
Fines, NSF	AU+4	GC 34090			Includes backup and supporting documentation
Fines, Parking Citations	AU+4	GC 34090			Includes backup and supporting documentation
Fines, Restitutions	CL+4	GC 34090			Includes backup and supporting documentation

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FINANCE/ACCOUNTING/PAYROLL					
Fixed Assets, Annual Listing	L	GC 34090	X		Inventory listing, additions listing, deletions listing, depreciation listing
Gas Tax	AU+7	GC 34090			Tax receipts, audits, reports, backup and supporting documentation
General Journal Reports	AU+4	GC 34090; CCP 337			Includes account postings, entries, vouchers, backup and supporting documentation
General Ledger (GL) Year End Reports	PE	GC 34090; CCP 337	X	CU+2	Final year end reports
Grants, Community Development Block Grants (CDBG)	CL+7	GC 34090; 24 CFR 85.42; 570.502(b)(3), OMB Cir. A-102, A-110 & HUD Regs.	X	CU +2	Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules regulations and procedures, financial disbursement/settlement
IRS Forms (1099, 1096, W9)	AU+7	GC 34090			Vendors and Consultants
IRS Tax Forms (W2, W4)	AU+7	GC 34090; 26 CFR 31.6001-1; 29 USC 436			
Investment Records	PE	GC 34090, 53607; CCP 337	X	CU+2	Summary of transactions, inventory & earnings report, trade tickets, Local Agency Investment Fund (LAIF)
Payroll, Tax Reports	AU+7	GC 34090; 29 CFR PART 516; 29 USC 436			Quarterly tax returns/OASDI
Permit Fees	PE	GC 34090	X	CU+2	
Petty Cash Receipts	AU+4	GC 34090			
Petty Cash Records	CU+2	GC 34090			Logs and transmittal forms

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FINANCE/ACCOUNTING/PAYROLL					
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
Purchase Orders / Requisitions	AU+4	GC 34090; CCP 337, 337.1(a), 337.15, 343	X	CU +2	Includes procurement and contracting records
Redevelopment Statement of Indebtedness	AU+5	GC 34090	X	CU +2	
Refunds and Credits	AU+4	GC 34090			
Signature Cards & Authority	CL+2	GC 34090			
State Controllers Report	PE	GC 34090	X	CU +2	
Taxes, Receivable	AU+3	CCP 338			
Timecards/Sheets	AU+5	GC 34090; 29 CFR PART 516; 26 CFR 31.6001-1; LC 1174(d)			Signed by employee (includes overtime sheets/cards and time card project accounting)
Transient Occupancy Taxes (TOT)	AU+4	GC 34090			
Travel Expense Reimbursements	AU+4	GC 34090			
Trial Balance Detail Reports	AU+4	GC 34090			
Trust Accounts	CL+5	GC 34090			Meets auditing standards
Vehicle Impound Fees	AU+4	GC 34090			
Vendor Register	PE	GC 34090	X	CU+2	Vendor listing of purchase orders, invoices, account numbers & check date
Warrant Register	PE	GC 34090	X	CU+2	

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GENERAL SERVICES/CITY CLERK					
AB 939 Annual Reports	CU+10	GC 34090	X	CU+2	Includes Tonnage Reports and all supporting documentation. Consistent with City-wide standards for contract administration
Affidavits of Publications/Public Hearing Notices	CU+2	GC 34090, 54960.1(c) (1); CCP 337; 349.4	X		Includes special meetings, public hearings, proofs of publications
Agenda Packets	PE	GC 34090	X	CU+2	Original agenda packets for Council and the Mobilehome Rent Review Commission. Documentation received, created and/or submitted
Agendas	CU+2	GC 34090	X		Original agendas for Council, Commissions, Boards, and Committees
Agreements, Capital Improvement	PE	GC 34090; 4004; H&S 19850	X	CU+2	All infrastructure and MOU agreements/contracts, including specifications, construction and design, accepted proposal, non-collusion affidavit, initial insurance certificates, performance/labor/material bonds, notices of completion, etc.
Agreements, Contractors	CL+5	GC 34090; CCP 337.2, 343; B&P 7042.5	X	CU+2	Includes agreements or contracts for professional services, recreation class instructors and sports leagues, consulting, supplies, software licenses, etc., and leases of equipment
Agreements, Franchise	PE	GC 65869.5, 34090; CCP 337.2, 343	X	CU+2	Including subdivision agreements, contracts for sale or purchase of property, cable, grant of easements and/or involving construction of improvement
Agreements, Joint Powers (JPA)/Mutual Aid	PE	GC 34090	X	CU+2	JPA's and Mutual Aid contracts
Agreements, School District	PE	GC 34090	X	CU+2	
Articles of Incorporation	P	GC 34090	X		Includes City Seal

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GENERAL SERVICES/CITY CLERK					
Audio and/or Video Recordings	CU+3	GC 34090, 34090.6, 34090.7, 54953.5(b)			
Bids, RFQ's, RFP's (Documents)	AU+4	GC 34090; CCP 337	X	CU+2	City created documents
Bids, RFQ's, RFP's (Successful)	AU+5	GC 34090; CCP 337	X	CU+2	
Bids, RFQ's, RFP's (Unsuccessful)	CU+2	GC 34090; CCP 337			
Certificates of Destruction	PE	GC 34090	X	CU+2	
Citizen Service Applications to Boards, Commissions, and Committees (Not Selected)	CL+2	GC 34090			Includes letters to unsuccessful candidates
Citizen Service Applications to Boards, Commissions, and Committees (Selected)	AS+4	GC 34090	X	CU+2	Includes appointment letters, oaths of office, etc.
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Elections, Ballots (Prop 218)	6 Months	EC 17302, 17306, 17505	X		Property Related Fees (Assessment Ballot proceeding)
Elections, Calendar	E+2	GC 34090			
Elections, Candidates Statements (Successful)	PE	GC 81009	X	CU+2	
Elections, Candidates Statements (Unsuccessful)	E+5	GC 81009			
Elections, Canvass	PE	GC 34090	X	CU+2	Notification and publication of election
Elections, Certificates of Election	T+4	GC 34090	X	CU +2	
Elections, Nomination Papers (Successful)	T+4	EC 17100	X	CU +2	
Elections, Nomination Papers (Unsuccessful)	E+2	EC 17100			

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GENERAL SERVICES/CITY CLERK					
Elections, Notifications & Publications	E+2	GC 34090	X	CU +2	Proof of publication or posting, certification and listing of notice of posting; copy of newspaper notice, certification of offices to be voted for
Elections, Oath of Office	T+6	GC 34090, 36507; 29 USC 1113	X	CU +2	
Elections, Petitions	E+.75	EC 17200, 17400			From date of filing or election: initiative, referendum, recall, municipal code amendments. Signatures are confidential.
Elections, Sample Ballot	PE	GC 34090	X	CU+2	
Ethics Training (AB 1234)	CU+5	GC 53234(d), 53235.2b	X	CU +2	Ethics training certificates and supporting documents
FPPC - Campaign Disclosure Filings, Candidates (Elected Officials)	PE	GC 81009	X	CU+2	FPPC Filings (400 series); Paper must be retained for at least 2 years
FPPC – Campaign Disclosure Filings, Candidates (Not Elected)	E+5	GC 81009	X	CU+2	FPPC Filings (400 series); Paper must be retained for at least 2 years
FPPC - Campaign Disclosure Filings, Copies	E+4	GC 81009	X	CU+2	FPPC Filings (400 Series) Copies of original filings that are not filed with the City Clerk (i.e., Form 410's); Paper must be retained for at least 2 years
FPPC - Campaign Disclosure Filings, Other Committees	E+7	GC 81009	X	CU+2	FPPC Filings (400 Series) Other Committees (PACS, not candidate-controlled)
FPPC – Candidate Intention Statement, Elected Officials	PE	GC 81009	X	CU+2	FPPC Filings (Form 501); Paper must be retained for at least 2 years
FPPC – Candidate Intention Statement, Not Elected	E+5	GC 81009	X	CU+2	FPPC Filings (Form 501); Paper must be retained for at least 2 years
FPPC - Statement of Economic Interest - Designated Employees	CU+7	GC 81009	X	CU+2	FPPC Filings (Form 700) Specified in City's Conflict of Interest Code - City Maintains original statements

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GENERAL SERVICES/CITY CLERK					
FPPC – Statement of Economic Interest – Lobbyist Reporting	CU+7	GC 81009; 2 CCR 18615(d)	X	CU+2	FPPC Filings (Form 700)
FPPC - Statement of Economic Interest - Public Officials	E+7	GC 81009	X	CU+2	FPPC Filings (Form 700) Elected & Not Elected. Includes City Councilmembers, Planning Commission Members, City Manager, City Treasurer, City Attorney - City maintains copies - originals filed w/ FPPC
Grants - Federal, State & Local - Successful	CL+7	GC 34090; 24 CFR 85.42, 570.502(b) ; 29 CFR 97.42	X		Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement
Grants - Federal, State & Local - Unsuccessful	CL+2	GC 34090			
Historical	PE	GC 34090	X	CU+2	Incorporation, City Seal, Historical Designations, etc.
Insurance - Certificates	CU+11	GC 34090, CCP 337	X	CU+2	For Contract Vendors, etc. / Longest Statute of Limitations is 10 years
Legal Advertising	CU+2	GC 34090, 54960.1(c) (1); CCP 337	X		Includes public notices & legal publications
Liens & Releases	PE	GC 34090	X	CU+2	Recorded Liens, Public Nuisance Lien, Claim of Lien
Maddy Act List / Committee Rosters	CU+2	GC 34090	X		
Maintenance Contracts	CL+5	GC 34090; CCP 337	X	CU +2	Landscaping, HVAC, Pavement Management, Street Sweeping, Pest Control, Security, Slurry Seals, Striping, Tree Trimming, etc.

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GENERAL SERVICES/CITY CLERK					
Marketing and Publicity Materials	S+2	GC 34090			Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose
Meeting Notices	CU+2	GC 34090, 34090.7, 54960.1 (c)(1); CCP 337	X		Includes special meetings, public hearings and proofs of publications
Minutes	P	GC 34090	X		Official minutes and hearing proceedings of governing body or board, commission or committee
Mobilehome Park, General Files	PE	GC 34090	X	CU+2	Registrations, annual increases, misc. documents
Mobilehome Park, NOI, CPI, Loss of Amenity	P	GC 34090	X		
Mobilehome Park, Permit to Operate	PE	GC 34090	X	CU+2	Issued permits, annual reports, supporting documents
Municipal Code & Development Code	P	GC 34090	X		
Ordinances	P	GC 34090	X		
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
Proclamations	CU+2	GC 34090			
Public Records Request	CL+2	GC 34090			
Recorded Documents	P	GC 34090	X		Land and Property approved by City Council
Records Management, Working Copy	CL+2	GC 34090			Includes retrieval, transfers, inactive and sign off
Records Management, Destruction Certification	PE	GC 34090	X	CU+2	Document of final disposition or records
Records Retention	S+4	GC 34090, CCP 343	X		Schedules/guidelines
Resolutions	P	GC 34090	X		Legislative actions
Subpoenas/Summons	CU+2	GC 34090			Request for information or personal appearance

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GENERAL SERVICES/CITY CLERK					
Vehicle Ownership & Title	L	CVC 9900	X		Title transfers when vehicle sold
INFORMATION TECHNOLOGY					
Bids, RFQ's, RFP's (Documents)	AU+4	GC 34090; CCP 337	X	CU+2	City created documents
Bids, RFQ's, RFP's (Successful)	AU+5	GC 34090; CCP 337	X	CU+2	
Bids, RFQ's, RFP's (Unsuccessful)	CU+2	GC 34090; CCP 337			
E-Mail, Litigation	CL+5	GC 34090, 911.2, 945; CCP 337			The City periodically receives requests for inspection or production of documents pursuant to the Public Records Act, as well as demands by subpoena or court order for documents. And, when litigation is commenced by or against the City, it may be necessary to preserve ("litigation hold") all relevant documents. When the City receives a request for disclosure of City records that applies to City E-mail, or the City Attorney or City Clerk place a litigation hold on certain documents that include City City E-mail, the person responsible for the covered records must, using his/her best efforts and by any lawful means available, preserve any City E-mail covered by the request until it is determined whether the City E-mail is subject to retention and/or disclosure. The City Clerk, City Attorney, and systems administrator must be contacted concerning any request for disclosure of City records that applies to City E-mail in the possession of persons subject to this policy. ¹
¹ Reference Supplemental Electronic Mail Management and Retention Policy					

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
GENERAL SERVICES/CITY CLERK					
E-Mail, Non Official City Records	N/A	GC 34090			City e-mails (including attachments) that consist of preliminary drafts, unofficial copies of documents kept only for convenience or reference, notes, or inter-agency or intra-agency memoranda that are not retained by the City in the ordinary course of business, will be considered "Non-Official City Records." Non-Official City Records are not identified in the Records Retention Schedule and shall be deleted once the information is understood or communicated. Non-Official City Records include records that provide general information, such as, without limitation, announcing the dates and times of meetings, responses to list serves, requests for general City information (other than public records), etc. ¹
E-Mail, Non Records	N/A	GC 34090			Routine City e-mails, the informational content of which is neither necessary nor intended to be preserved for future City use or reference, are "Non-Records." Non-Records should be deleted once the information is understood or communicated. Non-Records are not intended to be retained in the ordinary course of City business. Non-records may include, without limitation, informal communication between staff or between staff and consultants, unsolicited offers to do business with the City, or personal correspondence and announcements (such as inviting City staff to a departmental lunch), etc. ¹
¹ Reference Supplemental Electronic Mail Management and Retention Policy					

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INFORMATION TECHNOLOGY					
E-Mail, Official City Records	Reference Applicable Record Series or Topic	GC 34090			City e-mails (including attachments) that (i) the City or an officer of the City is required by law to create or retain, (ii) are necessary or convenient to the discharge of a public officer's duties and made or retained for the purpose of preserving its informational content for future reference, (iii) document official business of the City, such as information concerning the formation and implementation of City policies and decisions, approvals to initiate a business transaction, proceedings, requests and replies to requests for public information, projects, contracts, or (iv) may later be important or useful for carrying out City business will be considered an "Official City Record." An Official City Record shall be printed onto paper, appropriately filed, and retained according to the retention period for the document as indicated in the Records Retention Schedule. ¹
Exchange Server, Back Ups (Microsoft Outlook Mail Folders) ²	2 Weeks	GC 34090			The systems administrator maintains backups for no longer than two (2) weeks before they are overwritten. The purpose of backups is to provide a means of complete server recovery in case of a system failure. Upon the City's receipt of a litigation hold or Public Records Act request, the systems administrator may not overwrite backups that contain City E-mails until it is determined whether any of the City E-mails on the backups are subject to disclosure. ¹
¹ Reference Supplemental Electronic Mail Management and Retention Policy					

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
INFORMATION TECHNOLOGY					
Exchange Server, Back Ups (Micorsoft Outlook Mail Folders)	2 Weeks	GC 34090			The systems administrator maintains back ups for no longer than two (2) weeks before they are overwritten. The purpose of back ups is to provide a means of complete server recovery in case of a system failure. Upon the City's receipt of a litigation hold or Public Records Act request, the systems administrator may not overwrite back ups that contain City E-mails until it is determined whether any of the City E-mails on the back ups are subject to disclosure. ¹
Internet Policies	S+2	GC 34090			Management policies and supporting documentation
Inventory (Hardware)	AU+4	GC 34090			Hardware/Software - reflects purchase date, cost, serial number
Inventory, Logs, Systems Manuals	CU+2	GC 34090			Hardware/software inventory logs; system manuals; warranties, specifications, maintenance records
Licenses	CU+2	GC 34090			Federal or State required forms, documentation, software licenses; including license agreements
Network Back Ups, Program Files and Directories	60 Days	GC 34090			The systems administrator maintains month-end backups two (2) months back before they are overwritten
Network Information Systems (LAN/WAN)	CU+4	GC 34090			Configuration maps and plans
Network Database(s), Program Files and Directories	L	GC 34090			Includes CityView, Eden Systems, Cashier Central, Geographical Information Systems (GIS), LaserFiche, Safari RecWare, and other database applications as appropriate
Network Database(s), Back Ups, Program Files and Directories	60 Days	GC 34090			The systems administrator maintains month-end backups two (2) months back before they are overwritten
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
Recreation Database	L	GC 34090			Software includes registrations, fees, charges

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INFORMATION TECHNOLOGY					
¹ Reference Supplemental Electronic Mail Management and Retention Policy					

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
HUMAN RESOURCES					
Benefit Plan Claims	PE	GC 34090; 29 CFR 1602.30; 32; 29 CFR 1627.3; 29 USC 1113 & 1027	X	CU+2	Includes dental, disability, education, health, life, vision including dependant care and employee assistance
Benefit Plan Enrollment	T+5	GC 34090, 12946; 29 CFR 1627.3	X		Employee benefit plans such as health, dental, pension and insurance plans (Includes enrollment and plan information)
Bids, RFQ's, RFP's (Documents)	AU+4	GC 34090; CCP 337	X	CU+2	City created documents
Bids, RFQ's, RFP's (Successful)	AU+5	GC 34090; CCP 337	X	CU+2	
Bids, RFQ's, RFP's (Unsuccessful)	CU+2	GC 34090; CCP 337			
Bonds, Personnel Fidelity	T+2	GC 34090			Employee Fidelity Bonds
Classifications	CL+2	GC 34090, 34090.7, 12946; 29 CFR PART 516			Includes classification and wage rates, classification studies and surveys, and reclassification
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Deferred Compensation	PE	GC 12946, 34090; 29 CFR 1627.3	X	CU+2	Includes enrollment and plan information
Deferred Compensation Reports	T+5	GC 34090			Records of financial statements, summaries for receipts, disbursements & reconciliations
Dept. of Fair Employment & Housing Claims	CL+2	GC 12946, 34090			Claims that are resolved administratively. All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken.

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HUMAN RESOURCES					
Employee Handbook	S+2	GC 34090			General employee information including benefit plans
Employee Rights	T+2	GC 12946, 34090; 29 CFR 1602; 29 USC 211	X		Includes arbitration, grievances, union requests, sexual harassment & civil rights, complaints & disciplinary actions
INS Form I-9 Employment Eligibility Verification Form	T+2	GC 12946, 34090; 29 CFR 1627.3, 8 CFR 274a.2	X		Employers must retain completed Forms I-9 for all employees for 3 years after the date they hire an employee, or 1 year after the date employment is terminated, whichever is later
Motor Vehicle (DMV) Pulls	S+2	GC 34090	X		Bureau of National Affairs recommends 2 years for all supplementary personnel records.
Negotiations	PE	GC 34090; 29 USC 211,; 29 CFR PART 516	X	CU+2	Contracts, MOUs, correspondence, official meeting notes and notebooks
OSHA	CU+5	GC 34090; 8 CCR 3203(b)(1)			Inspection & Citations - Log 200 & Log 300, 301, 301A
Payroll, Changes	AU+4	GC 34090			Adjustments, address changes, direct deposit, vacation & comp time
Payroll Reports	AU+5	GC 34090			Includes leave balance and other miscellaneous reports
PERS Employee Deduction Reports	T+4	GC 34090; 26 CFR 31-6001-1; 29 CFR PART 516; LC 1174(d)	X		Record of deductions

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HUMAN RESOURCES					
Personnel Files	AS+ 6	GC 12946, 34090; 29 CFR PART 1602; 29 CFR 1627.38; CCR 3204(d); 29 USC 1113	X	CU+2	Release authorizations, appointments, certifications, reassignments, outside employment, commendations, disciplinary actions, terminations, oaths of office, evaluations, pre-employee medicals, fingerprints, identification cards, deduction authorizations, beneficiary designations, unemployment claims, garnishments, applications, resumes, certificates, disciplinary complaints, grievances, insurance, licenses, Accident/Incident Reports with no action, drug & alcohol testing, finger print clearance
Personnel Files, Medical	AS+30	GC 34090, FMLA 1993 US OSHA; 29 CFR 1602.30; 8 CCR 3204(d)	X	CU+2	May include family leave; certifications, tests. Claims can be made for 30 years for toxic substance exposure.
Personnel Files, Recruitment	CL+3	GC 12946, 34090; 29 CFR 1602, 1607, 1627.3			Applications and resumes for those not hired, lists/logs, ethnicity disclosures, examination materials, examination answer sheets, job bulletins, eligibility, release of information forms for recruitments, electronic database
Personnel Reports	CU+2	GC 34090			Employee statistics, benefit activity, liability loss
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
Reports, Labor Distribution	AU+2	GC 34090			Costs by employee & program
Retirement	AS+5	GC 12946, 34090; 29 CFR 1627.3	X		PERS, Social Security, SSI (EEOC/ADEA)
Training Records	AS+2	GC 34090	X		Certifications, designations, paperwork documenting internal and external training
Unemployment Compensation Files	AS+5	GC 34090	X		

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HUMAN RESOURCES					
Unpaid/Volunteer Applications	AS+2	GC 12946 & 34090; 29 CFR 1602.31 & 1627.3; 8 CCR 3204(d), 29 USC 1113			Successful
Unpaid/Volunteer Applications	CU+2	GC 12946 & 34090; 29 CFR 1602.31 & 1627.3; 8 CCR 3204(d)			Unsuccessful or pending
Work Release Files	AS+2	GC 34090			
Workers Compensation & Dependent Care Reports	CU+30	GC 34090; 8 CCR 15400.2; LC 5405	X	CU+2	Claim files, reports, incidents
Workers Compensation and/or Disability Claims	S+30	GC 12946, 34090; 8 CCR 3204(d), 10102, 15400.2	X	CU+2	
Workers Compensation Insurance	PE	GC 34090	X	CU+2	Indemnity, PERS working files

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PLANNING					
Address Files	PE	GC 34090(d)	X	CU+2	Address assignments
Agenda Packets	PE	GC 34090	X	CU +2	Original agenda packets for the Planning Commission. Documentation received, created and/or submitted
Annexations	P	GC 34090(a)	X		Reports, agreements, public notices
Annexations / Boundaries / Consolidations / LAFCO	P	GC 34090	X		Land records
Annexation Petitions, Protests & Withdrawals	CU+1	GC 50115			
Benchmark Data	CU+2	GC 34090(d)			Vertical Control
Bonds, Development	CL+10	GC 34090, 43900; CCP 337.2			A development bond is what a developer posts to ensure that sidewalks, schools, etc. are built. Bonds insuring real property must be retained permanently.
Census, Demographics	S+2	GC 34090			
Conveyances from or to the City (Deeds, Easements, etc)	P	GC 34090, 24 CFR 570.502(b)(3)	X		Includes Deeds, Grant Deeds, Deeds of Trust and Assignment of Rents, Quitclaim Deeds, Deed Restrictions, Subordination Agreement with Deeds, Promissory notes secured by property, Substitution of Trustee, Trust Transfer Deeds, Installment Note, Easements, Full or Partial (re)conveyances, Covenant of Easement, Public Access Easements, Grant of Storm Drain Easements, etc. - Check originals for historic value
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Development Impact Fees	PE	GC 34090	X	CU+2	Paid receipts/liens/deferral agreements
Development Conditions	PE	GC 34090	X	CU+2	Mitigation measures filed with case files
Development Standards	S	GC 34090(a)			Landscape medians, parkway landscape development, etc.

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PLANNING					
Environmental, California Environmental Quality Act (CEQA) Determinations/Reports (Inside City Boundaries)	PE	GC 34090; 14 CCR 15095(c)	X	CU+2	Exemptions, Draft & Final Environmental Impact Reports (EIRs), Negative Declarations, mitigation monitoring, notices of completion, determination, etc.
Environmental, Determinations/Reports (Outside City Boundaries)	CU+2	GC 34090			Non-records (includes City review and comments on projects by other jurisdictions)
General Plan and Elements	E	GC 34090	X	CU+2	Includes sphere of influence
General Plan and Specific Plan Amendments (Approved)	PE	GC 34090	X	CU+2	
General Plan and Specific Plan Amendments (Denied)	CU+3	GC 34090			
Grants - Federal, State & Local - Successful	CL+7	GC 34090; 24 CFR 85.42, 570.502(b); 29 CFR 97.42	X		Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement
Grants - Federal, State & Local - Unsuccessful	CL+2	GC 34090			
Home Occupancy Permit	L				
Land Records	P	GC 34090, CCP 337, 337.1(a), 337.15, 343	X		Includes annexations, boundaries, consolidations, LAFCO
Land Uses, Nonconforming	P	GC 34090(a)	X		Building or site usage which does not conform to current standards
Marketing and Publicity Materials	S+2	GC 34090			Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose
Master Plans	P	GC 34090	X		Special or long-range program plan for municipalities - coordination of services; strategic planning

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PLANNING					
Permit, Tree Removal	CU+5	GC 34090			Oak Trees
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
Prospects/Economic Development	CL+2	GC 34090			Economic development strategies
Redevelopment Plan	PE	GC 34090	X	CU+2	
Redevelopment Projects, Project Areas	P	GC 34090	X		
Sample Materials Submitted with Projects for Approval	CL+2	GC 34090			Roof, glass, paint, etc. samples. Keep as long as project is in approval process plus 2 years.
Sample Materials Submitted with City Projects for Approval	P	GC 34090	X		City project submittals, color boards, etc.
Studies	S+5	GC 34090			Noise studies, seismic studies, air quality, etc.
Studies - Economic	CU+10	GC 34090			
Subdivision Maps, Plans, Drawing Exhibits (All Development Plans)	PE	GC 34090; H&S 19850	X	CU+2	Pertains to real property. May include blueprints, drawings, maps, plans, reports, correspondence, uses, variances, studies, appeals, compliance certificates, lot line adjustments, preliminary, tentative and final maps
Zoning Maps, Plans, Drawings, Exhibits, Photos	PE	GC 34090; H&S 19850	X	CU+2	Parcel, land use maps, aerial photos, comments to local agencies on their developments, etc.

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PUBLIC WORKS					
Abandonments / Vacations (Streets)	P	GC 34090(a)	X		Supporting documentation (includes temporary construction easements, right-of-entry)
Agendas	CU+2	GC 34090	X		Original agendas for Council, Commissions, Boards, and Committees
Annual Assessments/ Inspection of Facilities	CU+10	GC 34090	X	CU +2	
Backflow Certifications	CU+2	GC 34090			
Bids, RFQ's, RFP's (Documents)	AU+4	GC 34090; CCP 337	X	CU+2	City created documents
Bids, RFQ's, RFP's (Successful)	AU+5	GC 34090; CCP 337	X	CU+2	
Bids, RFQ's, RFP's (Unsuccessful)	CU+2	GC 34090; CCP 337			
Bonds, Development	CL+10	GC 34090, 43900; CCP 337.5	X	CU +2	Bonds posted by developer to insure that required public improvements (roads, curbs, gutters, sidewalks, schools, etc.) are built. Bonds insuring real property must be retained permanently.
Bonds, Security	CL+2	GC 34090, 43900; CCP 337.5			Documentation created/received in connection with performance of work/services for parcel maps and subdivisions.
Capital Improvement Projects, Administration Files	CL+10	GC 34090; CCP 337.15	X	CU +2	Supporting documents including bidders list, specifications, reports, work orders, schedules, meeting notes, real estate appraisals, certified payrolls, etc.
Capital Improvement Projects, City Facilities	PE	GC 34090; H&S 19850	X	CU +2	Plans, Specifications, Bids/RFPs, Successful Proposal, Materials Testing Reports, Grading Permits, Hazardous Materials Plans, Soils Reports, Studies, Surveys, etc.
Capital Improvement Projects, City Infrastructure	PE	GC 34090; H&S 19850	X	CU +2	Infrastructure construction or implementation (streets, curbs, gutters, sidewalks, storm drains, water, sewer, parks, public facilities)

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PUBLIC WORKS					
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.
Daily Logs	CU+5	GC 34090			
Easements, Dedications, Rights of Way	P	GC 34090	X		
Facility Safety Inspection	CU+2	GC 34090			
FEMA Reimbursable Events	CU+10	GC 34090	X	CU +2	City preference to facilitate claims and grant reimbursements. Includes documents related to Work Orders, Request for Service Forms, Corrective Action Requests, etc.
Flood Control Records	PE	GC 34090	X	CU+2	Storm Drains
Geotechnical Reports	PE	GC 34090	X	CU +2	Soils Reports
Grants - Federal, State & Local - Successful	CL+7	GC 34090; 24 CFR 85.42, 570.502(b); 29 CFR 97.42	X		Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement
Grants - Federal, State & Local - Unsuccessful	CL+2	GC 34090			
Inventory	AU+4	GC 34090			Includes hand tools, heavy equipment, tools, trucks, and trailers
Maintenance Records	CU+3	GC 34090			Records documenting the maintenance, repair and upkeep of municipally owned facilities and property (including buildings, parks, playgrounds, swimming pools and other public facilities). Includes work orders, safety/health/environmental review and inspection, maintenance, repair, upkeep, and other supporting documents

AS=After Separation AU=Audit CL=Closed/Completion CU=Current Year E=Election L=Life P=Permanent S=Supersede PE=Permanent Electronic File – Destroy Paper After Scanned/Reviewed

City of Yucaipa Records Retention Schedule, Resolution No. 2022-62 Exhibit "A"

Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
PUBLIC WORKS					
Maps and Plats	PE	GC 34090; H&S 19850	X	CU+2	Engineering field notes and profiles; cross-section of roads, streets, right of way, bridges; may include annexations, parks, tracts, block, storm drains, water easements, bench marks, trees, grading, base maps, etc.
Marketing and Publicity Materials	S+2	GC 34090			Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose
NPDES Monitoring Records & Permits	PE	GC 34090; 40 CFR 122.21, 122.41, CCP 337	X	CU +2	
Permit, Encroachment (Permanent)	PE	GC 34090, CCP 337	X	CU +2	Buildings, sewers, streets, utilities, etc.
Permit, Encroachment (Temporary)	CL+5	GC 34090, CCP 337			Street closures, street cuts, paving, etc.
Permit, Wide Load Transportation	CL+2	GC 34090			
Pest Control Reports	CU+2	GC 34090(d)			City facilities - includes pesticide applications, inspections, sampling & documents
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
Programs, Federal Programs & Traffic Safety	CU+3	GC 34090			
Property Acquisition/Disposition	P	GC 34090	X		Deeds, title reports, etc. Supporting documents of sale, purchase, or exchange (also see "conveyance")
Property Acquisition – Appraisal Reports	CL+5	GC 34090; 24 CFR 85.42, 91.105(h), 570.502(b); 29 CFR 97.42			Purchase property, funded loans, property not purchased

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City of Yucaipa Records Retention Schedule, Resolution No. 2022-62 Exhibit "A"

Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
PUBLIC WORKS					
Public Facilities, Infrastructure	PE	GC 34090	X	CU +2	As built, mylars, record drawings
Reports, Bridges & Overpasses	L	GC 34090			Life of Structure
Reports, Inspection	CU+2	GC 34090			Included intersection, sidewalks
Reports, Studies	S+2	GC 34090; CVC 21455.5			Traffic volume, accident history, requests, statistics, drawings supporting traffic devices, "Red Light Camera" reports, etc.
Reports, Traffic Count	CL+5	GC 34090			Evaluation of traffic volume
Reports, Vehicle Accident	CU+2	GC 34090			
Soils Reports and Geo-technical Reports accompanied by site plan, if available	PE		X	CU+2	
Speed Limits	S+5	GC 34090			
Studies/Surveys (City Projects)	PE	GC 34090	X	CU +2	Engineering studies or surveys
Studies/Surveys (Preliminary)	S+3	GC 34090			Preliminary Engineering studies or surveys, project assessments
Surplus Property - Auction	AU+2	GC 34090			Listing of property
Traffic Legends, Signals & Signs	PE	GC 34090	X	CU +2	Locations

AS=After Separation AU=Audit CL=Closed/Completion CU=Current Year E=Election L=Life P=Permanent S=Supersede PE=Permanent Electronic File – Destroy Paper After Scanned/Reviewed

City of Yucaipa Records Retention Schedule, Resolution No. 2022-62 Exhibit "A"

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CITY OF YUCAIPA

Records Retention Schedule

Supplemental Electronic Mail Management and Retention Policy

Purpose

The objective of this policy is to provide clear and concise direction regarding use of the City's electronic mail (e-mail) system. This policy governs the retention of e-mail that is created, sent, received, forwarded, edited, stored, or otherwise used by means of City electronic information resources of any kind, including, but not limited to, computers, computer networks, software, cell phones, personal data assistants, and any other electronic data systems or equipment ("City e-mail"). This policy applies to all employees, elected officials, appointed officials and consultants.

Provisions

The City may access any messages in City e-mails at any time. Access may occur, without limitation, for the following reasons: for random review; in situations indicating impropriety, violation of City policy, suspected criminal activities, or breach of electronic mail security; because of legal requirements; to locate substantive information that is not more readily available by some other means; or for the performance of routine maintenance. The contents of electronic mail may be disclosed within or outside of the City without employee permission or knowledge.

Retention

City e-mails may consist of electronic correspondence or other electronic documentation or records. City e-mails may be considered public records. The release of City e-mails as public records to members of the public is governed by the California Public Records Act. City e-mails are managed according to the City's Records Retention Schedule and the laws and regulations governing it, and other laws and regulations that apply to public records. In general, City e-mails and the retention of such records falls into the following categories:

Official City Records: City e-mails (including attachments) that (i) the City or an officer of the City is required by law to create or retain, (ii) are necessary or convenient to the discharge of a public officer's duties and made or retained for the purpose of preserving its informational content for future reference, (iii) document official business of the City, such as information concerning the formation and implementation of City policies and decisions, approvals to initiate a business transaction, proceedings, requests and replies to requests for public information, projects, contracts, or (iv) may later be important or useful for carrying out City business will be considered an "Official City Record." An Official City Record shall be printed onto paper, appropriately filed, and retained according to the retention period for the document as indicated in the Records Retention Schedule.

Non-Official City Records: City e-mails (including attachments) that consist of preliminary drafts, unofficial copies of documents kept only for convenience or reference, notes, or inter-agency or intra-agency memoranda that are not retained by the City in the ordinary course of business, will be considered "Non-Official City Records." Non-Official City Records are not identified in the Records Retention Schedule and shall be deleted once the information is understood or communicated. Non-Official City Records include records that provide general information, such as, without limitation, announcing the dates

and times of meetings, responses to list serves, requests for general City information (other than public records), etc.

Non-Records: Routine City e-mails, the informational content of which is neither necessary nor intended to be preserved for future City use or reference, are “Non-Records.” Non-Records should be deleted once the information is understood or communicated. Non-Records are not intended to be retained in the ordinary course of City business. Non-records may include, without limitation, informal communication between staff or between staff and consultants, unsolicited offers to do business with the City, or personal correspondence and announcements (such as inviting City staff to a departmental lunch), etc.

Responsibility for Retention

The sender of a City E-mail is responsible for ensuring proper retention of the City E-mail in accordance with the applicable retention schedule. All electronic copies of City E-mails are duplicates and may be deleted once printed on paper, appropriately filed, and retained according to the Records Retention Schedule. Persons responsible for a particular program or project file shall be responsible for retaining all City E-mail they send or receive related to that program or project in accordance with the applicable retention schedule.

Storage and Back up of E-Mail:

Although the use of City E-mail is considered official City business, the City’s e-mail server (Microsoft Exchange Server) is intended to be a method of communication and should not be used for the storage or maintenance of City E-mails.

Subject to the Records Retention Schedule and federal and state rules of procedure concerning the retention of City E-mails, City E-mails shall not be maintained on the City’s e-mail server (Microsoft Exchange Server) longer than ninety (90) calendar days. The systems administrator has established a City E-mail management system that automatically removes City E-mails contained in all mail folders that are more than ninety (90) calendar days old. The systems administrator will disable the automatic e-mail deletion feature to preserve City E-mails in response to a litigation hold or Public Records Act request until it is determined whether City E-mails are subject to disclosure.

The systems administrator maintains back ups for no longer than two (2) weeks before they are overwritten. The purpose of back ups is to provide a means of complete server recovery in case of a system failure. Upon the City’s receipt of a litigation hold or Public Records Act request, the systems administrator may not overwrite back ups that contain City E-mails until it is determined whether any of the City E-mails on the back ups are subject to disclosure.

Legal Proceedings

The City periodically receives requests for inspection or production of documents pursuant to the Public Records Act, as well as demands by subpoena or court order for documents. And, when litigation is commenced by or against the City, it may be necessary to preserve (“litigation hold”) all relevant documents. When the City receives a request for disclosure of City records that applies to City E-mail, or the City Attorney or City Clerk place a litigation hold on certain documents that include City E-mail, the person responsible for the covered records must, using his/her best efforts and by any lawful means available, preserve any City E-mail covered by the request until it is determined whether the City E-mail is subject to retention and/or disclosure. The City Clerk, City Attorney, and systems administrator must be contacted concerning any request for disclosure of City records that applies to City E-mail in the possession of persons subject to this policy.



CITY OF YUCAIPA RECORDS RETENTION SCHEDULE

The following guidelines represent legal requirements for the retention of local government records. The records of the City of Yucaipa shall be retained as set forth in this Records Retention Schedule. Records may be destroyed in accordance with the provisions of this Records Retention Schedule upon the request of the Department Head and with the written consent of the City Attorney and the City Clerk, without further action by the City Council of the City of Yucaipa. With the consent of the City Manager, City Attorney, and City Clerk, updates and amendments are authorized to be made to the Records Retention Schedule without further action by the City Council. Records that may not be addressed in this document will be reviewed by the City Clerk and approved by the City Attorney for the determination of the appropriate legal citation and retention period.

DOCUMENT REVISION HISTORY

Row#	Revision Date	Revision Description	Revision Tracking Notes
1	06/2011	Added "PE" to footers	Added Permanent Electronic (PE)
2	02/2013	Clarified "PE" and destruction of paper copies	Modified scanned column to reflect LF storage eligibility
3	06/2013	Added "Marketing and Publicity Materials"	Added new Record Series "Marketing and Publicity Materials" to Administration Department
4	10/2013	Added "Historical"	Added new Record Series "Historical" to General Services/City Clerk Department
<u>5</u>	<u>11/2022</u>	<u>Comprehensive Update</u>	<u>Simplified the structure of the Schedule; Reoriented records to their appropriate location in the Schedule; Added new records; Eliminated obsolete records, outdated record types, and duplications; and corrected errors</u>

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CITATIONS

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CCP	Code of Civil Procedure
CCR	Code of California Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CVC	California Vehicle Code
EC	California Elections Code
FC	California Finance Code
FMLA	Family & Medical Leave Act
GC	California Government Code
H&S	California Health and Safety Code
HUD	Housing and Urban Development
LC	California Labor Code
OMB	Federal Office of Management & Budget
OSHA	Occupational Safety & Health Act
PC	Penal Code
R&T	Revenue & Taxation Code
UFC	Uniform Fire Code
USC	United States Code
WIC	Welfare & Institutions Code

Record	Retention Period	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
ADMINISTRATION/RISK MANAGEMENT					
<u>Accident, Reports (City Assets)</u>	<u>CL+7</u>	<u>GC 34090; 29 CFR 1904.2, 1904.6</u>			<u>Theft, arson, vandalism, property damage or similar occurrence (excluding fire/law enforcement) (includes incidents occurring on City property) - Reports and related records (moved from Risk Management)</u>
<u>Accident, Incident, Injury Reports – Public (Claim)</u>	<u>CL+7</u>	<u>GC 34090; 29 CFR 1904.2</u>			<u>Members of the public (not a City employee) (moved from Risk Management)</u>
<u>Accident, Incident, Injury Reports – Public (Non-Claim)</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>Members of the public that do not result in a claim (moved from Risk Management)</u>
<u>Administrative Hearings</u>	<u>P</u>	<u>GC 34090</u>	<u>X</u>		
<u>Agendas</u>	<u>CU+2</u>	<u>GC 34090</u>	<u>X</u>		<u>Original agendas for Council, Commissions, Boards, and Committees (added)</u>
<u>Agreements, Capital Improvement</u>	<u>P</u>	<u>GC 34090; 4004; H&S 19850</u>	<u>X</u>		<u>All infrastructure and MOU agreements/contracts, including specifications, construction and design, accepted proposal, non-collusion affidavit, initial insurance certificates, performance/labor/material bonds, notices of completion, etc. (moved to General Services/City Clerk)</u>
<u>Agreements, Contractors</u>	<u>CL+10</u>	<u>GC 34090; CCP 337.2, 343; B&P 7042.5</u>	<u>X</u>		<u>Includes agreements or contracts for professional services, recreation class instructors and sports leagues, consulting, supplies, software licenses, etc., and leases of equipment (moved to General Services/City Clerk)</u>
<u>Agreements, Franchise</u>	<u>P</u>	<u>GC 65869.5; 34090; CCP 337.2, 343</u>	<u>X</u>		<u>Including subdivision agreements, contracts for sale or purchase of property, cable, grant of easements and/or involving construction of improvement (moved to General Services/City Clerk)</u>
<u>Agreements, Joint Powers (JPA)/Mutual Aid</u>	<u>P</u>	<u>GC 34090</u>	<u>X</u>		<u>JPA's and Mutual Aid contracts (moved to General Services/City Clerk)</u>
<u>Agreements, School District</u>	<u>P</u>	<u>GC 34090</u>	<u>X</u>		<u>(moved to General Services/City Clerk)</u>
<u>Appeals, Civil</u>	<u>CL+3</u>	<u>GC 34090; CCP 583.320(a)(3)</u>	<u>X</u>		<u>(moved from General Services/City Clerk)</u>

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City of Yucaipa Records Retention Schedule, Resolution No. 2022-XX66 Exhibit "A"

Record	Retention Period	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
ADMINISTRATION/RISK MANAGEMENT					
<u>Assessment Rolls</u>	<u>CU+5</u>	<u>GC 34090</u>			<u>(moved to Finance/Accting)</u>
Bids, RFQ's, RFP's (Documents)	AU+4	GC 34090; CCP 337	<u>X</u>	<u>CU+2</u>	City created documents
Bids, RFQ's, RFP's (Successful)	AU+5	GC 34090; CCP 337	<u>X</u>	<u>CU+2</u>	
Bids, RFQ's, RFP's (Unsuccessful)	CU+2	GC 34090; CCP 337			
City Council Correspondence	CU+2	GC 34090			
City Council Subcommittees	CU+2	GC 34090, 54960.1(c)(1)			All records pertaining to City Council appointments to outside agencies and subcommittees
City Manager Council Reports and Memos	CU+2	GC 34090			
City Manager Project files	CL+2	GC 34090			
<u>Claims, Against City</u>	<u>CL+5</u>	<u>GC 34090, 911.2, 945; PC 832.5; CCP 337</u>	<u>X</u>	<u>CL+2</u>	<u>Paid/Denied Litigation, complaints, and/or claims suspend normal retention periods (retention begins after settlement) (moved from Risk Management)</u>
<u>Claims, By City</u>	<u>CL+5</u>	<u>GC 34090, 911.2, 945; PC 832.5; CCP 337</u>			<u>(moved from Risk Management)</u>
<u>Conveyances from or to the City (Deeds, Easements, etc)</u>	<u>P</u>	<u>GC 34090, 24 CFR 570.502(b)(3)</u>			<u>Includes Deeds, Grant Deeds, Deeds of Trust and Assignment of Rents, Quitclaim Deeds, Deed Restrictions, Subordination Agreement with Deeds, Promissory notes secured by property, Substitution of Trustee, Trust Transfer Deeds, Installment Note, Easements, Full or Partial (re)conveyances, Covenant of Easement, Public Access Easements, Grant of Storm Drain Easements, etc. — Check originals for historic value — (moved to Development/Planning)</u>
Correspondence, Routine	CU+2	GC 34090			Administrative, general files, memorandums, miscellaneous reports, working files, etc.

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ADMINISTRATION/RISK MANAGEMENT					
<u>Environmental, California Environmental Quality Act (CEQA) Determinations/Reports (Inside City Boundaries)</u>	P	GC 34090; 14 CCR 15095(e)	X		<u>Exemptions, Draft & Final Environmental Impact Reports (EIRs), Negative Declarations, mitigation monitoring, notices of completion, determination, etc. (moved to Planning)</u>
<u>Environmental, Determinations/Reports (Outside City Boundaries)</u>	CU+2	GC 34090			<u>Non-records (includes City review and comments on projects by other jurisdictions) (moved to Planning)</u>
<u>Equipment, General Office</u>	T+1	GC 34090	X (Purchase Information Only)		<u>(removed)</u>
<u>Grants - Federal, State & Local - Successful</u>	CL+7	GC 34090; 24 CFR 85.42, 570.502(b); 29 CFR 97.42	X		<u>Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement</u>
<u>Grants - Federal, State & Local - Unsuccessful</u>	CL+2	GC 34090			
<u>Insurance, Bonds (City)</u>	PE	CCP 337.2, 343	X	CU+2	<u>Bonds & insurance policies insuring city property & other assets (moved from Risk Management)</u>
<u>Insurance - Liability/Property/Worker's Compensation</u>	PE	GC 34090	X	CU+2	<u>City owned policies/certificates, Liability - General/Public, workers compensation, property (moved from Risk Management)</u>
<u>Insurance, PARSAC</u>	PE	GC 34090	X	CU+2	<u>Public Agency Risk Sharing Authority of California excess liability insurance (moved from Risk Management)</u>
<u>Insurance, Rental/Use of City Facility</u>	T+2	GC 34090	X		<u>Insurance binders for rental/use of City facilities (moved from Risk Management)</u>
<u>Inventory</u>	AU+4	GC 34090			<u>Reflects purchase date, cost, account number (moved to IT)</u>
<u>Legal Opinions</u>	S+2	GC 34090, 6254			<u>Confidential (Attorney-Client Privileged)</u>
<u>Liens & Releases</u>	P	GC 34090	X		<u>Recorded Liens, Public Nuisance Lien, Claim of Lien (moved to General Services/City Clerk)</u>

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Record	Retention Period	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
ADMINISTRATION/RISK MANAGEMENT					
Liens & Releases – Support Documentation	CL+2	GC 34090			(moved to Code Enforcement)
Litigation/Lawsuits	CL+5 (PE)	GC 34090, 911.2, 945; CCP 337	X	After Settled	Includes logs, complaints, police reports, court orders, motions, notes, briefs, closing statements, etc.
Litigation/Lawsuits (High Profile)	P	GC 34090	X		Significant cases which have importance and/or set legal precedence. Includes logs, complaints, court orders, motions, notes, briefs, closing statement, etc.
Marketing and Publicity Materials	S+2	GC 34090			Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose
Master Plans	P	GC 34090	X		Special or long range program plan for municipalities – coordination of services; strategic planning (moved to Planning)
Property Acquisition/Disposition	P	GC 34090	X		Deeds, title reports, etc. Supporting documents of sale, purchase, or exchange (also see “Conveyance”) (moved to Public Works)
Property Acquisition – Appraisal Reports	CL+5	GC 34090; 24 CFR 85.42; 91.105(h); 570.502(b); 29 CFR 97.42			Purchased property, funded loans, property not purchased (moved to Planning)
Policies/Procedures, Administrative	S+2	GC 34090			General City policies, procedures, instructions
<u>Risk Management Reports</u>	<u>CL+5</u>	<u>GC 34090; 29 CFR 1904.4</u>	<u>X</u>	<u>CL+2</u>	<u>Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies (moved from Risk Management)</u>
EMERGENCY MANAGEMENT					
<u>Correspondence, Routine</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Administrative, general files, memorandums, miscellaneous reports, working files, etc. (added)</u>
Emergency Response & Preparedness Planning	S+2	GC 34090	X		Includes Council approved emergency preparedness plans, <u>staff training certificates (ICS)</u> , etc.
Emergency Documents	PE	GC 34090	X	<u>CU+2</u>	All documents relating to a declared emergency

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Record	Retention Period	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
ADMINISTRATION/RISK MANAGEMENT					
Equipment, General Office	T+1	GC 34090	X (Purchase Information Only)		Owners manuals; service maintenance information; purchase information; correspondence; backup data & warranty information (removed)
<u>Grants - Federal, State & Local - Successful</u>	<u>CL+7</u>	<u>GC 34090; 24 CFR 85.42, 570.502(b); 29 CFR 97.42</u>	<u>X</u>		<u>Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement (added)</u>
<u>Grants - Federal, State & Local - Unsuccessful</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>(added)</u>
<u>Inventory</u>	<u>AU+4</u>	<u>GC 34090</u>			<u>Reflects purchase date, cost, account number (moved to IT and to Public Works)</u>
<u>Marketing and Publicity Materials</u>	<u>S+2</u>	<u>GC 34090</u>			<u>Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose (added)</u>
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions (added)</u>

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Record	Retention Period	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
BUILDING AND SAFETY					
Building Inspection Log	CL+2	GC 34090			Daily Inspections (removed - a function of CityView)
Building Permit Database	L	GC 34090, H&S 19850			CityView Database
Building Permits, Issued	P PE	GC 34090, H&S 19850	X	CU+2	Plans, building, signs, grading, and correction notices
Building Plans/Construction Documents (Commercial and required multi-family structures)	P PE	GC 34090, H&S 19850	X	CU+2	Finalized commercial and required multi-family structures
Building Plans/Construction Documents, Institutional	P PE	GC 34090, H&S 19850	X	CU+2	Finalized institutional structures (including City facilities, schools, libraries, churches, etc.)
Building Plans/Construction Documents (SFR)	CL+90-180 days	GC 34090, H&S 19850			Finalized SFR building plans reviewed by Building Inspector to guarantee structures meet local building codes and should need only be kept 90 180 days after issuance of Certificate of Occupancy building final pursuant to provisions of the UBC California Building Codes
Certificates of Occupancy	L	GC 34090(a)			Finalized building permit is considered Certificate of Occupancy
Code Books	P	GC 34090(e)	X		National Electrical Code, Uniform Building, Fire, Mechanical, Plumbing & Supplements
Complaints / Violations	CL+1	GC 34090			Prior to Certificate of Occupancy (moved to Code Enforcement)
Correction Notices, Stop Work Orders, etc.	CL+1	GC 34090			(moved to Code enforcement)
Home Occupancy Permits	L	GC 34090			(moved to Planning)
Plan Check Correction List	CL+1	GC 34090			(included with Projects Not Completed or Denied record series)
Projects Not Completed or Denied	CL+1	GC 34090(d)			

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Record	Retention Period	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
BUILDING AND SAFETY					
Reports Annual Historical Reports of Bldg. Permit Activity	P	GC 34090	X		
Reports Monthly & Periodic Reports of Bldg. Activity	CU+2	GC 34090			Dodge reports, etc.
Violations, Building, Property and Zoning	CL+2	GC-34090(d)			(moved to Code Enforcement)
<u>Soils Reports and Geo-technical Reports accompanied by site plan, if available</u>	<u>PE</u>		<u>X</u>	<u>CU+2</u>	<u>(added)</u>

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City of Yucaipa Records Retention Schedule, Resolution No. 200922-XX66 Exhibit "A"

Record	Retention Period	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
CODE ENFORCEMENT					
Abandoned Vehicles	CL+2	GC 34090			
Abatement, Code Enforcement	CU+2	GC 34090			Reports, assessments, resolutions, documentation
Banner Permits, Temporary Signs	CL+2	GC 34090			Temporary uses
Case Files (Code Enforcement)	CL+5	GC 34090; PC 801	X	CU+2	Building, housing and mobilehome code violation records including inspections; public nuisance, abatement, citations, massage parlor permits, general. Case is open until fully resolved.
<u>Complaints/Violations, Building, Property and Zoning</u>	<u>CL+2</u>	<u>GC 34090(d)</u>			<u>(moved from Building and Safety)</u>
<u>Correction Notices, Stop Work Orders, etc.</u>	<u>CL+1</u>	<u>GC 34090</u>			<u>(moved from Building and Safety)</u>
<u>Correspondence, Routine</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Administrative, general files, memorandums, miscellaneous reports, working files, etc. (added)</u>
Graffiti Reports & Photographs	CL+2	GC 34090			
<u>Liens & Releases – Support Documentation</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>(moved from Administration)</u>
Permit, Parking	CU+2	GC 34090			Residential
Permit, Temporary Use Permit	CL+2	GC 34090			
<u>Permit, Tree Removal</u>	<u>CU+5</u>	<u>GC 34090</u>			<u>(moved to Planning)</u>
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions (added)</u>

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
COMMUNITY SERVICES (formerly RE CREATION)					
<u>Agendas</u>	<u>CU+2</u>	<u>GC 34090</u>	<u>X</u>		<u>Original agendas for Council, Commissions, Boards, and Committees (added)</u>
<u>Bids, RFQ's, RFP's (Documents)</u>	<u>AU+4</u>	<u>GC 34090;</u> <u>CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>City created documents (added)</u>
<u>Bids, RFQ's, RFP's (Successful)</u>	<u>AU+5</u>	<u>GC 34090;</u> <u>CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>(added)</u>
<u>Bids, RFQ's, RFP's (Unsuccessful)</u>	<u>CU+2</u>	<u>GC 34090;</u> <u>CCP 337</u>			<u>(added)</u>
<u>Class Rosters and Enrollments</u>	<u>CU+2</u>	<u>GC 34090</u>			
<u>Activity/Project Files Contracts</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Concerts, classes, programs, special event permits Bands, instructors, programs, sports organizations</u>
<u>Correspondence, Routine</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Administrative, general files, memorandums, miscellaneous reports, working files, etc. (added)</u>
<u>Enrollment Forms</u>	<u>CU+4</u>	<u>GC 34090;</u> <u>CCP 337,</u> <u>343</u>			<u>Field trips, camps, S.T.A.R.S. Enrollment Forms</u>
<u>Evaluations/Surveys of Programs</u>	<u>CU+1</u>	<u>GC 34090</u>			
<u>Facility Rentals/Use</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Supporting documentation</u>
<u>Grants - Federal, State & Local - Successful</u>	<u>CL+7</u>	<u>GC 34090;</u> <u>24 CFR</u> <u>85.42,</u> <u>570.502(b);</u> <u>29 CFR</u> <u>97.42</u>	<u>X</u>		<u>Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement (added)</u>
<u>Grants - Federal, State & Local - Unsuccessful</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>(added)</u>
<u>Liability Release Forms</u>	<u>CU+4</u>	<u>GC 34090;</u> <u>CCP 337,</u> <u>343</u>			<u>Includes signed participant waivers and release of liability forms</u>

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
COMMUNITY SERVICES (formerly RECREATION)					
<u>Marketing and Publicity Materials</u>	<u>S+2</u>	<u>GC 34090</u>			<u>Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose (added)</u>
Permission Slips	CU+4	GC 34090; CCP 337, 343			Field trips and camps authorization to give medicine
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions (added)</u>
Receipt Copies	CU+2	GC 34090			Handwritten receipts from satellite locations
Recreation Database	L	GC 34090			Includes registrations, fees, charges Software (moved to IT)
Schedules, Classes & Events	CU+2	GC 34090			N/A (removed)
Special Event Permits	CL+4	GC 34090; CCP 337			All documents relating to approved permit

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FINANCE/ACCOUNTING/PAYROLL					
Accounts Payable	AU+4	GC 34090	<u>X</u>	<u>CU+2</u>	Invoices, payment requests, copies of checks, supporting documents, etc.
Accounts Receivable	AU+4	GC 34090	<u>X</u>	<u>CU+2</u>	Invoices to outside entities and private individuals, copies of payments and billing records, supporting documents, etc.
Annual Audit Reports (Copies)	S	GC 34090.7	X		Audits (independent auditor analysis) Treasurer's Reports, Annual Financial Reports
Annual Audit Reports (Originals)	<u>P PE</u>	GC 34090	X	<u>CU +2</u>	Audits (independent auditor analysis) Treasurer's Reports, Annual Financial Reports
Annual Audit Reports, Back Up and Supporting Documents	<u>AU+42</u>	<u>GC</u> 34090			Back up and supporting documents generated by City staff in the course of the audit.
Assessment Districts	<u>P PE</u>	GC 34090; CCP 337, 337.1(a), 337.15, 343	X	<u>CU +2</u>	Original financial documentation (including transcript binder, collection information, account statements, administration, bonds, coupons, certifying compliance with state law) -Assessment / Maintenance / Landscape & Lighting / Street Improvement District Projects / Community Facilities Districts (All finance records)
<u>Assessment Rolls</u>	<u>CU+5</u>	<u>GC 34090</u>			<u>(moved from Administration)</u>
Bank Deposits / Deposit Transmittal Records	AU+4	GC 34090, 43900, 26 CFR 1.6001-1	<u>X</u>	<u>CU +2</u>	Deposit tickets and supporting documentation
Bank Reconciliations	AU+5	GC 34090; 26 CFR 1.6001-1	<u>X</u>	<u>CU +2</u>	Including backup and supporting documentation
Bank Statements	<u>AU+5 PE</u>	GC 34090, 43900, 26 CFR 1.6001-1	<u>X</u>	<u>CU +2</u>	
<u>Bids, RFQ's, RFP's (Documents)</u>	<u>AU+4</u>	<u>GC 34090;</u> <u>CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>City created documents (added)</u>
<u>Bids, RFQ's, RFP's (Successful)</u>	<u>AU+5</u>	<u>GC 34090;</u> <u>CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>(added)</u>

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FINANCE/ACCOUNTING/PAYROLL					
<u>Bids, RFQ's, RFP's (Unsuccessful)</u>	<u>CU+2</u>	<u>GC 34090; CCP 337</u>			<u>(added)</u>
Bonds, -Transcripts/Certificates of Participations	<u>CL+10 PE</u>	GC 34090, 43900, CCP-, 337.5(2)	X	<u>CU +2</u>	Destruction requirements per GC 43901
Bonds	<u>CL+10 PE</u>	GC 34090; CCP 336, 337.5(2)	X	<u>CU +2</u>	Types of Bonds issued by City to include: Development, Financial, Security, CFD, Audit
Bonds, Account Statements	<u>CL+10 PE</u>	GC 34090; CCP 337.5	X	<u>CU +2</u>	Monthly statement of transactions
Bonds, Administration	<u>CL+10 PE</u>	GC 34090; CCP 337.5	X	<u>CU +2</u>	Supporting documentation
Bonds, Coupons	CL+2	GC 34090, 53921			Paid/cancelled
Budget Adjustments/Amendments	<u>AU+52</u>	GC 34090			Transactional documents, supporting documentation
Budgets, Adopted (Copies)	S	GC 34090.7			City Council/RDA adopted operating and capital budgets, Council priorities, CIP
Budgets-, Adopted -(Originals)	<u>P PE</u>	GC 34090, 40802, 53901	X	<u>CU+2</u>	City Council/RDA adopted operating and capital budgets, Council priorities, CIP, Department goals and objectives
Budget Hearing & Review	AU+2	GC 34090			Budget as presented to City Council/RDA
Budget Worksheets	S	GC 34090			
Business License <u>(Yucaipa)</u>	<u>CL S+2</u>	GC 34090	<u>Old Licenses Only</u>		Includes applications, reports, customer files
<u>Business License (outside Yucaipa)</u>	<u>CL+24</u>	<u>GC 34090</u>			
<u>Business License (home-based business)</u>	<u>CL+2</u>	<u>GC 34090</u>			
CAFR - Comprehensive Annual Financial Reports	<u>P PE</u>	GC 34090	X	<u>CU+2</u>	Including Audit Opinions and Reports
<u>CALPERS Bi-Weekly Reports</u>	<u>AU+5</u>	<u>GC 34090</u>			<u>(moved from Human Resources)</u>

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FINANCE/ACCOUNTING/PAYROLL					
Capital Improvement Projects, Financial Records	CL+10	GC 34090; CCP 337	X	<u>CU +2</u>	Project Administration, Certified Payrolls, Project Schedules, Progress meetings, Real Estate Appraisals, etc.
Cash Receipts & Summaries	AU+4	GC 34090; 26 CFR 1.6001-1	<u>X</u>	<u>CU +2</u>	Includes checks, coin, currency, backup and supporting documentation
Cashier's Reports/Daily Revenue	AU+4	GC 34090; 26 CFR 1.6001-1	X	<u>CU +2</u>	Daily cash reports, supporting documentation, processed deposit information, credit card settlement, etc.
Certified Mail/Electronic/Postage Receipts	AU+7	GC 34090	<u>X</u>	<u>CU +2</u>	Meet Statute of Limitations Standards
Chart of Accounts	AU+4	GC 34090			
Checks	AU+5	GC 34090; CCP 337	<u>X</u>	<u>CU +2</u>	Includes payroll, canceled, voided, vendor, cashed
<u>Correspondence, Routine</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Administrative, general files, memorandums, miscellaneous reports, working files, etc. (added)</u>
Credit Card, Agreements	L+4	GC 34090, 34090.7	<u>X</u>	<u>CU +2</u>	
Deposit Log Sheets/Books	AU+4	GC 34090			
Encumbrance Reports	AU+4	GC 34090			
Escheat (Unclaimed Money / Uncashed Checks)	CU+5	GC 34090; CCP 340(d), 1519			All tangible property held by government agencies escheats after 3 years; Statute of Limitations is 1 year for seized property; meets auditing requirements
Financial Statements	<u>AU+7 PE</u>	GC 34090; CCP 337	X	<u>CU +2</u>	Monthly financial statements and supporting documentation
Fines, Civil and Penalties	AU+4	GC 34090			Includes backup and supporting documentation
Fines, False Alarm	AU+4	GC 34090			Includes backup and supporting documentation
Fines, JDS	AU+4	GC 34090			Includes backup and supporting documentation
Fines, NSF	AU+4	GC 34090			Includes backup and supporting documentation
Fines, Parking Citations	AU+4	GC 34090			Includes backup and supporting documentation
Fines, Restitutions	CL+4	GC 34090			Includes backup and supporting documentation

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FINANCE/ACCOUNTING/PAYROLL					
Fixed Assets, Annual Listing	L	GC 34090	X		Inventory listing, additions listing, deletions listing, depreciation listing
Gas Tax	AU+4.7	GC 34090			Tax receipts, audits, reports, backup and supporting documentation
General Journal Reports	AU+4	GC 34090; CCP 337			Includes account postings, entries, vouchers, backup and supporting documentation
General Ledger (GL) Year End Reports	P PE	GC 34090; CCP 337	X	CU+2	Final year end reports
<u>Grants, Community Development Block Grants (CDBG)</u>	<u>CL+7</u>	<u>GC 34090; 24 CFR 85.42; 570.502(b)(3); OMB Cir. A-102, A-110 & HUD Regs.</u>	<u>X</u>	<u>CU+2</u>	<u>Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules regulations and procedures, financial disbursement/settlement (moved from Administration)</u>
IRS Forms (1099, 1096, W9)	AU+6.7	GC 34090			Vendors and Consultants
<u>IRS Tax Forms (W2, W4)</u>	<u>AU+7</u>	<u>GC 34090; 26 CFR 31.6001-1; 29 USC 436</u>			<u>(moved from Human Resources)</u>
Investment Records	P PE	GC 34090, 53607; CCP 337	X	CU+2	Summary of transactions, inventory & earnings report, trade tickets, Local Agency Investment Fund (LAIF)
<u>Payroll, Tax Reports</u>	<u>AU+7</u>	<u>GC 34090; 29 CFR PART 516; 29 USC 436</u>			<u>Quarterly tax returns/OASDI (moved from Human Resources)</u>
Permit Fees	P PE	GC 34090	X	CU+2	
Petty Cash Receipts	AU+4	GC 34090			
Petty Cash Records	CU+2	GC 34090			Logs and transmittal forms

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FINANCE/ACCOUNTING/PAYROLL					
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions (added)</u>
Purchase Orders / Requisitions	AU+4	GC 34090; CCP 337, 337.1(a), 337.15, 343	<u>X</u>	<u>CU +2</u>	Includes procurement and contracting records
Redevelopment Statement of Indebtedness	AU+5	GC 34090	X	<u>CU +2</u>	
Refunds and Credits	AU+4	GC 34090			
Signature Cards & Authority	CL+2	GC 34090			
State Controllers Report	<u>AU+5 PE</u>	GC 34090	X	<u>CU +2</u>	
Taxes, Receivable	AU+3	CCP 338			
<u>Timecards/Sheets</u>	<u>AU+5</u>	<u>GC 34090; 29 CFR PART 516; 26 CFR 31.6001-1; LC 1174(d)</u>			<u>Signed by employee (includes overtime sheets/cards and time card project accounting) (moved from Human Resources)</u>
Transient Occupancy Taxes (TOT)	AU+4	GC 34090			
Travel Expense Reimbursements	AU+4	GC 34090			
Trial Balance Detail Reports	AU+4	GC 34090			
Trust Accounts	CL+5	GC 34090			Meets auditing standards
Vehicle Impound Fees	AU+4	GC 34090			
Vendor Register	<u>P PE</u>	GC 34090	X	<u>CU+2</u>	Vendor listing of purchase orders, invoices, account numbers & check date
<u>Voucher/Voucher Register</u>	<u>AU+4</u>	<u>GC 34090</u>			<u>Cash Disbursement Journal</u>
Warrant Register	<u>AU+2 PE</u>	GC 34090	<u>X</u>	<u>CU+2</u>	

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GENERAL SERVICES/CITY CLERK					
AB 939 Annual Reports	CU+10	GC 34090	X	<u>CU+2</u>	Includes Tonnage Reports and all supporting documentation. Consistent with City-wide standards for contract administration
Affidavits of Publications/Public Hearing Notices	CU+2	GC 34090, 54960.1(c) (1); CCP 337; 349.4	X		Includes special meetings, public hearings, proofs of publications
Agenda Packets	PE	GC 34090	X	<u>CU+2</u>	<u>Original agenda packets for Council and the Mobilehome Rent Review Commission. Documentation received, created and/or submitted to Council, Commissions, Boards & Committees</u>
Agendas	CU+2	GC 34090	X		Original agendas for Council, Commissions, Boards, and Committees
<u>Agreements, Capital Improvement</u>	<u>PE</u>	<u>GC 34090; 4004; H&S 19850</u>	<u>X</u>	<u>CU+2</u>	<u>All infrastructure and MOU agreements/contracts, including specifications, construction and design, accepted proposal, non-collusion affidavit, initial insurance certificates, performance/labor/material bonds, notices of completion, etc. (moved from Administration)</u>
<u>Agreements, Contractors</u>	<u>CL+5</u>	<u>GC 34090; CCP 337.2, 343; B&P 7042.5</u>	<u>X</u>	<u>CU+2</u>	<u>Includes agreements or contracts for professional services, recreation class instructors and sports leagues, consulting, supplies, software licenses, etc., and leases of equipment (moved from Administration)</u>
<u>Agreements, Franchise</u>	<u>PE</u>	<u>GC 65869.5, 34090; CCP 337.2, 343</u>	<u>X</u>	<u>CU+2</u>	<u>Including subdivision agreements, contracts for sale or purchase of property, cable, grant of easements and/or involving construction of improvement (moved from Administration)</u>
<u>Agreements, Joint Powers (JPA)/Mutual Aid</u>	<u>PE</u>	<u>GC 34090</u>	<u>X</u>	<u>CU+2</u>	<u>JPA's and Mutual Aid contracts (moved from Administration)</u>
<u>Agreements, School District</u>	<u>PE</u>	<u>GC 34090</u>	<u>X</u>	<u>CU+2</u>	<u>(moved from Administration)</u>

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GENERAL SERVICES/CITY CLERK					
Appeals, Civil	CL+3	GC 34090; ECP 583.320(a) (3)	X		(moved to Administration)
Articles of Incorporation	P	GC 34090	X		Includes City Seal
Audio and/or Video Recordings	CU+3	GC 34090, 34090.6, 34090.7, 54953.5(b)			
<u>Bids, RFQ's, RFP's (Documents)</u>	<u>AU+4</u>	<u>GC 34090;</u> <u>CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>City created documents (added)</u>
<u>Bids, RFQ's, RFP's (Successful)</u>	<u>AU+5</u>	<u>GC 34090;</u> <u>CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>(added)</u>
<u>Bids, RFQ's, RFP's (Unsuccessful)</u>	<u>CU+2</u>	<u>GC 34090;</u> <u>CCP 337</u>			<u>(added)</u>
Certificates of Destruction	PE	GC 34090	X	<u>CU+2</u>	
Citizen Service Applications to Boards, Commissions, and Committees (Not Selected)	CL+2	GC 34090			Includes letters to unsuccessful candidates
Citizen Service Applications to Boards, Commissions, and Committees (Selected)	F AS+4	GC 34090	X	<u>CU+2</u>	Includes appointment letters, oaths of office, etc.
<u>Correspondence, Routine</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Administrative, general files, memorandums, miscellaneous reports, working files, etc. (added)</u>
Elections, Ballots (Prop 218)	6 Months	EC 17302, 17306, 17505	X		Property Related Fees (Assessment Ballot proceeding)
Elections, Calendar	E+2	GC 34090			
Elections, Candidates Statements (Successful)	PE	GC 81009	X	T +4 <u>CU+2</u>	
Elections, Candidates Statements (Unsuccessful)	E+5	GC 81009			
Elections, Canvass	PE	GC 34090	X	<u>CU+2</u>	Notification and publication of election

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GENERAL SERVICES/CITY CLERK					
Elections, Certificates of Election	T+4	GC 34090	X	<u>CU +2</u>	
Elections, Nomination Papers (Successful)	T+4	EC 17100	X	<u>CU +2</u>	
Elections, Nomination Papers (Unsuccessful)	E+2	EC 17100			
Elections, Notifications & Publications	E+2	GC 34090	X	<u>CU +2</u>	Proof of publication or posting, certification and listing of notice of posting; copy of newspaper notice, certification of offices to be voted for
Elections, Oath of Office	T+6	GC 34090, 36507; 29 USC 1113	X	<u>CU +2</u>	
Elections, Petitions	E+.75	EC 17200, 17400			From date of filing or election: initiative, referendum, recall, municipal code amendments. Signatures are confidential.
Elections, Sample Ballot	PE	GC 34090	X	CU+2	
Ethics Training (AB 1234)	CU+5	GC 53234(d), 53235.2b	X	<u>CU +2</u>	Ethics training certificates and supporting documents
FPPC - Campaign Disclosure Filings, Candidates (Elected Officials)	PE	GC 81009	X	CU+2	FPPC Filings (400 series); Paper must be retained for at least 2 years
FPPC – Campaign Disclosure Filings, Candidates (Not Elected)	E+5	GC 81009	<u>X</u>	<u>CU+2</u>	FPPC Filings (400 series); Paper must be retained for at least 2 years
FPPC - Campaign Disclosure Filings, Copies	E+4	GC 81009	<u>X</u>	<u>CU+2</u>	FPPC Filings (400 Series) Copies of original filings that are not filed with the City Clerk (i.e., Form 410's); Paper must be retained for at least 2 years
FPPC - Campaign Disclosure Filings, Other Committees	E+7	GC 81009	X	<u>CU+2</u>	FPPC Filings (400 Series) Other Committees (PACS, not candidate-controlled)
FPPC – Candidate Intention Statement, Elected Officials	PE	GC 81009	X	CU+2	FPPC Filings (Form 501); Paper must be retained for at least 2 years
FPPC – Candidate Intention Statement, Not Elected	E+5	GC 81009	<u>X</u>	<u>CU+2</u>	FPPC Filings (Form 501); Paper must be retained for at least 2 years

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
GENERAL SERVICES/CITY CLERK					
FPPC - Statement of Economic Interest - Designated Employees	CU+7	GC 81009	X	<u>CU+2</u>	FPPC Filings (Form 700) Specified in City's Conflict of Interest Code - City Maintains original statements
FPPC – Statement of Economic Interest – Lobbyist Reporting	CU+7	GC 81009; 2 CCR 18615(d)	X	<u>CU+2</u>	FPPC Filings (Form 700)
FPPC - Statement of Economic Interest - Public Officials	E+7	GC 81009	X	<u>CU+2</u>	FPPC Filings (Form 700) Elected & Not Elected. Includes City Councilmembers, Planning Commission Members, City Manager, City Treasurer, City Attorney - City maintains copies - originals filed w/ FPPC
<u>Grants - Federal, State & Local - Successful</u>	<u>CL+7</u>	<u>GC 34090: 24 CFR 85.42, 570.502(b) ; 29 CFR 97.42</u>	<u>X</u>		<u>Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement (added)</u>
<u>Grants - Federal, State & Local - Unsuccessful</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>(added)</u>
Historical	PE	GC 34090	X	CU+2	Incorporation, City Seal, Historical Designations, etc.
<u>Insurance - Certificates</u>	<u>CU+11</u>	<u>GC 34090, CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>For Contract Vendors, etc. / Longest Statute of Limitations is 10 years (moved from Risk Management)</u>
Legal Advertising	CU+2	GC 34090, 54960.1(c) (1); CCP 337	X		Includes public notices & legal publications
<u>Liens & Releases</u>	<u>PE</u>	<u>GC 34090</u>	<u>X</u>	<u>CU+2</u>	<u>Recorded Liens, Public Nuisance Lien, Claim of Lien (moved from Code Enforcement)</u>
Maddy Act List / Committee Rosters	CU+2	GC 34090	X		

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GENERAL SERVICES/CITY CLERK					
<u>Maintenance Contracts</u>	<u>CL+5</u>	<u>GC 34090; CCP 337</u>	<u>X</u>	<u>CU +2</u>	<u>Landscaping, HVAC, Pavement Management, Street Sweeping, Pest Control, Security, Slurry Seals, Striping, Tree Trimming, etc. (moved from Public Works)</u>
<u>Marketing and Publicity Materials</u>	<u>S+2</u>	<u>GC 34090</u>			<u>Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose (added)</u>
Meeting Notices	CU+2	GC 34090, 34090.7, 54960.1 (c)(1); CCP 337	X		Includes special meetings, public hearings and proofs of publications
Minutes	P	GC 34090	X	EU+2	Official minutes and hearing proceedings of governing body or board, commission or committee
Mobilehome Park, General Files	P <u>PE</u>	GC 34090	X	<u>CU+2</u>	Registrations, annual increases, misc. documents
Mobilehome Park, NOI, CPI, Loss of Amenity	P	GC 34090	X		
Mobilehome Park, Permit to Operate	P <u>PE</u>	GC 34090	X	CU+2	Issued permits, annual reports, supporting documents
Municipal Code & Development Code	P	GC 34090	X		
Ordinances	PE	GC 34090	X	EU+2	
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions (added)</u>
Proclamations	CU+2	GC 34090			
Public Records Request	CL+2	GC 34090			
Recorded Documents	P	GC 34090	X		Land and Property approved by City Council
Records Management, Working Copy	CL+2	GC 34090			Includes retrieval, transfers, inactive and sign off
Records Management, Destruction Certification	<u>PE</u>	GC 34090	X	<u>CU+2</u>	Document of final disposition or records

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GENERAL SERVICES/CITY CLERK					
Records Retention	S+4	GC 34090, CCP 343	X		Schedules/guidelines
Resolutions	PE	GC 34090	X	CU+2	Legislative actions
Subpoenas/Summons	CU+2	GC 34090			Request for information or personal appearance
<u>Vehicle Ownership & Title</u>	<u>L</u>	<u>CVC 9900</u>	<u>X</u>		<u>Title transfers when vehicle sold (moved from Public Works)</u>
INFORMATION TECHNOLOGY					
<u>Bids, RFQ's, RFP's (Documents)</u>	<u>AU+4</u>	<u>GC 34090; CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>City created documents (added)</u>
<u>Bids, RFQ's, RFP's (Successful)</u>	<u>AU+5</u>	<u>GC 34090; CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>(added)</u>
<u>Bids, RFQ's, RFP's (Unsuccessful)</u>	<u>CU+2</u>	<u>GC 34090; CCP 337</u>			<u>(added)</u>
<u>E-Mail, Litigation</u>	<u>CL+5</u>	<u>GC 34090, 911.2, 945; CCP 337</u>			<u>The City periodically receives requests for inspection or production of documents pursuant to the Public Records Act, as well as demands by subpoena or court order for documents. And, when litigation is commenced by or against the City, it may be necessary to preserve ("litigation hold") all relevant documents. When the City receives a request for disclosure of City records that applies to City E-mail, or the City Attorney or City Clerk place a litigation hold on certain documents that include City City E-mail, the person responsible for the covered records must, using his/her best efforts and by any lawful means available, preserve any City E-mail covered by the request until it is determined whether the City E-mail is subject to retention and/or disclosure. The City Clerk, City Attorney, and systems administrator must be contacted concerning any request for</u>

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GENERAL SERVICES/CITY CLERK					
					<u>disclosure of City records that applies to City E-mail in the possession of persons subject to this policy. ¹</u>
<u>E-Mail, Non Official City Records</u>	<u>N/A</u>	<u>GC 34090</u>			<u>City e-mails (including attachments) that consist of preliminary drafts, unofficial copies of documents kept only for convenience or reference, notes, or inter-agency or intra-agency memoranda that are not retained by the City in the ordinary course of business, will be considered “Non-Official City Records.” Non-Official City Records are not identified in the Records Retention Schedule and shall be deleted once the information is understood or communicated. Non-Official City Records include records that provide general information, such as, without limitation, announcing the dates and times of meetings, responses to list serves, requests for general City information (other than public records), etc. ¹</u>

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INFORMATION TECHNOLOGY					
<u>E-Mail, Non Records</u> <u>E-Mail, Official City Records</u>	<u>Reference</u> <u>Applicable</u> <u>Record Series</u> <u>or Topic</u>	<u>GC 34090</u>			<u>Routine activities include the informational (content of which is not necessary for the City to use or refer to) records of the City. Non-Records should be deleted once the information is understood or communicated. Non-Records are not intended to be retained in the ordinary course of City business. Non-records may include, without limitation, informal communication between staff or between staff and consultants, unsolicited offers to do business with the City, or personal correspondence and announcements (such as inviting City staff to a departmental lunch), etc. City business will be considered an "Official City Record." An Official City Record shall be printed onto paper, appropriately filed, and retained according to the retention period for the document as indicated in the</u>
<u>E-Mail, Non Records</u>	<u>N/A</u>	<u>GC 34090</u>			<u>Routine activities include the informational content of which is neither necessary nor intended to be preserved for future City use or reference, are "Non-Records." Non-Records should be deleted once the information is understood or communicated. Non-Records are not intended to be retained in the</u>
<u>Equipment, General Office</u>	<u>T+1</u>	<u>GC 34090</u>	<u>X</u> <u>(Purchase</u> <u>information</u> <u>only)</u>		<u>(removed)</u>
<u>Exchange Server (Microsoft² Outlook Mail Folders)</u>	<u>90 Days</u>	<u>GC 34090</u>			<u>The systems administrator has established a City E-mail management system that automatically removes City E-mails contained in all mail folders that are more than ninety (90) calendar days old. The systems administrator will disable the automatic e-mail deletion feature to preserve City E-mails in response to a litigation hold or Public Records Act request until</u>
					<u>it is determined whether City E-mails are subject to disclosure. ¹</u>

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INFORMATION TECHNOLOGY					
<u>Exchange Server, Back Ups (Microsoft Outlook Mail Folders)³</u>	<u>2 Weeks</u>	<u>GC 34090</u>			<u>The systems administrator maintains backups for no longer than two (2) weeks before they are overwritten. The purpose of backups is to provide a means of complete server recovery in case of a system failure. Upon the City's receipt of a litigation hold or Public Records Act request, the systems administrator may not overwrite backups that contain City E-mails until it is determined whether any of the City E-mails on the backups are subject to disclosure. ¹</u>
<u>Internet Policies</u>	<u>S+2</u>	<u>GC 34090</u>			<u>Management policies and supporting documentation</u>
<u>Inventory (Hardware)</u>	<u>AU+4</u>	<u>GC 34090</u>			<u>Hardware/Software - reflects purchase date, cost, serial number</u>
<u>Inventory, Logs, Systems Manuals</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Hardware/software inventory logs; system manuals; warranties, specifications, maintenance records</u>
<u>Licenses</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Federal or State required forms, documentation, software licenses; including license agreements</u>
<u>Network Back Ups, Program Files and Directories</u>	<u>60 Days</u>	<u>GC 34090</u>			<u>The systems administrator maintains month-end backups two (2) months back before they are overwritten</u>
<u>Network Information Systems (LAN/WAN)</u>	<u>CU+4</u>	<u>GC 34090</u>			<u>Configuration maps and plans</u>
<u>Network Database(s), Program Files and Directories</u>	<u>L</u>	<u>GC 34090</u>			<u>Includes CityView, Eden Systems, Cashier Central, Geographical Information Systems (GIS), LaserFiche, Safari RecWare, and other database applications as appropriate</u>
<u>Network Database(s), Back Ups, Program Files and Directories</u>	<u>60 Days</u>	<u>GC 34090</u>			<u>The systems administrator maintains month-end backups two (2) months back before they are overwritten</u>
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions</u>

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<u>Recreation Database</u>	<u>L</u>	<u>GC 34090</u>			<u>Software includes registrations, fees, charges (moved from Community Services)</u>

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
HUMAN RESOURCES					
Benefit Plan Claims	<u>PE</u>	GC 34090; 29 CFR 1602.30; 32; 29 CFR 1627.3; 29 USC 1113 & 1027	X	<u>CU+2</u>	Includes dental, disability, education, health, life, vision including dependant care and employee assistance
Benefit Plan Enrollment	T+5	GC 34090, 12946; 29 CFR 1627.3	X		Employee benefit plans such as health, dental, pension and insurance plans (Includes enrollment and plan information)
<u>Bids, RFQ's, RFP's (Documents)</u>	<u>AU+4</u>	<u>GC 34090; CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>City created documents (added)</u>
<u>Bids, RFQ's, RFP's (Successful)</u>	<u>AU+5</u>	<u>GC 34090; CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>(added)</u>
<u>Bids, RFQ's, RFP's (Unsuccessful)</u>	<u>CU+2</u>	<u>GC 34090; CCP 337</u>			<u>(added)</u>
Bonds, Personnel Fidelity	T+2	GC 34090			Employee Fidelity Bonds
<u>CALPERS Bi-Weekly Reports</u>	<u>AU+5</u>	<u>GC 34090</u>			<u>(moved to Finance/Acting)</u>
Classifications	CL+2	GC 34090, 34090.7, 12946; 29 CFR PART 516			Includes classification and wage rates, classification studies and surveys, and reclassification
<u>Correspondence, Routine</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Administrative, general files, memorandums, miscellaneous reports, working files, etc. (added)</u>
Deferred Compensation	<u>PE</u>	GC 12946, 34090; 29 CFR 1627.3	X	<u>CU+2</u>	Includes enrollment and plan information
Deferred Compensation Reports	T+5	GC 34090			Records of financial statements, summaries for receipts, disbursements & reconciliations
Dept. of Fair Employment & Housing Claims	CL+2	GC 12946, 34090			Claims that are resolved administratively. All State and Federal laws require retention until final

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HUMAN RESOURCES					
					disposition of formal complaint; State requires 2 years after action is taken.
Employee Handbook	S+2	GC 34090			General employee information including benefit plans
Employee Rights	T+2	GC 12946, 34090; 29 CFR 1602; 29 USC 211	X		Includes arbitration, grievances, union requests, sexual harassment & civil rights, complaints & disciplinary actions
INS Form I-9 Employment Eligibility Verification Form	T+2	GC 12946, 34090; 29 CFR 1627.3, 8 CFR 274a.2	X		Employers must retain completed Forms I-9 for all employees for 3 years after the date they hire an employee, or 1 year after the date employment is terminated, whichever is later
IRS Tax Forms (W2, W4)	AU+6	GC 34090; 26-CFR 31.6001-1; 29 USC 436			(moved to Finance/Accting)
Motor Vehicle (DMV) Pulls	S+2	GC 34090	X		Bureau of National Affairs recommends 2 years for all supplementary personnel records.
Negotiations	<u>PE</u>	GC 34090; 29 USC 211,; 29 CFR PART 516	X	<u>CU+2</u>	Contracts, MOUs, correspondence, official meeting notes and notebooks,;
OSHA	<u>CU+7</u> 5	GC 34090; 8 CCR 3203(b)(1)			Inspection & Citations - Log 200 & Log 300, 301, 301A
Payroll, Changes	AU+4	GC 34090			Adjustments, address changes, direct deposit, vacation & comp time
Payroll Reports	AU+5	GC 34090			Includes leave balance and other miscellaneous reports
Payroll, Tax Reports	AU+5	GC 34090; 29-CFR PART 516; 29 USC 436			Quarterly tax returns / OASDI (moved to Finance/Accting)

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HUMAN RESOURCES					
PERS Employee Deduction Reports	T+4	GC 34090; 26 CFR 31-6001-1; 29 CFR PART 516; LC 1174(d)	X		Record of deductions
Personnel Files	FAS +10 <u>6</u>	GC 12946, 34090; 29 CFR PART 1602; 29 CFR 1627.38; CCR 3204(d); 29 USC 1113	X	Upon Termination <u>CU+2</u>	Release authorizations, appointments, certifications, reassignments, outside employment, commendations, disciplinary actions, terminations, oaths of office, evaluations, pre-employee medicals, fingerprints, identification cards, deduction authorizations, beneficiary designations, unemployment claims, garnishments, applications, resumes, certificates, disciplinary complaints, grievances, insurance, licenses, Accident/Incident Reports with no action, drug & alcohol testing, finger print clearance
Personnel Files, Medical	FAS +30	GC 34090, FMLA 1993 US OSHA; 29 CFR 1602.30; 8 CCR 3204(d)	X	Upon Termination <u>CU+2</u>	May include family leave; certifications, tests. Claims can be made for 30 years for toxic substance exposure.
Personnel Files, Recruitment	CL+3	GC 12946, 34090; 29 CFR 1602, 1607, 1627.3			Applications and resumes for those not hired, lists/logs, ethnicity disclosures, examination materials, examination answer sheets, job bulletins, eligibility, release of information forms for recruitments, electronic database
Personnel Reports	CU+2	GC 34090			Employee statistics, benefit activity, liability loss
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions (added)</u>
Reports, Labor Distribution	AU+2	GC 34090			Costs by employee & program
Retirement	FAS +5	GC 12946, 34090; 29	X		PERS, Social Security, SSI (EEOC/ADEA)

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HUMAN RESOURCES					
		CFR 1627.3			
Time Cards/Sheets	AU+5	GC 34090; 29 CFR PART 516; 26 CFR 31.6001-1; LC 1174(d)			Signed by employee (includes overtime sheets/cards and time card project accounting) (moved to Finance/Accting)
Training Records	FAS +2	GC 34090	X		Certifications, designations, paperwork documenting internal and external training
Unemployment Compensation Files	FAS +5	GC 34090	X		
Unpaid/Volunteer Applications	FAS +2	GC 12946 & 34090; 29 CFR 1602.31 & 1627.3; 8 CCR 3204(d), 29 USC 1113			Successful
Unpaid/Volunteer Applications	CU+2	GC 12946 & 34090; 29 CFR 1602.31 & 1627.3; 8 CCR 3204(d)			Unsuccessful or pending
Work Release Files	FAS +2	GC 34090			
Workers Compensation & Dependent Care Reports	CU+30	GC 34090; 8 CCR 15400.2; LC 5405	X	Upon Termination <u>CU+2</u>	Claim files, reports, incidents
Workers Compensation and/or Disability Claims	S+30	GC 12946, 34090; 8 CCR 3204(d), 10102, 15400.2	X	<u>CU+2</u>	

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HUMAN RESOURCES					
Workers Compensation Insurance	<u>PE</u>	GC 34090	X	<u>CU+2</u>	Indemnity, PERS working files

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PLANNING (formerly DEVELOPMENT)					
<u>Address Files</u>	<u>PE</u>	<u>GC 34090(d)</u>	<u>X</u>	<u>CU+2</u>	<u>Address assignments</u>
<u>Agenda Packets</u>	<u>PE</u>	<u>GC 34090</u>	<u>X</u>	<u>CU +2</u>	<u>Original agenda packets for the Planning Commission. Documentation received, created and/or submitted (added)</u>
<u>Annexations</u>	<u>P</u>	<u>GC 34090(a)</u>	<u>X</u>		<u>Reports, agreements, public notices</u>
<u>Annexations / Boundaries / Consolidations / LAFCO</u>	<u>P</u>	<u>GC 34090</u>	<u>X</u>		<u>Land records</u>
<u>Annexation Petitions, Protests & Withdrawals</u>	<u>CU+1</u>	<u>GC 50115</u>			
<u>Benchmark Data</u>	<u>CU+2</u>	<u>GC 34090(d)</u>			<u>Vertical Control</u>
<u>Bonds, Development</u>	<u>CL+10</u>	<u>GC 34090, 43900: CCP 337.2</u>			<u>A development bond is what a developer posts to ensure that sidewalks, schools, etc. are built. Bonds insuring real property must be retained permanently. (moved from Finance/Accounting/Payroll)</u>
<u>Census, Demographics</u>	<u>S+2</u>	<u>GC 34090</u>			
<u>Conveyances from or to the City (Deeds, Easements, etc)</u>	<u>P</u>	<u>GC 34090, 24 CFR 570.502(b)(3)</u>	<u>X</u>		<u>Includes Deeds, Grant Deeds, Deeds of Trust and Assignment of Rents, Quitclaim Deeds, Deed Restrictions, Subordination Agreement with Deeds, Promissory notes secured by property, Substitution of Trustee, Trust Transfer Deeds, Installment Note, Easements, Full or Partial (re)conveyances, Covenant of Easement, Public Access Easements, Grant of Storm Drain Easements, etc. - Check originals for historic value (moved from Administration)</u>
<u>Correspondence, Routine</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Administrative, general files, memorandums, miscellaneous reports, working files, etc. (added)</u>
<u>Development Impact Fees</u>	<u>PE</u>	<u>GC 34090</u>	<u>X</u>	<u>CU+2</u>	<u>Paid receipts/liens/deferral agreements</u>
<u>Development Conditions</u>	<u>PE</u>	<u>GC 34090</u>	<u>X</u>	<u>CU+2</u>	<u>Mitigation measures filed with case files</u>
<u>Development Standards</u>	<u>S</u>	<u>GC 34090(a)</u>			<u>Landscape medians, parkway landscape development, etc.</u>

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PLANNING (formerly DEVELOPMENT)					
<u>Environmental, California Environmental Quality Act (CEQA) Determinations/Reports (Inside City Boundaries)</u>	<u>PE</u>	<u>GC 34090; 14 CCR 15095(c)</u>	<u>X</u>	<u>CU+2</u>	<u>Exemptions, Draft & Final Environmental Impact Reports (EIRs), Negative Declarations, mitigation monitoring, notices of completion, determination, etc. (moved from Administration)</u>
<u>Environmental, Determinations/Reports (Outside City Boundaries)</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Non-records (includes City review and comments on projects by other jurisdictions) (moved from Administration)</u>
<u>General Plan and Elements</u>	<u>E</u>	<u>GC 34090</u>	<u>X</u>	<u>CU+2</u>	<u>Includes sphere of influence</u>
<u>General Plan and Specific Plan Amendments (Approved)</u>	<u>PE</u>	<u>GC 34090</u>	<u>X</u>	<u>CU+2</u>	
<u>General Plan and Specific Plan Amendments (Denied)</u>	<u>CU+3</u>	<u>GC 34090</u>			
<u>Grants - Federal, State & Local - Successful</u>	<u>CL+7</u>	<u>GC 34090; 24 CFR 85.42, 570.502(b); 29 CFR 97.42</u>	<u>X</u>		<u>Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement (added)</u>
<u>Grants - Federal, State & Local - Unsuccessful</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>(added)</u>
<u>Home Occupancy Permit</u>	<u>L</u>				<u>(moved from Building and Safety)</u>
<u>Land Records</u>	<u>P</u>	<u>GC 34090, CCP 337, 337.1(a), 337.15, 343</u>	<u>X</u>		<u>Includes annexations, boundaries, consolidations, LAFCO</u>
<u>Land Uses, Nonconforming</u>	<u>P</u>	<u>GC 34090(a)</u>	<u>X</u>		<u>Building or site usage which does not conform to current standards</u>
<u>Marketing and Publicity Materials</u>	<u>S+2</u>	<u>GC 34090</u>			<u>Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose (added)</u>

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PLANNING (formerly DEVELOPMENT)					
<u>Master Plans</u>	<u>P</u>	<u>GC 34090</u>	<u>X</u>		<u>Special or long-range program plan for municipalities - coordination of services; strategic planning (moved from Administration)</u>
<u>Permit, Tree Removal</u>	<u>CU+5</u>	<u>GC 34090</u>			<u>Oak Trees (moved from Code Enforcement)</u>
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions (added)</u>
<u>Prospects/Economic Development</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>Economic development strategies</u>
<u>Redevelopment Plan</u>	<u>PE</u>	<u>GC 34090</u>	<u>X</u>	<u>CU+2</u>	
<u>Redevelopment Projects, Project Areas</u>	<u>P</u>	<u>GC 34090</u>	<u>X</u>		
<u>Sample Materials Submitted with Projects for Approval</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>Roof, glass, paint, etc. samples. Keep as long as project is in approval process plus 2 years.</u>
<u>Sample Materials Submitted with City Projects for Approval</u>	<u>P</u>	<u>GC 34090</u>	<u>X</u>		<u>City project submittals, color boards, etc.</u>
<u>Studies</u>	<u>S+5</u>	<u>GC 34090</u>			<u>Noise studies, seismic studies, air quality, etc.</u>
<u>Studies - Economic</u>	<u>CU+10</u>	<u>GC 34090</u>			
<u>Subdivision Maps, Plans, Drawing Exhibits (All Development Plans)</u>	<u>PE</u>	<u>GC 34090; H&S 19850</u>	<u>X</u>	<u>CU+2</u>	<u>Pertains to real property. May include blueprints, drawings, maps, plans, reports, correspondence, uses, variances, studies, appeals, compliance certificates, lot line adjustments, preliminary, tentative and final maps</u>
<u>Zoning Maps, Plans, Drawings, Exhibits, Photos</u>	<u>PE</u>	<u>GC 34090; H&S 19850</u>	<u>X</u>	<u>CU+2</u>	<u>Parcel, land use maps, aerial photos, comments to local agencies on their developments, etc.</u>

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PUBLIC WORKS					
Abandonments / Vacations (Streets)	P	GC 34090(a)	X		Supporting documentation (includes temporary construction easements, right-of-entry)
<u>Agendas</u>	<u>CU+2</u>	<u>GC 34090</u>	<u>X</u>		<u>Original agendas for Council, Commissions, Boards, and Committees (added)</u>
Annual Assessments/ Inspection of Facilities	CU+10	GC 34090	X	<u>CU +2</u>	
Backflow Certifications	CU+2	GC 34090			
<u>Bids, RFQ's, RFP's (Documents)</u>	<u>AU+4</u>	<u>GC 34090; CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>City created documents (added)</u>
<u>Bids, RFQ's, RFP's (Successful)</u>	<u>AU+5</u>	<u>GC 34090; CCP 337</u>	<u>X</u>	<u>CU+2</u>	<u>(added)</u>
<u>Bids, RFQ's, RFP's (Unsuccessful)</u>	<u>CU+2</u>	<u>GC 34090; CCP 337</u>			<u>(added)</u>
Bonds, Development	CL+10	GC 34090, 43900; CCP 337.5	X	<u>CU +2</u>	Bonds posted by developer to insure that required public improvements (roads, curbs, gutters, sidewalks, schools, etc.) are built. Bonds insuring real property must be retained permanently.
Bonds, Security	CL+2	GC 34090, 43900; CCP 337.5			Documentation created/received in connection with performance of work/services for parcel maps and subdivisions.
Capital Improvement Projects, Administration Files	CL+10	GC 34090; CCP 337.15	X	<u>CU +2</u>	Supporting documents including bidders list, specifications, reports, work orders, schedules, meeting notes, real estate appraisals, certified payrolls, etc.
Capital Improvement Projects, City Facilities	<u>PE</u>	GC 34090; H&S 19850	X	<u>CU +2</u>	Plans, Specifications, Bids/RFPs, Successful Proposal, Materials Testing Reports, Grading Permits, Hazardous Materials Plans, Soils Reports, Studies, Surveys, etc.
Capital Improvement Projects, City Infrastructure	<u>PE</u>	GC 34090; H&S 19850	X	<u>CU +2</u>	Infrastructure construction or implementation (streets, curbs, gutters, sidewalks, storm drains, water, sewer, parks, public facilities)

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PUBLIC WORKS					
<u>Correspondence, Routine</u>	<u>CU+2</u>	<u>GC 34090</u>			<u>Administrative, general files, memorandums, miscellaneous reports, working files, etc. (added)</u>
Daily Logs	CU+5	GC 34090			
Easements, Dedications, Rights of Way	P	GC 34090	X		
Facility Safety Inspection	CU+2	GC 34090			
FEMA Reimbursable Events	CU+10	GC 34090	X	<u>CU +2</u>	City preference to facilitate claims and grant reimbursements. Includes documents related to Work Orders, Request for Service Forms, Corrective Action Requests, etc.;
Flood Control Records	<u>PE</u>	GC 34090	X	<u>CU+2</u>	Storm Drains
Geotechnical Reports	<u>PE</u>	GC 34090	X	<u>CU +2</u>	Soils Reports
<u>Grants - Federal, State & Local - Successful</u>	<u>CL+7</u>	<u>GC 34090;</u> <u>24 CFR</u> <u>85.42,</u> <u>570.502(b);</u> <u>29 CFR</u> <u>97.42</u>	<u>X</u>		<u>Application, supporting data, grant completion documentation, bids, selection documentation, budget & financial data, consultants/contractor's records, amendments, environmental documentation, labor compliance documentation, reports to granting agency, rules, regulations, and procedures, financial disbursement/settlement (added)</u>
<u>Grants - Federal, State & Local - Unsuccessful</u>	<u>CL+2</u>	<u>GC 34090</u>			<u>(added)</u>
<u>Inventory</u>	<u>AU+4</u>	<u>GC 34090</u>			<u>Includes hand tools, heavy equipment, tools, trucks, and trailers</u>
Maintenance Records	CU+3	GC 34090			Records documenting the maintenance, repair and upkeep of municipally owned facilities and property (including buildings, parks, playgrounds, swimming pools and other public facilities). Includes work orders, safety/health/environmental review and inspection, maintenance, repair, upkeep, and other supporting documents

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PUBLIC WORKS					
Maintenance Contracts	CL+5	GC 34090; CCP 337	X		Landscaping, HVAC, Pavement Management, Street Sweeping, Pest Control, Security, Slurry Seals, Striping, Tree Trimming, etc. (moved to General Services/City Clerk)
Maps and Plats	PE	GC 34090; H&S 19850	X	CU+2	Engineering field notes and profiles; cross-section of roads, streets, right of way, bridges; may include annexations, parks, tracts, block, storm drains, water easements, bench marks, trees, grading, base maps, etc.
<u>Marketing and Publicity Materials</u>	<u>S+2</u>	<u>GC 34090</u>			<u>Paper or Electronic Media. Recreation Guides, Brochures, Schedules, Newsletters, Bulletins, Announcements. Update as necessary; may retain copies longer for administrative/historical purpose (added)</u>
NPDES Monitoring Records & Permits	PE	GC 34090; 40 CFR 122.21, 122.41, CCP 337	X	CU +2	
Permit, Encroachment (Permanent)	PE	GC 34090, CCP 337	X	After Inactive CU +2	Buildings, sewers, streets, utilities, etc.
Permit, Encroachment (Temporary)	CL+5	GC 34090, CCP 337			Street closures, street cuts, paving, etc.
Permit, Wide Load Transportation	CL+2	GC 34090			
Pest Control Reports	CU+2	GC 34090(d)			City facilities - includes pesticide applications, inspections, sampling & documents
<u>Policies/Procedures, Administrative</u>	<u>S+2</u>	<u>GC 34090</u>			<u>General City policies, procedures, instructions (added)</u>
Programs, Federal Programs & Traffic Safety	CU+3	GC 34090			

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PUBLIC WORKS					
<u>Property Acquisition/Disposition</u>	<u>P</u>	<u>GC 34090</u>	<u>X</u>		<u>Deeds, title reports, etc. Supporting documents of sale, purchase, or exchange (also see "conveyance") (moved from Administration)</u>
<u>Property Acquisition – Appraisal Reports</u>	<u>CL+5</u>	<u>GC 34090;</u> <u>24 CFR</u> <u>85.42,</u> <u>91.105(h),</u> <u>570.502(b);</u> <u>29 CFR</u> <u>97.42</u>			<u>Purchase property, funded loans, property not purchased (moved from Administration)</u>
Public Facilities, Infrastructure	<u>PE</u>	GC 34090	X	<u>CU +2</u>	As built, mylars, record drawings
Reports, -Bridges & Overpasses	L	GC 34090			Life of Structure
Reports, Inspection	CU+2	GC 34090			Included intersection, sidewalks
Reports, Studies	S+2	GC 34090; CVC 21455.5			Traffic volume, accident history, requests, statistics, drawings supporting traffic devices, "Red Light Camera" reports, etc.
Reports, Traffic Count	CL+5	GC 34090			Evaluation of traffic volume
Reports, Vehicle Accident	CU+2	GC 34090			
<u>Soils Reports and Geo-technical Reports accompanied by site plan, if available</u>	<u>PE</u>		<u>X</u>	<u>CU+2</u>	<u>(added)</u>
Speed Limits	<u>S+25</u>	GC 34090			
Studies/Surveys (City Projects)	<u>PE</u>	GC 34090	X	<u>CU +2</u>	Engineering studies or surveys
Studies/Surveys (Preliminary)	S+3	GC 34090			Preliminary Engineering studies or surveys, project assessments
Surplus Property - Auction	AU+2	GC 34090			Listing of property
Traffic Legends, Signals & Signs	<u>PE</u>	GC 34090	X	<u>CU +2</u>	Locations
Vehicle Ownership & Title	L	CVC 9900	X		Title transfers when vehicle sold (moved to General Services/City Clerk)

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RECREATION					
Activity/Project Files	CU+2	GC-34090			Concerts, classes, programs, special event permits
Class Rosters and Enrollments	CU+2	GC-34090			
Evaluations/Surveys of Programs	CU+1	GC-34090			
Facility Rentals/Use	CU+2	GC-34090			Supporting documentation
Liability Release Forms	CU+4	GC-34090; CCP-337, 343			Includes signed participant waivers and release of liability forms
Permission Slips	CU+4	GC-34090; CCP-337, 343			Field trips and camps authorization to give medicine
Receipt Copies	CU+2	GC-34090			Handwritten receipts from satellite locations
Recreation Database	L	GC-34090			Includes registrations, fees, charges
Schedules, Classes & Events	CU+2	GC-34090			N/A
Special Event Permits	CL+4	GC-34090; CCP-337			All documents relating to approved permit

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Record	Retention	Citation	Eligible to be Stored in Laserfiche?	Destroy Paper After Scanned & Reviewed	Remarks
RISK MANAGEMENT					
Accident, Reports(City Assets)	CL+7	GC 34090; 29 CFR 1904.2; 1904.6			Theft, arson, vandalism, property damage or similar occurrence (excluding fire/law enforcement) (includes incidents occurring on City property) — Reports and related records (moved to Administration/Risk Management)
Accident, Incident, Injury Reports — Public (Claim)	CL+7	GC 34090; 29 CFR 1904.2			Members of the public (not a City employee) (moved to Administration/Risk Management)
Accident, Incident, Injury Reports — Public (Non-Claim)	CL+2	GC 34090			Members of the public that do not result in a claim (moved to Administration/Risk Management)
Claims, Against City	CL+5	GC 34090; 911.2, 945; PC 832.5; CCP 337	X		Paid/Denied Litigation, complaints, and/or claims suspend normal retention periods (retention begins after settlement) (moved to Administration/Risk Management)
Claims, By City	CL+5	GC 34090; 911.2, 945; PC 832.5; CCP 337			(moved to Administration/Risk Management)
Insurance, Bonds (City)	P	CCP 337.2, 343	X		Bonds & insurance policies insuring city property & other assets (moved to Administration/Risk Management)
Insurance — Certificates	CU+11	GC 34090, CCP 337	X	CU+2	For Contract Vendors, etc. / Longest Statute of Limitations is 10 years (moved to General Services/City Clerk)
Insurance — Liability/Property/Worker's Compensation	P	GC 34090	X	Upon Termination	City owned policies/certificates, Liability — General/Public, workers compensation, property (moved to Administration/Risk Management)
Insurance, PARSAC	P	GC 34090	X		Public Agency Risk Sharing Authority of California excess liability insurance (moved to Administration/Risk Management)
Insurance, Rental/Use of City Facility	T+2	GC 34090	X		Insurance binders for rental/use of City facilities (moved to Administration/Risk Management)

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RISK MANAGEMENT

Risk Management Reports	CL+5	GC-34090; 29 CFR 1904.4	X		Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies (moved to Administration/Risk Management)
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Recorded Documents.....	20	Transient Occupancy Taxes (TOT).....	15
Records Management, Destruction Certification.....	20	Travel Expense Reimbursements	15
Records Management, Working Copy.....	20	Trial Balance Detail Reports	15
Records Retention.....	21	Trust Accounts	15
Redevelopment Plan	32	Unemployment Compensation Files	28
Redevelopment Projects, Project Areas.....	32	Unpaid/Volunteer Applications.....	28
Redevelopment Statement of Indebtedness	15	Vehicle Impound Fees.....	15
Refunds and Credits.....	15	Vehicle Ownership & Title	21
Reports, Bridges & Overpasses	36	Vendor Register.....	15
Reports, Inspection	36	Violations, Building, Property and Zoning	8
Reports, Labor Distribution	27	Warrant Register	15
Reports, Studies	36	Work Release Files.....	28
Reports, Traffic Count.....	36	Workers Compensation & Dependent Care Reports.....	28
Reports, Vehicle Accident.....	36	Workers Compensation and/or Disability Claims.....	28
Resolutions	21	Workers Compensation Insurance.....	29
Retirement.....	27	Zoning Maps, Plans, Drawings, Exhibits, Photos	32
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Sample Materials Submitted with City Projects for Approval	32		
Sample Materials Submitted with Projects for Approval	32		
Schedules, Classes & Events	10		
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Special Event Permits	10		

CITY OF YUCAIPA

Records Retention Schedule

Supplemental Electronic Mail Management and Retention Policy

Purpose

The objective of this policy is to provide clear and concise direction regarding use of the City's electronic mail (e-mail) system. This policy governs the retention of e-mail that is created, sent, received, forwarded, edited, stored, or otherwise used by means of City electronic information resources of any kind, including, but not limited to, computers, computer networks, software, cell phones, personal data assistants, and any other electronic data systems or equipment ("City e-mail"). This policy applies to all employees, elected officials, appointed officials and consultants.

Provisions

The City may access any messages in City e-mails at any time. Access may occur, without limitation, for the following reasons: for random review; in situations indicating impropriety, violation of City policy, suspected criminal activities, or breach of electronic mail security; because of legal requirements; to locate substantive information that is not more readily available by some other means; or for the performance of routine maintenance. The contents of electronic mail may be disclosed within or outside of the City without employee permission or knowledge.

Retention

City e-mails may consist of electronic correspondence or other electronic documentation or records. City e-mails may be considered public records. The release of City e-mails as public records to members of the public is governed by the California Public Records Act. City e-mails are managed according to the City's Records Retention Schedule and the laws and regulations governing it, and other laws and regulations that apply to public records. In general, City e-mails and the retention of such records falls into the following categories:

Official City Records: City e-mails (including attachments) that (i) the City or an officer of the City is required by law to create or retain, (ii) are necessary or convenient to the discharge of a public officer's duties and made or retained for the purpose of preserving its informational content for future reference, (iii) document official business of the City, such as information concerning the formation and implementation of City policies and decisions, approvals to initiate a business transaction, proceedings, requests and replies to requests for public information, projects, contracts, or (iv) may later be important or useful for carrying out City business will be considered an "Official City Record." An Official City Record shall be printed onto paper, appropriately filed, and retained according to the retention period for the document as indicated in the Records Retention Schedule.

Non-Official City Records: City e-mails (including attachments) that consist of preliminary drafts, unofficial copies of documents kept only for convenience or reference, notes, or inter-agency or intra-agency memoranda that are not retained by the City in the ordinary course of business, will be considered "Non-Official City Records." Non-Official City Records are not identified in the Records Retention Schedule and shall be deleted once the information is understood or communicated. Non-Official City Records include records that provide general information, such as, without limitation, announcing the dates

and times of meetings, responses to list serves, requests for general City information (other than public records), etc.

Non-Records: Routine City e-mails, the informational content of which is neither necessary nor intended to be preserved for future City use or reference, are "Non-Records." Non-Records should be deleted once the information is understood or communicated. Non-Records are not intended to be retained in the ordinary course of City business. Non-records may include, without limitation, informal communication between staff or between staff and consultants, unsolicited offers to do business with the City, or personal correspondence and announcements (such as inviting City staff to a departmental lunch), etc.

Responsibility for Retention

The sender of a City E-mail is responsible for ensuring proper retention of the City E-mail in accordance with the applicable retention schedule. All electronic copies of City E-mails are duplicates and may be deleted once printed on paper, appropriately filed, and retained according to the Records Retention Schedule. Persons responsible for a particular program or project file shall be responsible for retaining all City E-mail they send or receive related to that program or project in accordance with the applicable retention schedule.

Storage and Back up of E-Mail:

Although the use of City E-mail is considered official City business, the City's e-mail server (Microsoft Exchange Server) is intended to be a method of communication and should not be used for the storage or maintenance of City E-mails.

Subject to the Records Retention Schedule and federal and state rules of procedure concerning the retention of City E-mails, City E-mails shall not be maintained on the City's e-mail server (Microsoft Exchange Server) longer than ninety (90) calendar days. The systems administrator has established a City E-mail management system that automatically removes City E-mails contained in all mail folders that are more than ninety (90) calendar days old. The systems administrator will disable the automatic e-mail deletion feature to preserve City E-mails in response to a litigation hold or Public Records Act request until it is determined whether City E-mails are subject to disclosure.

The systems administrator maintains back ups for no longer than two (2) weeks before they are overwritten. The purpose of back ups is to provide a means of complete server recovery in case of a system failure. Upon the City's receipt of a litigation hold or Public Records Act request, the systems administrator may not overwrite back ups that contain City E-mails until it is determined whether any of the City E-mails on the back ups are subject to disclosure.

Legal Proceedings

The City periodically receives requests for inspection or production of documents pursuant to the Public Records Act, as well as demands by subpoena or court order for documents. And, when litigation is commenced by or against the City, it may be necessary to preserve ("litigation hold") all relevant documents. When the City receives a request for disclosure of City records that applies to City E-mail, or the City Attorney or City Clerk place a litigation hold on certain documents that include City E-mail, the person responsible for the covered records must, using his/her best efforts and by any lawful means available, preserve any City E-mail covered by the request until it is determined whether the City E-mail is subject to retention and/or disclosure. The City Clerk, City Attorney, and systems administrator must be contacted concerning any request for disclosure of City records that applies to City E-mail in the possession of persons subject to this policy.

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Fermin Preciado, Director of Development Services/City Engineer *FP.*
Katrina Kunkel, Associate Engineer *KK*

FOR: City Council Meeting of November 28, 2022

SUBJECT: Resolution No. 2022-61 to Set a Time and Place to Conduct a Public Hearing for the Annexation of Tract Map No. 17349 into Landscaping and Lighting Maintenance District No. 1 (Zone “FFF”)

RECOMMENDATION:

That City Council:

1. Approve Resolution No. 2022-61 to set a time and place to conduct a Public Hearing and Assessment Ballot proceedings at 6:00 p.m. on January 23, 2023 in compliance with Proposition 218, and to approve the annexation of Tract Map No. 17349 into the City of Yucaipa Landscaping and Lighting Maintenance District No. 1; and
2. Adopt the methodology for and enact the assessments therein.

BACKGROUND/DISCUSSION:

On September 9, 1991, the City Council voted to form a Landscaping and Lighting Maintenance District (LLMD). Numerous projects under development in the City contain public areas that will require on-going maintenance if they are to continue to provide special benefits for the homeowners within the tracts. Staff believes that the best way to ensure that these areas receive the appropriate maintenance is to place individual projects within the City’s LLMD.

It is anticipated that this tract will be levied during the 2023-2024 fiscal year.

The methodology establishing the LLMD has been amended to allow the annual levy to occur during the warranty period or for the first fiscal year of annexation. This will allow the buildup of a capital reserve funds for the purposes of covering the costs of vandalism, inclement weather (such as a hard freeze or severe erosion), damage done by vehicular traffic and the coverage of delinquent property taxes.

It is important to note that these maintenance districts will only apply to the properties within the boundaries of a particular tract and that no other property owners will be assessed for any of the maintenance costs for Zone “FFF”.

Tract Map No. 17349 contains 22 residential lots and is located on Stacey Lane at the east end of Hollow Creek Drive. This project was conditioned to annex to LLMD No. 1 as part of the entitlement and approval process for the subdivision. The developer wishes to have the energy charges and maintenance costs for 3 street lights, the drainage system and 10,311 square feet of landscape maintenance area placed into the LLMD.

In accordance with the provisions of Proposition 218, (the right to vote Act), passed by voters in the November 1996 election, it is necessary to vote on the annexation and levy of assessment by mail-in ballot by the owners of the parcels being annexed into the district. A notice of the hearing and a ballot will be mailed to each property owner.

The City must conduct a public hearing upon the proposed assessment not less than 45 days after mailing the notice of the proposed assessment to record owners of each identified parcel. At the public hearing, the City Council considers all protests against the proposed assessment and tabulates the ballots. The City shall not impose an assessment if there is a majority protest. A majority protest exists if, upon conclusion of the hearing, ballots submitted in opposition to the assessment exceed ballots submitted in favor of the assessment weighted on financial obligation.

The maintenance cost for street light energy charges and landscape maintenance for Tract Map No. 17349 is estimated to be \$200.00 per dwelling unit per year.

The annual increase of assessments includes an escalator clause to adjust the operation and maintenance based on the annual change in the Consumer Price Index for the Riverside-San Bernardino-Ontario, Metropolitan Area for All Urban Consumers and recovers the actual costs for electricity.

FISCAL IMPACT:

Maintenance costs for lighting and landscape maintenance are paid by the affected property owners of this tract. There will be no impact to the City's General Fund.

Attachments: Resolution No. 2022-61
Excerpt from Engineer's Report
Complete Engineer's Report for Tract Map No. 17349 is available in the Office of the City Engineer
Location Map
Tract Map No. 17349 Proposed LLMD Area Site Plan

Approved by:  _____

RESOLUTION NO. 2022-61

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA
INITIATING PROCEEDINGS FOR THE ANNEXATION OF PROPERTY
TO MAINTENANCE DISTRICT NO. 1 AND THE LEVY OF AN
ASSESSMENT ON SUCH PROPERTY, APPROVING THE ENGINEER'S
REPORT AND FIXING TIME AND PLACE OF A PUBLIC HEARING ON
THE ANNEXATION OF SUCH PROPERTY TO SAID DISTRICT AND
THE LEVY OF SUCH ASSESSMENT**

WHEREAS, the City of Yucaipa (the "City") has received a written request from the owner of the property comprising of Tract Map No. 17349 in the City requesting that such property (the "Property") be annexed to City of Yucaipa Landscaping and Lighting Maintenance District No. 1 thereof for the maintenance, servicing and operation of public landscaping, energy charges and maintenance, servicing and operation of street lights and appurtenant facilities; and

WHEREAS, the City Council has received Engineer's Report prepared by the developer's engineer as required by the City of Yucaipa with regard to the annexation of the Property to the District and levy of a proposed assessment thereon for the 2023-2024 fiscal year (the "Report"), which contains all matters required by Section 22567 of the California Streets and Highways Code and Section 4 of Article XIID of the California Constitution; and

WHEREAS, the City Council has determined that the Property should be annexed to the District that the Report should be approved and that the City Council should fix the time and place for a public hearing at which the City Council will receive testimony regarding the proposed assessment, of the annexation of the Property to the District and the levy of the proposed assessment thereon;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUCAIPA AS FOLLOWS:

Section 1. The Report is approved. The City Council declares its intention to order the annexation of the Property to the District and to levy an assessment on the Property for the 2023-2024 fiscal year in an amount which shall not exceed the amount set forth in the Report.

Section 2. The improvements which are to be provided within the District and for the benefit of the Property are generally described as the installation and planting of landscaping including, but not limited to, irrigation systems and electrical facilities, and energy charges and maintenance of street lights, all of which shall be maintained as provided in the Act.

Section 3. The Property to be annexed to the District is all of the property which is comprised of Tract Map No. 17349 in the City as shown on the map thereof which is on file in the office of the City Engineer.

RESOLUTION NO. 2022-61
Page Two

Section 4. Reference is made to the Report, a copy of which is on file with the City Clerk for a full and detailed description of the improvements, the Property which is to be annexed to the District and the proposed assessments upon the assessable lots and parcels of land into which the Property will be subdivided upon the recording of the final subdivision map or maps of Tract Map No. 17349.

Section 5. A public hearing on the question of the annexation of the Property to the District and the levy of the proposed assessment on the Property shall be conducted by the City Council at 6:00 p.m. on January 23, 2023 in the City Council Chambers at 34272 Yucaipa Boulevard in the City of Yucaipa, California. Pursuant to Section 4 of Article XIID of the California Constitution and Section 53753 and Section 54954.6 of the California Government Code, the City Clerk shall mail a written notice of the time and place of such public meeting and the time and place of such public hearing to the record owner of each parcel of the Property and a ballot whereby each such owner may indicate his or her name, reasonable identification of his or her parcel and support or opposition for the proposed annexation of the Property to the District and the proposed assessments thereon. Such notice and ballot shall in all respects conform to the requirements of subdivision (c) and (d) of Section 4 of Article XIID of the California Constitution and Section 53753 of the California Government Code.

ADOPTED this 28th day of November, 2022.

DAVID AVILA, MAYOR

ATTEST:

JENNIFER CRAWFORD
ASSISTANT CITY MANAGER/CITY CLERK

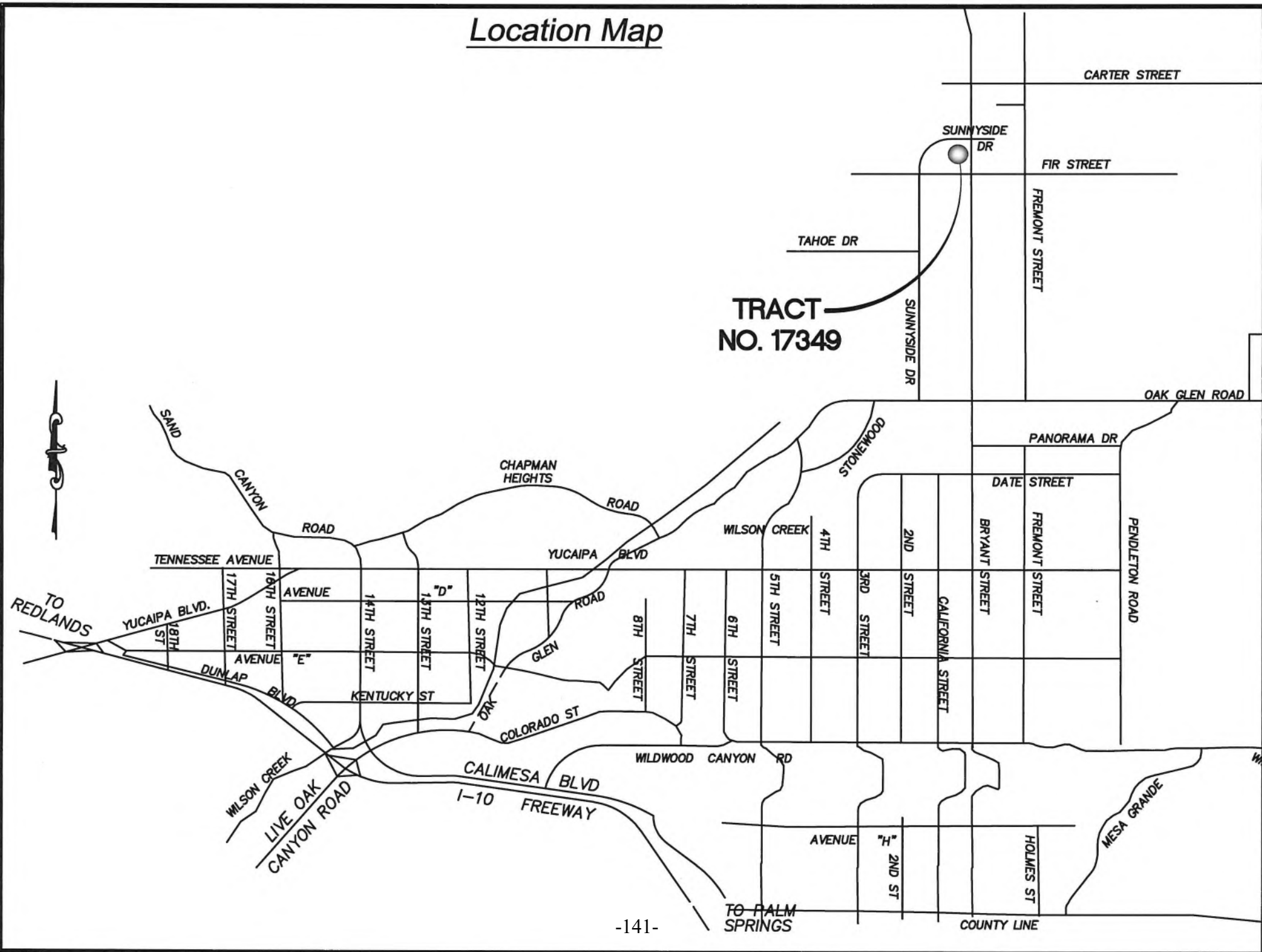
Excerpt from Engineer's Report

LLMD Zone FFF

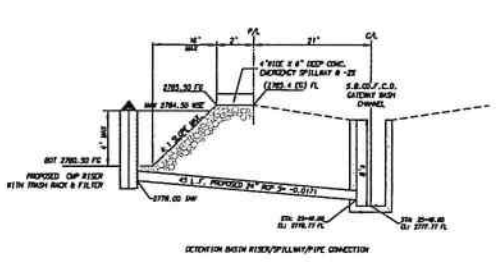
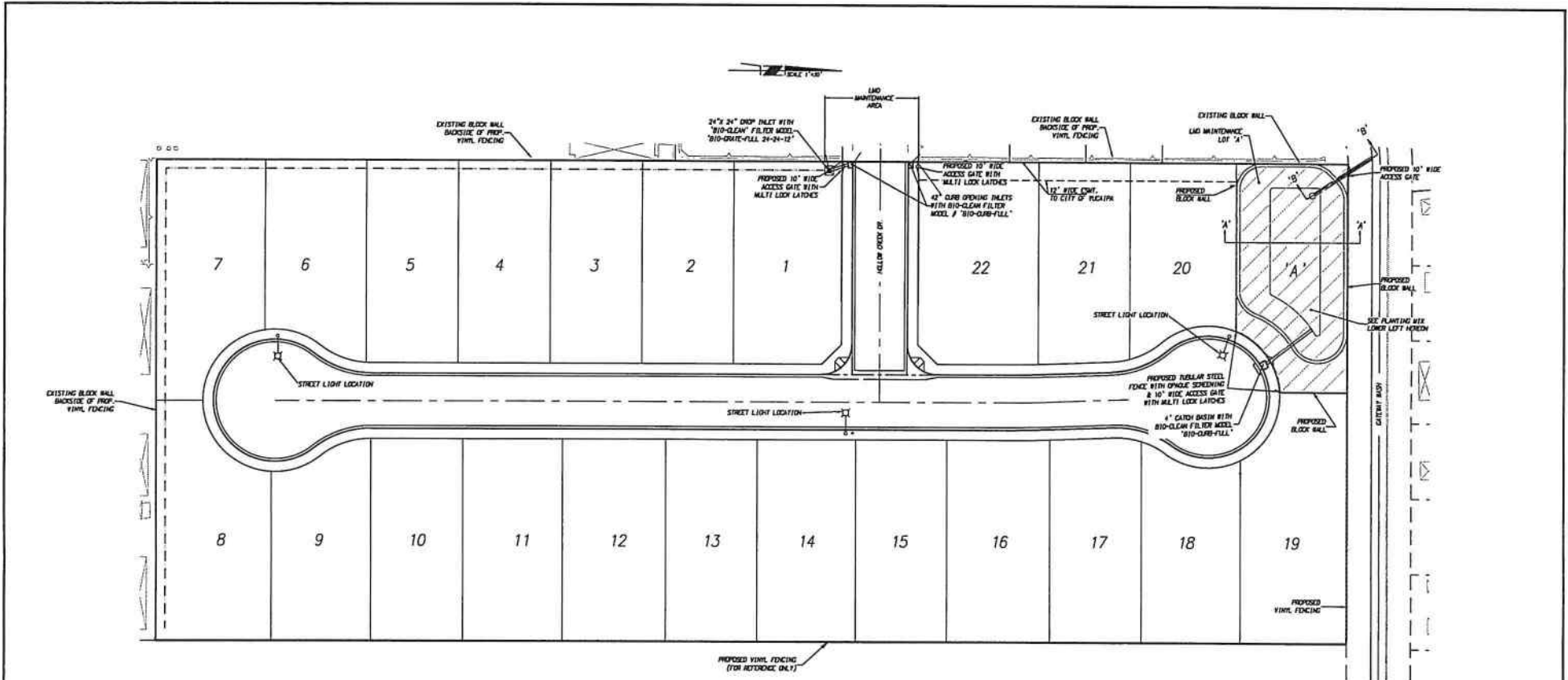
ESTIMATE OF YEARLY MAINTENANCE COST

Street Light Maintenance 3 Ea. @ \$150.00	\$ 450.00
Drainage Structures	1059.50
Landscape Maintenance (10,311 SQ. FT.)	<u>2300.00</u>
Subtotal	3950.00
Administration @ 5% = \$3950.00 @ 5%	<u>190.48</u>
Subtotal	\$ 3999.98
10%Capital Improvement Reserve Fund	<u>400.00</u>
Total Annual	\$ 4400.00
Per EDU (22 new residences)	\$ 200.00

Location Map



File Name: C:\Users\mehmet\Documents\Projects\10-010-0000\10-010-0000.dwg
 User: mehmet
 Date: 10/23/2022 10:51:11 AM
 Plot Date: 10/23/2022 10:51:11 AM

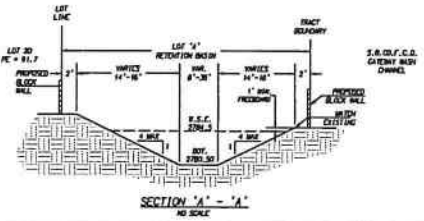


Retention Basin Crosses only - NON IRRIGATED SITE

SPECIES	COMMON NAME	SEED LBS/ACRE	WIN # PLS
Agrostis pallens	Leafy hairgrass	4.00	25
Dactyloctenium aegyptium	Tallied hairgrass	2.00	20
Cyperus villosus	Hoop-corn	3.00	25
Hordeum brachyarthrum	Meadow barley	6.00	30
Setaria faberiana	Crack foxtail	2.00	20
Muhlenbergia rigens	Overgrass	0.50	25
Stipa pulchra	Purple needle grass	4.00	25
		31.50	

WIN # PLS (Pure Live Seed) * Seed Purity * Germination Rate
 Seeding rate: 23.50 lbs per acre

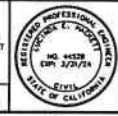
For additional plant characteristics visit the plant database portion of our website at www.sagepub.com



BENCHMARK
 I.B.M. # V581 BRONZE DISK MARKED CAOS (1936)
 LOCATED IN TOP OF NORTH END OF THE EAST CURB
 10' NAD BOX CLAVENT 31' EAST OF CAL BRYANT STREET
 AND 80' SOUTH OF CARTER STREET

ELEVATION 2815.578

SCALE: AS SHOWN DATE: 27 OCTOBER 2022



PLANS PREPARED BY
E.H. & Associates
 2000 Layton Street, Aliso Viejo, CA 91737
 (949) 941-4817 FAX: (949) 941-4350

DATE: 27 OCTOBER 2022

NO.	REVISIONS	DATE

City of Yucaipa
 Tract No. 17349
 LLMD ZONE FFF
 SITE PLAN

Submitted By: _____ Date: _____
 Recommended for Approval By: _____ Date: _____
 Approved By: **FEARFUL FREEDOM, CITY ENGINEER** Date: _____

Job No. _____ Drawing No. **52568**
 Sheet No. _____ of _____ sheets
 City of Yucaipa Public Works Department
 Engineering Division

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Fermin Preciado, Director of Development Services/City Engineer *FP*
 Scott Washburn, Public Works Manager *SW*
 Kevin Garcia, Assistant City Engineer *KG*

FOR: City Council Meeting of November 28, 2022

SUBJECT: Award of Contract – Exterior Painting of Various City Facilities – Project No. 11179

RECOMMENDATION:

That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$182,000 with Color New Co. of Woodland Hills, CA for the Exterior Painting of Various City Facilities – Project No. 11179; and
2. Approve the amount of \$45,000 for contract contingency and the amount of \$9,000 for contract administration, inspection, and staff time for a total budget in the amount of \$236,000; and
3. Authorize the City Manager, or his designee, to administer the terms of the contract.

BACKGROUND/DISCUSSION:

The project is being initiated to provide the necessary maintenance of public facility buildings by painting the exterior of said buildings. The existing exterior paint at the various city facilities is at least 15 years old and has exceeded its useful life. By painting the buildings, the exterior surfaces of those buildings can be further protected from the elements, extend the life of buildings, and provide a more aesthetic appearance. The City facilities are as follows:

- Community Center (34900 Oak Glen Road)
- Police Department (34144 Yucaipa Boulevard)
- Fire Station #3 (34259 Wildwood Road)
- Scherer Center (12202 1st Street)
- City Hall (34272 Yucaipa Boulevard)
- 7th Street Pool (12385 7th Street)
- Historic Fire Station (35130 Avenue A)

This work shall consist of the painting of all the exterior painted surfaces of the above listed

facilities, including but not limited to trellis material, columns, beams, doors, stucco walls and eaves. This also includes replacement of flashings and wood fascia boards as required. Repair work shall be made to all fascia boards that are warped by either replacing the boards or filling in the cracks, depending upon the severity, as determined by the City Engineer in accordance with industry standards. The work includes repairing damaged sections of stucco and installing new stucco under the eaves where the stucco was removed for various reasons over the years.

The Project was advertised for bids in October of 2022. On November 10th, thirteen (13) sealed bids were received and opened as follows:

Bidder	Bid Amount
U.S National Corp.	\$653,840
Ante Marijanovic	\$355,150
Yoda Painting Inc.	\$254,000
Color New Co.	\$182,000
Anemos Enterprises	\$240,000
United Painting & Coatings Co.	\$187,400
AJ Fistes Corporation	\$351,800
Pacific Rim Painting Co.	\$259,000
Prime Painting Contractors	\$311,000
Pacific Contractors Group	\$278,000
Perfection Painting Co.	\$359,000
Mariscal Painting	\$383,000
Innovation Painting Inc.	\$225,000

The Estimate for the Project is \$260,000. Color New Co. of Woodland Hills, CA is the apparent low bidder for the Project with a bid in the amount of \$182,000. Staff has reviewed the apparent low bidder's bid documents and determined that they meet the contract specifications for the Project. Color New Co. has performed similar work for other public agencies and their work has been deemed satisfactory. As a result, staff recommends that City Council award a contract in the amount of \$182,000 to Color New Co. for the Project.

FISCAL IMPACT:

The table below includes the total proposed cost for the Project:

Description	Amount
Proposed Costs	
Proposed Contract	\$182,000
Proposed Contract Contingency	45,000
Proposed Contract Administration/Inspection/Staff Time	9,000
Total Proposed Estimated Project Costs	\$236,000

The adopted FY2022/2023 Budget includes funding in the amount of \$370,000 specifically for Public Facility Exterior Painting in the Capital Projects Fund (Fund 35). The proposed estimated Project cost of \$236,000 leaves a remaining budget balance in the amount of \$134,000 which is sufficient to accommodate staff's recommendations. The remaining funds can be used to complete other exterior repairs and maintenance at these facilities. Staff will return to Council at a later date with recommendation regarding these repairs.

Attachments: Bid Summary
Agreement

Approved by:

Handwritten signature of Raymond A. Casey in cursive script, written over a horizontal line.

Exterior Painting of Various City Facilities

Owner:City of Yucaipa

Bid Opening:2022-11-10

* marks an allowance

Engineer's Estimate

Color New Co.

22938 Mariano St
Woodland Hills, CA 91367
US
Bid Status:Valid

Bid Items List

Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total
00001		COMMUNITY CENTER 34900 OAK GLEN	1	LS	\$0.00	\$0.00	\$34,000.00	\$34,000.00
00002		POLICE DEPARTMENT 34144 YUCAIPA	1	LS	\$0.00	\$0.00	\$47,000.00	\$47,000.00
00003		FIRE STATION 3 34259 WILDWOOD ROAD	1	LS	\$0.00	\$0.00	\$19,000.00	\$19,000.00
00004		SCHERER CENTER 12202 1ST STREET	1	LS	\$0.00	\$0.00	\$12,000.00	\$12,000.00
00005		CITY HALL 34272 YUCAIPA BOULEVARD	1	LS	\$0.00	\$0.00	\$50,000.00	\$50,000.00
00006		7TH STREET POOL 12385 7TH STREET	1	LS	\$0.00	\$0.00	\$12,000.00	\$12,000.00
00007		HISTORIC FIRE STATION 35130 AVENUE A	1	LS	\$0.00	\$0.00	\$8,000.00	\$8,000.00
Bid List Total						\$0.00		\$182,000.00
Total Bid Amount						\$0.00		\$182,000.00
Listed Subs								

United Paint & Coatings Co.			Innovation Painting Inc			Anemos Enterprises, Inc			Yoda Painting Inc.		
50485 Jalisco Ave Coachella, CA 92236 US Bid Status:Valid			1353 E 7th St Ontario, CA 91764 US Bid Status:Valid			PO Box 722349 San Diego, CA 92172 Bid Status:Valid			2254 40th Avenue San Francisco, CA 94116 US Bid Status:Valid		
<i>Unit Price</i>		<i>Item Total</i>	<i>Unit Price</i>		<i>Item Total</i>	<i>Unit Price</i>		<i>Item Total</i>	<i>Unit Price</i>		<i>Item Total</i>
\$15,500.00		\$15,500.00	\$25,000.00		\$25,000.00	\$50,000.00		\$50,000.00	\$25,000.00		\$25,000.00
\$50,600.00		\$50,600.00	\$60,000.00		\$60,000.00	\$35,000.00		\$35,000.00	\$74,000.00		\$74,000.00
\$24,600.00		\$24,600.00	\$25,000.00		\$25,000.00	\$35,000.00		\$35,000.00	\$25,000.00		\$25,000.00
\$14,500.00		\$14,500.00	\$25,000.00		\$25,000.00	\$35,000.00		\$35,000.00	\$20,000.00		\$20,000.00
\$56,900.00		\$56,900.00	\$70,000.00		\$70,000.00	\$45,000.00		\$45,000.00	\$75,000.00		\$75,000.00
\$14,800.00		\$14,800.00	\$10,000.00		\$10,000.00	\$15,000.00		\$15,000.00	\$20,000.00		\$20,000.00
\$10,500.00		\$10,500.00	\$10,000.00		\$10,000.00	\$25,000.00		\$25,000.00	\$15,000.00		\$15,000.00
		\$187,400.00			\$225,000.00			\$240,000.00			\$254,000.00
		\$187,400.00			\$225,000.00			\$240,000.00			\$254,000.00

Pacific Rim Painting Co.	Pacific Contractors Group Inc.	Prime Painting Contractors	AJ Fistes Corporation
259 W Sierra Ave #101 Fresno, CA 93704 US Bid Status:Valid	19025 Parthenia Street, Unit 122 Northridge, CA 91324 Bid Status:Valid	17033 Gledhill St Northridge, CA 91325 US Bid Status:Valid	1244 N Gaffey St San Pe San Pedro, CA 90731 US Bid Status:Valid

<i>Unit Price</i>	<i>Item Total</i>	<i>Unit Price</i>	<i>Item Total</i>	<i>Unit Price</i>	<i>Item Total</i>	<i>Unit Price</i>	<i>Item Total</i>
\$51,000.00	\$51,000.00	\$52,000.00	\$52,000.00	\$29,000.00	\$29,000.00	\$61,700.00	
\$67,050.00	\$67,050.00	\$70,000.00	\$70,000.00	\$65,000.00	\$65,000.00	\$80,600.00	
\$35,000.00	\$35,000.00	\$14,000.00	\$14,000.00	\$49,000.00	\$49,000.00	\$57,500.00	
\$15,000.00	\$15,000.00	\$26,000.00	\$26,000.00	\$24,000.00	\$24,000.00	\$29,000.00	
\$67,050.00	\$67,050.00	\$92,000.00	\$92,000.00	\$99,000.00	\$99,000.00	\$91,000.00	
\$19,000.00	\$19,000.00	\$16,000.00	\$16,000.00	\$22,000.00	\$22,000.00	\$21,000.00	
\$4,900.00	\$4,900.00	\$8,000.00	\$8,000.00	\$23,000.00	\$23,000.00	\$11,000.00	
	\$259,000.00		\$278,000.00		\$311,000.00		
	\$259,000.00		\$278,000.00		\$311,000.00		

	Tony Painting	Perfection Painting Corp	Mariscal Painting inc	U.S National C
dro	7291 GARDEN GROVE BLVD STE A Garden Grove, CA 92841 US Bid Status:Valid	38045 47th St. Ste E #142 Palmdale, CA 93552 US Bid Status:Valid	9220 Klingerman St South El Monte, CA 91733 US Bid Status:Valid	10205 San Fer Pacoima, CA 9 US Bid Status:Val

<i>Item Total</i>	<i>Unit Price</i>	<i>Item Total</i>	<i>Unit Price</i>	<i>Item Total</i>	<i>Unit Price</i>	<i>Item Total</i>	<i>Unit Price</i>
\$61,700.00	\$70,000.00	\$70,000.00	\$53,000.00	\$53,000.00	\$109,000.00	\$109,000.00	\$149,500.00
\$80,600.00	\$84,600.00	\$84,600.00	\$85,000.00	\$85,000.00	\$69,000.00	\$69,000.00	\$224,950.00
\$57,500.00	\$28,500.00	\$28,500.00	\$32,000.00	\$32,000.00	\$26,000.00	\$26,000.00	\$44,800.00
\$29,000.00	\$27,500.00	\$27,500.00	\$37,000.00	\$37,000.00	\$31,000.00	\$31,000.00	\$54,990.00
\$91,000.00	\$109,700.00	\$109,700.00	\$86,000.00	\$86,000.00	\$99,000.00	\$99,000.00	\$124,800.00
\$21,000.00	\$16,000.00	\$16,000.00	\$39,000.00	\$39,000.00	\$35,000.00	\$35,000.00	\$44,900.00
\$11,000.00	\$18,850.00	\$18,850.00	\$27,000.00	\$27,000.00	\$14,000.00	\$14,000.00	\$9,900.00
\$351,800.00		\$355,150.00		\$359,000.00		\$383,000.00	
\$351,800.00		\$355,150.00		\$359,000.00		\$383,000.00	

AGREEMENT

THIS AGREEMENT is made and entered into this 17th day of November 2022, by and between the City of Yucaipa, a municipal corporation, hereinafter referred to as "City", and

Color New Co. , located at 22855 Califa Street
Contractor / Company Name Street Address

Woodland Hills CA 91367 (818) 884-0856 hereinafter referred to as "Contractor".
City State Zip Code Phone

PROJECT: Exterior Painting of Various City Facilities – Project No. 11179

WITNESSETH, in this consideration of their covenants, the parties hereto agree as follows:

The contract documents for the Project shall consist of the Notice Inviting Sealed Bids, Instructions to Bidders, Proposal, General Specifications, Standard Specifications, Special Provisions, Plans, and all referenced specifications and appendices; together with this Agreement and all required bonds, insurance certificates, permits, notices, and affidavits; and also including any and all addenda or supplemental agreements clarifying, amending, or extending the work contemplated as may be required to insure its completion in an acceptable manner (collectively, the "Contract Documents"). The Contract Documents are made a part hereof as though fully set forth herein.

In consideration of such work, City agrees to pay Contractor and Contractor agrees to accept the sum of **One Hundred Eighty-Two Thousand Dollars and Zero Cents (\$182,000.00)** in the manner provided in the Contract Documents and subject to adjustment provided therein.

Concurrently with the execution of this Agreement, Contractor shall file with the City the bonds and certificates of insurance specified in the Contract Documents and subject to adjustment provided therein.

This Contract shall not be assigned without the written permission of the City Council.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

ATTEST:

CITY OF YUCAIPA
A Municipal Corporation

Jennifer Crawford,
Assistant City Manager/City Clerk

David Avila, Mayor

Date

**FUNDS AVAILABLE/INSURANCE
APPROVED:**

CONTRACTOR:

Director of Finance

Date

Fermin G. Preciado, Director of
Development Services/City Engineer

APPROVED AS TO FORM:

David M. Snow, City Attorney

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Fermin Preciado, Director of Development Services/City Engineer *F.P.*
Benjamin J. Matlock, Planning Manager/City Planner *Bu*

FOR: City Council Meeting of November 28, 2022

SUBJECT: Enhanced Infrastructure Finance District Resolution of Intention

RECOMMENDATION:

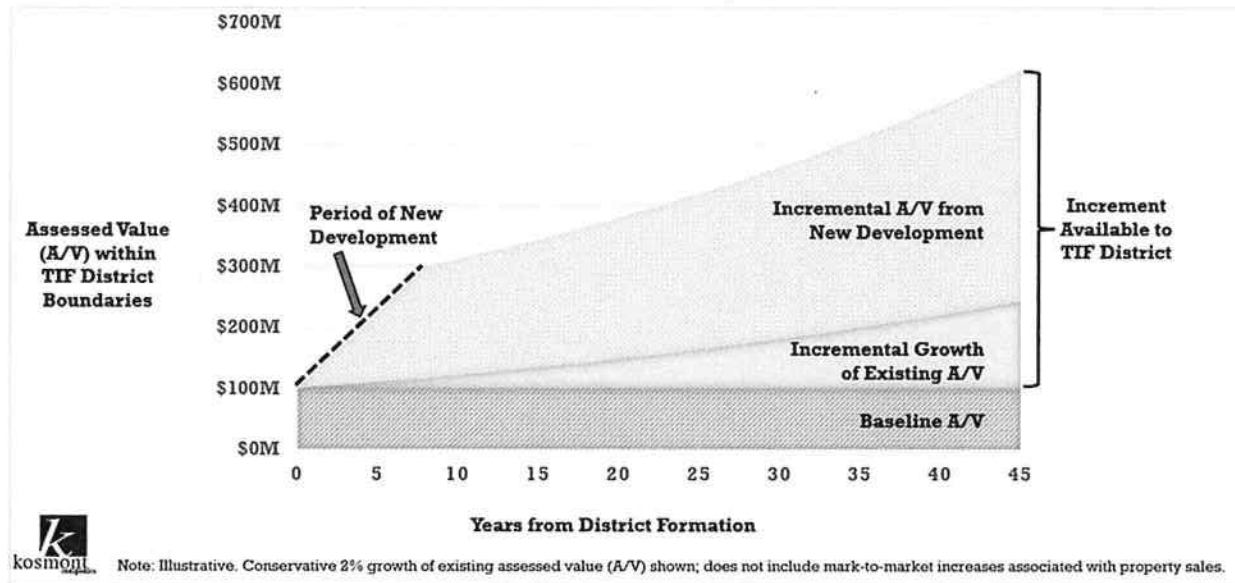
That the City Council:

1. Adopt Resolution 2022-60, a Resolution declaring its intention to establish the Yucaipa Enhanced Infrastructure Financing District (EIFD) and establishing the Yucaipa EIFD Public Financing Authority (PFA); and
2. Approve the organization of the Public Financing Authority Board, which would consist of two Council Members, one additional Council Member that would serve as an alternate Board member, and one additional member of the public, direct staff to solicit candidates for the member at large and then return to Council for the formal appointments to the Board; and,
3. Find that the adoption of the Resolution of Intention and establishment of the Public Financing Authority are exempt from the California Environmental Quality Act (“CEQA”) as these actions do not constitute a “project” pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5), and that these actions are also exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

BACKGROUND:

An Enhanced Infrastructure Finance District (“EIFD”) is a governmental entity that may be established by a City, County, or through a partnership between the two, that uses future incremental revenue from existing tax rates to help fund and complete public capital facilities and infrastructure projects, as well as other specified projects of communitywide significance, that provide a significant benefit to the properties within the EIFD as well as the surrounding community. EIFDs are funded by capturing all or a portion of the future property tax increment revenue (i.e. the difference in property taxes owed prior to and post establishment of the EIFD) generated within the boundaries of the district. The EIFD may finance projects through the issuance of bonds or under a “pay-go” model where money is spent as it is collected. The requirements for the City’s establishment of an EIFD are set forth in California Government Code Sections 53398.50, and following (referred to as the “EIFD

Law”). The following chart illustrates how tax increment financing (TIF) captures that new revenue from new development into the EIFD (note these dollars are for illustrative purposes only):



On January 12, 2015, the City Council conducted a Study Session and considered various financing alternatives for the installation and/or construction of public facilities and certain infrastructure improvements and directed staff to return to Council with any costs associated with establishing one of the financing alternatives. Included in that Study Session was a comprehensive discussion regarding the use of EIFDs, among other financing alternatives, which had only recently been established following approval of Senate Bill (SB) 628 in 2014. SB 628 was to create this new type of public financing tool an appropriate successor tool to the former Redevelopment Agency (RDA) financing mechanisms after they were dissolved by the state in 2011. It provides local governments an intriguing new tool in economic development, although not at the same level of the former RDAs.

Following that study session, the City further explored the creation of an EIFD in 2015 to fund certain projects within the Freeway Corridor Specific Plan and the College Village Overlay. However, because this was a new tool, the County of San Bernardino (County) was reluctant to support the formation of a EIFD until successes with this tool were made elsewhere in the state. Since that time, EIFDs have been successfully formed throughout the state. Further, a recent EIFD was formed in Rancho Cucamonga with provisions that may allow for a future partnership with the County.

In 2021, SCAG awarded the City a grant to study the formation of an EIFD that would encompass specific project areas needing infrastructure and that would address the City’s 2021-2029 RHNA requirements. These areas include the Crafton Hills College Overlay District and Freeway Corridor Specific Plan, among others. The EIFD has been included in the City’s 6th Cycle Housing Element as a potential tool that can fund necessary projects that would support the development of these areas.

A Study Session was then held on the City Council Meeting of August 22, 2022, to provide City Council and interested parties an opportunity to discuss EIFDs, and for Council to provide direction

to staff as may be deemed appropriate. The City Council provided direction to further explore EIFDs as another tool for the City. In addition, additional outreach was completed on September 22, 2022, which included engaging property owners that may be within a future EIFD, and a public workshop was held at the November 3, 2022, Economic Development Advisory Committee (EDAC) meeting. The EIFD was well received by the property owners, who also noted that roadway/freeway infrastructure were key elements of value for potential EIFD projects. The EDAC meeting also included favorable comments, though they ultimately voted to continue the item to allow additional time to review the materials and further discuss the topic. Staff will return to EDAC for any further input.

DISCUSSION:

As part of the next steps of the EIFD process, a Resolution of Intention (ROI) will need to be adopted for allow for the formation steps to occur, which will include additional opportunities for the public to comment. The adoption of the City Council's ROI, which is provided as an attachment, will provide for the following:

1. Preliminary boundaries of the EIFD. The proposed EIFD boundaries are noted in color in Exhibit A of the Resolution of Intention. Though the exact boundaries of the EIFD are subject to further review and refinement as the formation process continues, the current boundary is focused on the Freeway Corridor Specific Plan area and the College Village opportunity site area (properties with potential for new development or rehabilitation). The land included in these boundaries totals approximately 1,334 acres (approximately 7% of citywide acreage) and approximately \$25 million in existing assessed property value (which currently only represents approximately 1% of citywide assessed value).
2. The public facilities and development proposed to be financed by the EIFD. The activities listed under the Resolution of Intention include all eligible activities under the EIFD legislation and are listed in Exhibit B to the Resolution of Intention (more specific projects will be delineated in the required Infrastructure Financing Plan prior to the district formation).
3. Use of Incremental Tax Revenue. The ROI anticipates that portion of the City property tax increment revenue generated within the EIFD will be allocated to the EIFD. In general, the City receives approximately 24 cents of every property tax dollar, plus the equivalent of approximately 11 cents in property tax in lieu of motor vehicle license fees (MVLFF). A portion of the incremental growth of these revenue streams would be directed into the EIFD, with the exact amounts to be determined in future resolutions adopted by the City Council.
4. In the future, should another taxing entity such as the County of San Bernardino participate in the EIFD, a portion of that taxing entity's property tax increment revenue will also be contributed to the EIFD. The exact percentage of tax increment recommended to be contributed by the City is still being analyzed, and that final decision will be made by the City Council at hearings toward the end of the formation process.

5. Establishes a Public Financing Authority to serve as the governing board of the EIFD. The PFA membership is comprised initially of three members of the City Council and two public members. Alternate Board members will also be appointed to represent the City Council in the absence of a regular member.
6. If another taxing entity wishes to participate in the EIFD after the initial formation (such as the County of San Bernardino), the PFA membership will be revised to include members from that new entity in accordance with the resolution.
7. Sets a time and place for the first public hearing on the EIFD to be conducted by the Public Financing Authority. The first public hearing is scheduled for April 24, 2023, at 5:00 p.m. in the City Hall Council Chambers.

Approval of the Resolution of Intention and subsequent appointment to the PFA will begin a series of activities that will take place over the next several months, primarily by the PFA Board. The following schedule outlines the various key tasks and milestones in the formation process. As the schedule indicates, the final City Council approvals follow later in Spring and Summer of 2023:

Task	Target Date	Notes
Study Session with Council	August 2022	Held already
Study Session with EDAC	November 2022	Held already
Initial meeting of PFA	February 2023	PFA will review the EIFD, adopt bylaws, direct the preparation of the draft Infrastructure Financing Plan (IFP)
PFA meets to review draft IFP	March 2023	
Presentation to Planning Commission on EIFD and draft Infrastructure Financing Plan (IFP)	March/April 2023	Statute requires that the Planning Commission be informed about the IFP and review the CEQA documentation
PFA holds Public Hearing #1	April 2023	Written and oral comments taken on IFP; no action taken
Consideration by the City Council to adopt the resolution approving the IFP and allocation of property tax increment	April/May 2023	

The Infrastructure Financing Plan (IFP) referenced in the timeline above becomes the roadmap for the work to be accomplished by the EIFD. The IFP will analyze the tax increment anticipated to be generated by the properties in the EIFD boundary, consider the cost of various infrastructure options to be considered for investment, evaluate the bonding capacity created by the tax increment generated, and provide a plan for how the EIFD will capture tax increment to fund infrastructure investments. The IFP contents are currently under development and will be provided in draft format to the public, PFA, City Council, and Planning Commission in accordance with the schedule above.

Public information and outreach are also an important part of the EIFD formation process. Work has already begun on various public information materials and an information page on the City Website's Economic Development Section that will serve as a resource to interested stakeholders. Landowners and residents within the EIFD boundaries will also receive mailed notification of the process, and public hearings will be advertised as well. In the event of a majority protest by property owners or residents within the boundaries, the formation proceedings would be discontinued.

Key projects that have been discussed include the following:

- Wildwood Interchange
- Drainage Improvements
- Uptown Parking Structure
- Community Library (local match)
- Other transportation improvements

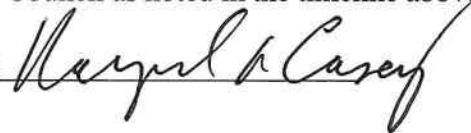
ENVIRONMENTAL REVIEW:

The City Council's adoption of the Resolution of Intention and establishment of the Public Financing Authority are exempt from the California Environmental Quality Act ("CEQA") as actions solely related to the creation of a government funding mechanism and the administrative or organizational activities of the City. Therefore, these actions do not constitute a "project" pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5). Neither of these actions could result in a physical change in the environment because the City has not committed itself to any specific project(s) that could be funded by the EIFD. Further, these actions are also exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines as it can be seen with certainty that there is no possibility that they will have a significant effect on the environment. However, future actions (such as the approval of infrastructure improvements using funding from the EIFD) will be subject to environmental review in accordance with CEQA.

FISCAL IMPACT:

There is no immediate fiscal impact for establishing the Yucaipa EIFD or PFA. If ultimately established, the EIFD would create the opportunity to use tax increment financing to fund targeted infrastructure investments in the City. Further information regarding fiscal impact will be analyzed as part of the development of the Infrastructure Financing Plan (IFP), which will be presented to the PFA and City Council as noted in the timeline above

Approved by:



Attachments: Resolution 2022-60

RESOLUTION NO. 2022-60

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA
DECLARING ITS INTENTION TO ESTABLISH THE YUCAIPA
ENHANCED INFRASTRUCTURE FINANCING DISTRICT TO FINANCE
THE CONSTRUCTION, REPAIR, ACQUISITION, AND/OR
MAINTENANCE OF CAPITAL IMPROVEMENTS AND FACILITIES,
INCLUDING THE ACQUISITION AND/OR REMEDIATION OF LAND
FOR SUCH IMPROVEMENTS AND FACILITIES; ESTABLISHING A
PUBLIC FINANCING AUTHORITY; AND AUTHORIZING CERTAIN
OTHER ACTIONS RELATED THERETO**

WHEREAS, SB 628, effective as of January 1, 2015, allows a city or county to create a separate government entity known as an “Enhanced Infrastructure Financing District” (EIFD) within a defined area to finance certain infrastructure projects with community-wide benefits; and

WHEREAS, pursuant to Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with Section 53398.50) (the "EIFD Law"), the City Council of the City of Yucaipa ("Council") is authorized to initiate the process to establish an EIFD; and,

WHEREAS, EIFDs are financed through tax increment generated from the growth in property taxes collected from within a designated district boundary. There are no new taxes or impacts to the property owner within an established EIFD; and,

WHEREAS, EIFD tax increment may be used to pay for a variety of public facilities and other projects authorized by the EIFD Law within the established EIFD boundaries or outside of the established EIFD boundaries if there is a tangible connection to the work of the EIFD, including but not limited to infrastructure such as roads, utilities, streetscapes, parks and public recreation, or other community facilities. Funding may also be used to facilitate public-private activities by enticing development with infrastructure development and expansion, including new industrial-manufacturing facility construction and repair, and brownfields remediation. Affordable housing, including affordable senior housing, is also an eligible activity; and,

WHEREAS, the City was awarded a grant from the Southern California Association of Governments (SCAG) through its Regional Early Action Plan (REAP) technical advisory program for Tax Increment Financing Advisory Services. SCAG then retained Kosmont & Associates, Inc. DBA Kosmont Companies as the consultant to provide the necessary technical analysis and advisory; and,

WHEREAS, on August 22, 2022, City Council expressed preliminary interest and direction for City staff during a City Council Meeting to move forward with initial EIFD formation activities; and,

WHEREAS, the prerequisites set forth in Government Code Section 53398.54 have been complied with prior to the City initiating the creation of or participating in the governance of the EIFD, and the City will provide the required certification to the California Department of Finance (“DOF”) in accordance with the EIFD Law; and,

WHEREAS, the proposed boundaries of the Yucaipa EIFD are identified on Exhibit A entitled "Proposed Yucaipa EIFD Boundary", a copy which is on file in the office of the City Clerk; and,

WHEREAS, the EIFD will be governed by a Public Financing Authority ("PFA") board which will be responsible for implementing the Infrastructure Financing Plan for the EIFD ("IFP"), and the PFA is required to be established by the City Council at the same time that the Council adopts its intention to form the proposed EIFD; and,

WHEREAS, this action is exempt from the California Environmental Quality Act ("CEQA") as an action solely related to financing and is not in-and-of-itself a "project" (pursuant to CEQA Guidelines Section 15378) since it does not result in a physical change in the environment because the City has not committed itself to fund any specific projects through the EIFD. However, future actions (such as the funding and/or approval of infrastructure improvements using funding from the EIFD) will be subject to environmental review in accordance with CEQA.

NOW, THEREFORE, the Yucaipa City Council does hereby find, determine, conclude, and resolve as follows:

Section 1. The City Council of the City of Yucaipa proposes and intends to cause the establishment of an EIFD under the provisions of the EIFD Law.

Section 2. The name proposed for the EIFD shall be the "Yucaipa Enhanced Infrastructure Financing District."

Section 3. The proposed boundaries of the EIFD are as shown on Exhibit A attached hereto, which are preliminarily approved and on file in the office of the City Clerk and incorporated herein by reference.

Section 4. The types of public facilities and development proposed to be financed or assisted by the EIFD pursuant to the EIFD Law are those listed on Exhibit B, attached hereto and incorporated herein by reference.

Section 5. The City Council hereby finds that the EIFD is necessary for the area within the boundaries of the EIFD and the City. The City Council's stated goals for the EIFD are to create a means by which to assist in the provision of public facilities or other specified projects of communitywide significance that provide significant benefits to, promote economic development of, and enhance quality of life within, the boundaries of the EIFD or the surrounding community.

Section 6. The City Council hereby declares that, pursuant to the EIFD Law and if approved by resolution pursuant to Government Code Section 53398.68, incremental property tax revenue from the City of Yucaipa and some or all other affected taxing entities within the EIFD may be used to finance the activities described in Section 4 and listed on Exhibit B. The incremental property tax financing will be described in an IFP to be prepared for approval by the PFA, the City Council, and the legislative bodies of all participating taxing entities under EIFD Law.

Section 7. The City or County of San Bernardino may allocate tax revenues derived

from local sales and use taxes imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) or transactions and use taxes imposed in accordance with the Transactions and Use Tax Law (Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code) to the EIFD pursuant to Government Code Section 53398.75.5, if applicable. The City Council does not intend to contribute sales and use taxes or transactions and use taxes to the EIFD.

Section 8. The City Council hereby establishes the “Public Financing Authority of the Yucaipa Enhanced Infrastructure Financing District” to serve as the governing board of the EIFD:

- A. The PFA membership shall be comprised initially of three members of the City Council appointed by the City Council and two public members selected by the City Council. Members shall serve at the pleasure of the City Council, as the case may be, and shall serve until their successor assumes office.
- B. The City Council further declares that, pursuant to Government Code Section 53398.51.1, should another taxing entity agree to participate as a taxing entity, then the PFA membership shall be modified in accordance with Government Code Section 53398.51.1. For example, if the County of San Bernardino (“County”) agrees to participate as a taxing entity and the participating taxing entities consist of the City and the County, then the PFA membership shall be modified to be two members of the City Council, one member of the County Board of Supervisors (“Board of Supervisors”), and two public members jointly selected by the City Council and the Board of Supervisors. Members shall serve at the pleasure of their respective appointing legislative bodies and shall serve until their successor assumes office.
- C. The legislative body of each participating taxing entity may appoint one of its members to be an alternate member of the PFA board who may serve and vote in place of a member who is absent or disqualifies themselves from participating in a meeting of the PFA.
- D. The members are subject to compliance with the EIFD Law and all applicable ethics laws, including Article 2.4 (commencing with Section 53234) of Chapter 2 of the Government Code.
- E. The City Council, and the governing bodies of any other participating entities shall comply with Government Code Section 54974.

Section 8. The City Council hereby sets the time and place for a public hearing of the PFA, the proposed EIFD and IFP, to be held on April 24, 2023, at 5:00 p.m., or as soon thereafter as the matter may be heard, at City Hall Council Chambers, 34272 Yucaipa Boulevard, Yucaipa, CA 92399.

Section 9. Pursuant to Government Code Section 53398.60, the City Clerk is hereby

directed to mail a copy of this Resolution to the PFA and each owner of land (as defined in the EIFD Law), or alternatively with respect to the owners of land may mail a single-page notice of intention identified in Government Code Section 53398.60(b), within the EIFD and to each affected taxing entity (as defined in the EIFD Law). In addition, the City Clerk is hereby directed to cause notice of the public hearing to be published not less than once a week for four successive weeks in a newspaper of general circulation published in the City. The notice shall state that the EIFD will be used to finance public works, briefly describe the facilities, briefly describe the proposed financial arrangements, including the proposed commitment of incremental tax revenue, describe the boundaries of the proposed EIFD and state the day, hour, and place, when and where any persons having any objections to the proposed IFP, or the regularity of any of the prior proceedings, may appear before the PFA and object to the adoption of the proposed IFP.

Section 10. The Successor Agency to the Redevelopment Agency of the City of Yucaipa (Successor Agency) has received a finding of completion, as specified in California Health and Safety Code Section 34179.7.

Section 11. In accordance with Government Code Section 53398.54, the City certifies to the DOF and to the PFA that no former Redevelopment Agency of the City of Yucaipa (Former RDA) assets that are the subject of litigation involving the State of California, where the City or the Successor Agency are a named plaintiff, have been or will be used to benefit any efforts of the EIFD unless the litigation and all possible appeals have been resolved in a court of law. The City Clerk is authorized and directed on behalf of the City to provide or make this certification to the DOF within 10 days after the City Council's action to participate in the EIFD pursuant to Government Code Section 53398.68 or the City Council's action to form the EIFD pursuant to Government Code Section 53398.69, by delivery of a copy of the appropriate Resolution or signing a separate certification, if and as required by the DOF.

Section 12. The State Controller has completed its review as specified in California Health and Safety Code Section 34167.5 of asset transfers between the Former RDA, the City or any other public agency. The Successor Agency and the City have complied with all of the State Controller's findings and orders stemming from such review.

Section 13. This Resolution in no way obligates the PFA to establish any EIFD.

Section 14. If any section, subsection, phrase or clause of this Resolution is for any reason found to be invalid, such section, subsection, phrase or clause shall be severed from, and shall not affect the validity of, all remaining portions of this Resolution that can be given effect without the severed portion.

Section 15. This Resolution shall take effect immediately upon its adoption.

Section 16. The City Manager, or designee, are hereby authorized and directed to take all actions necessary or advisable to give effect to the transactions contemplated by this Resolution.

Section 17. The City Clerk of the City of Yucaipa shall certify as to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Yucaipa at a regular meeting held on the _____ day of _____ 2022 by the following vote:

David Avila, Mayor

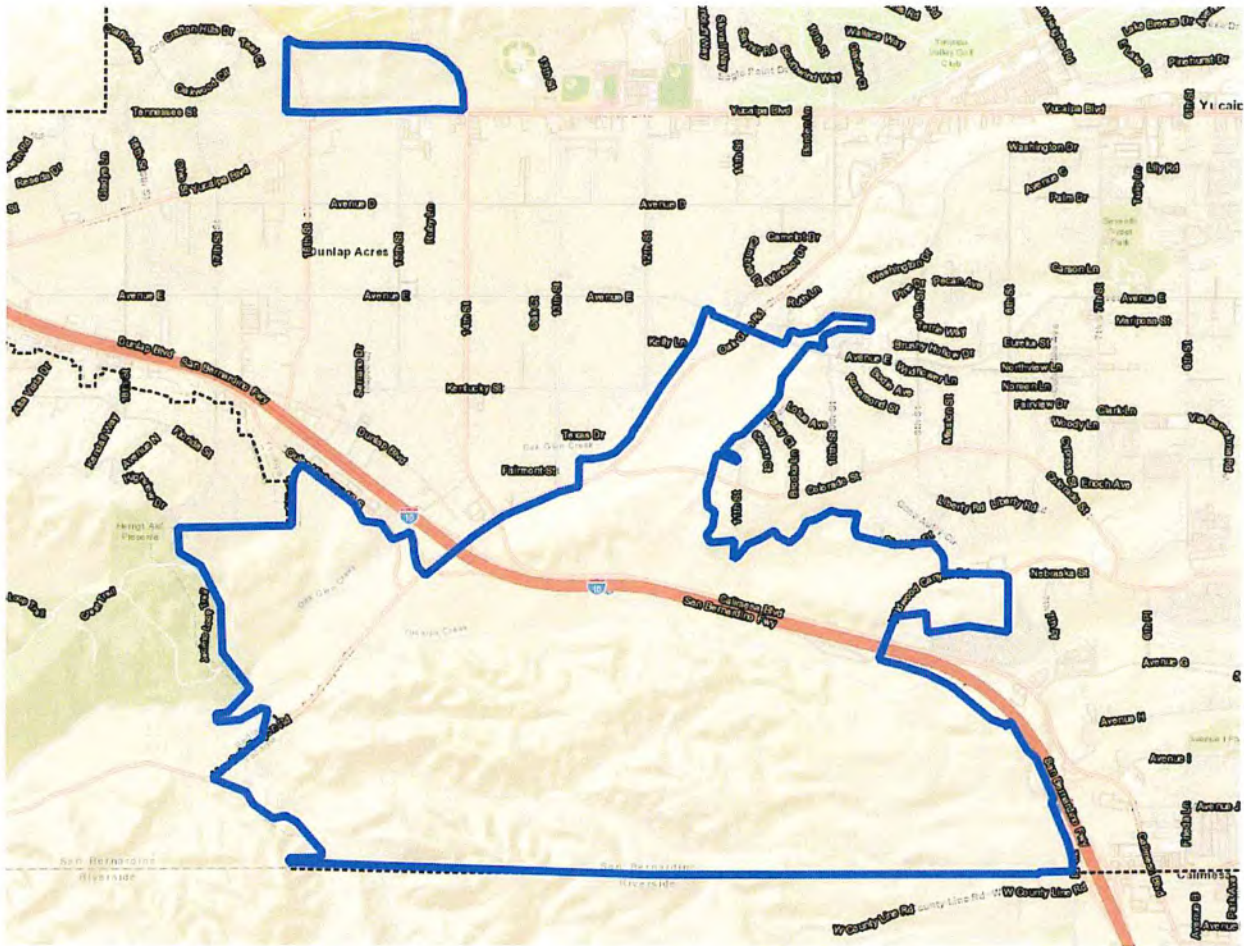
ATTEST:

Jennifer Crawford, City Clerk

APPROVED AS TO FORM:

David M. Snow, City Attorney

EXHIBIT A
Proposed Yucaipa EIFD Boundary



The parcels within the blue boundary on the map are included in the preliminary EIFD boundaries. A complete list of the Assessor's Parcel Numbers (APN's) included in the EIFD boundaries is on file in the City Clerk's Office and is incorporated herein by reference.

EXHIBIT B

CITY OF YUCAIPA ENHANCED INFRASTRUCTURE FINANCING DISTRICT LIST OF AUTHORIZED PUBLIC FACILITIES

The Yucaipa EIFD may finance the purchase, construction, expansion, improvement, seismic retrofit, or rehabilitation of any real tangible property with an estimated useful life of 15 years or longer which are public capital facilities or other projects of community-wide significance that provide significant benefits to the EIFD or the surrounding community. The EIFD may also finance the ongoing or capitalized costs to maintain public capital facilities financed in whole or in part by the EIFD. Facilities funded may be located outside the boundaries of the EIFD, as long as they have a tangible connection to the work of the EIFD as detailed in the infrastructure financing plan. The EIFD may also finance the planning and design work that is directly related to the purchase, construction, expansion, or rehabilitation of property. The EIFD may finance costs described in Government Code Sections [53398.52 [list of eligible improvements]] 53398.56 [replacement housing and relocation obligations if required by actions of EIFD] and 53398.57. Projects financed by the EIFD may include, but not be limited to, all of the following:

- Highways, interchanges, and ramps;
- Bridges;
- Arterial streets;
- Parking facilities;
- Transit facilities;
- Parks, recreational facilities, and open space;
- Sewage treatment and water reclamation plants and interceptor pipes;
- Facilities for the collection and treatment of water for urban uses;
- Facilities for the transfer and disposal of solid waste, including transfer stations and vehicles;
- Storm water conveyance and collection facilities;
- Flood control levees and dams, retention basins, and drainage channels;
- Child care facilities;
- Libraries;
- Broadband and telecommunications infrastructure;
- Sidewalks and streetscape improvements;
- Bicycle lanes and paths;
- Public art;
- Corporation yards;
- Police facilities;
- Brownfield restoration and other environmental mitigation;
- Affordable housing as authorized under the EIFD Law;
- Projects that implement a sustainable communities strategy and transit priority projects;
- Acquisition, construction, or repair of industrial structures for private use;
- Acquisition, construction, or repair of commercial structures by the small business occupant of such structures, if such acquisition, construction, or repair is for purposes of fostering economic recovery from the COVID-19 pandemic and of ensuring the long-term economic sustainability of small businesses;
- Projects that enable communities to adapt to the impacts of climate change, including, but not limited to, higher average temperatures, decreased air and water quality, the spread of infectious and vector-borne diseases, other public health impacts, extreme weather events, sea level rise, flooding, heat waves, wildfires, and drought;

EXHIBIT B


CITY OF YUCAIPA ENHANCED INFRASTRUCTURE FINANCING DISTRICT LIST OF AUTHORIZED PUBLIC FACILITIES

- Facilities in which nonprofit community organizations provide health, youth, homeless, and social services.

Other Expenses

In addition to the direct costs of the above facilities, other incidental expenses as authorized by the EIFD Law, including, but not limited to, the cost of environmental evaluation and environmental remediation; engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the facilities; costs of project/construction management; costs (including the costs of legal services) associated with the creation of the EIFD; costs of issuance of bonds or other debt of the EIFD, of a community facilities district of the City, or of any other public agency for authorized facilities and payment of debt service thereon; financing costs of improvements incurred by developers until reimbursement from the EIFD; costs incurred by the County or the EIFD in connection with the division of taxes pursuant to Government Code Section 53398.75; or costs otherwise incurred in order to carry out the authorized purposes of the EIFD; reimbursements to other areas for facilities serving the EIFD; and any other expenses incidental to the formation and implementation of the EIFD and to the construction, completion, inspection and acquisition of the authorized facilities.

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council
FROM: Grant Malinowski, Fire Chief 
FOR: City Council Meeting of November 28, 2022
SUBJECT: Agreement for Fire Protection and Paramedic Services between the City of Yucaipa and the San Bernardino County Fire Protection District

RECOMMENDATION:

That City Council:

1. Approve and authorize the City Manager to execute an Agreement with the County of San Bernardino County Fire Protection District for the purpose of providing first alarm fire protection and advanced life support (ALS) paramedic services in the unincorporated area of Oak Glen; and
2. Approve and authorize the City Manager to execute and maintain an Assistance by Hire Agreement between CAL FIRE and the City of Yucaipa to extend CAL FIRE's LG-1 provision of services to the unincorporated area of Oak Glen.

BACKGROUND:

On September 27, 1999, the City Council of the City of Yucaipa approved an agreement between the City and the San Bernardino County Service Area 38 (County), for the City to provide fire protection and advanced life support services to the unincorporated community of Oak Glen. The actual delivery of the said services are provided by, and through, the City's annual contract with the California Department of Forestry and Fire Protection (CAL FIRE). For the services, the County originally agreed to compensate the City in the reimbursable amount of \$27,820. A successor agreement was approved by the City Council on January 13, 2003, with minor clarifying modifications from the original agreement. In the 2003 agreement, the annual reimbursement amount was increased to the amount of \$39,634 for the service provision. Pursuant to the provisions articulated in the agreement, the City agrees to contract and provide for such services at no additional cost to the City. A successor agreement was approved by the City Council on February, 2019 which increased the annual reimbursement to \$55,448. After the large-scale incidents of 2020 (Apple Fire, El Dorado Fire, El Dorado Mudslides) the Fire Chief and City Manager performed a study of the agreement and it was determined that the contract reimbursement was not covering operational costs and there was potentially unwarranted liability

due to insufficient liability language in the contract. The proposed contract will cover costs of actual services rendered while reducing unwanted liability to the City of Yucaipa.

DISCUSSION:

The City, County and CAL FIRE have mutually agreed that it remains in the best interest of all parties to continue with the provision of fire protection and paramedic services by extending the services presently provided by CAL FIRE through the City. To that end, staff has completed negotiations on another successor agreement with the County Fire Department. This new agreement is essentially the same as the previous agreement with the following exceptions:

- The amount of the annual reimbursement is increasing to \$116,987.52, an increase by the amount of approximately 109%.
- The proposed agreement includes an escalation clause, which will enable the agreement to be increased by an amount approximate to the rate CAL FIRE personnel costs increase.
- Legal representatives from the City of Yucaipa, San Bernardino County and CAL FIRE had added and modified language from the previous contract to more clearly identify responsibilities and liabilities. The previous contract did not place a limit on services rendered and read as a full-service contract. The proposed contract has been modified to provide a “First Alarm” or initial attack fire and paramedic services to the Community of Oak Glen. Any Incident escalating past initial attack will remain under Incident Command of the Yucaipa Fire Department/CAL FIRE but will become the fiscal responsibility of the San Bernardino County Fire Protection District

All other provisions of the proposed Agreement remain materially the same as they exist in the current agreement with clearer definitions. This includes, but is not limited to, obligations for maintenance, both routine and heavy maintenance, utilities, equipment provisions, facility leasing and insurance requirements and indemnification.

FISCAL IMPACT:

The Fire Protection and Paramedic Services Agreement is intended to provide resources sufficient to cover the costs of service provision to the unincorporated area of Oak Glen. The proposed agreement reflects an increase in the reimbursement amount of approximately 109% to the annual amount of \$116,987.52. This amount is reimbursed to the City on a semi-annual basis. There is no further fiscal impact as a result of this action.

Attachments:

Fire Protection Services Agreement

City Council Meeting of November 28, 2022
Fire Protection and Paramedic Services
To the Community of Oak Glen

Approved by Raymond A. Casey

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY

Contract Number

SAP Number

San Bernardino County Fire Protection District

Department Contract Representative Telephone Number	<u>Fire Chief/Fire Warden</u> <u>(909) 387-5779</u>
Contractor	<u>City of Yucaipa</u>
Contractor Representative Telephone Number	<u>City Manager (Ray Casey)</u> <u>(909) 797-2489</u>
Contract Term	<u>7/1/22 through 6/30/38</u>
Original Contract Amount	_____
Amendment Amount	_____
Total Contract Amount	_____
Cost Center	_____

IT IS HEREBY AGREED AS FOLLOWS:

(Use space below and additional bond sheets. Set forth service to be rendered, amount to be paid, manner of payment, time for performance or completion, determination of satisfactory performance and cause for termination, other terms and conditions, and attach plans, specifications, and addenda, if any.)

FIRE PROTECTION SERVICES AGREEMENT BETWEEN SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND CITY OF YUCAIPA

This Agreement is made and entered into by and between San Bernardino County Fire Protection District, (hereinafter referred to as SBCFPD), and the City of Yucaipa (hereinafter referred to as CITY).

WHEREAS, effective July 1, 1999, CITY detached from SBCFPD for the purpose of providing fire protection and advanced life support ("ALS")/Paramedic Services within CITY' s jurisdictional boundaries, which services have been contracted for by CITY to be provided by the California Department of Forestry and Fire Protection ("CAL FIRE"); and,

WHEREAS, the CITY, through its contractor CAL FIRE, currently provides fire protection and ALS/Paramedic Services to SBCFPD, specifically to that SBCFPD area depicted in Exhibit "A" hereto as "Area A" pursuant to Agreement No. 19-513; and,

WHEREAS, SBCFPD finds it desirable to continue to contract for fire protection and ALS/Paramedic Services to be provided in "Area A" by CITY through its contract with CAL FIRE, and CITY agrees to contract and provide for such services at no additional cost to CITY; and,

WHEREAS, it is the intent of the parties hereto that fire services in that portion of "Area A" on Exhibit "A" hereto, continue to be furnished to SBCFPD by CITY by and through its contract with CAL FIRE, subject to the terms and conditions contained herein; and,

WHEREAS, it is further the intent of the parties that the ALS/Paramedic Service in that portion of SBCFPD depicted as "Area A" on Exhibit "A" hereto, continue to be furnished to SBCFPD by CITY by and through its contract with CAL FIRE, subject to the terms and conditions contained herein; and,

WHEREAS, it is further the intent of the parties hereto that CITY provide fire protection and ALS/Paramedic Services at first alarm assignment levels (see Exhibit "F") for "Area A" (as noted above) and that SBCFPD pay CITY the agreed-upon cost for providing these services; and,

WHEREAS, the parties desire to make various changes to Agreement No. 19-513, including but not limited to the following: 1) providing that the CITY's responses are at first alarm assignment levels identified in the new Exhibit "F"; 2) identifying that the City, through its contractor CAL FIRE, will respond to incidents; 3) providing that the CITY will not furnish resources for disaster response beyond the maximum resources set forth in Exhibit "F" under the terms of this contract; 4) stating that SBCFPD owned-vehicles used by CITY or CITY's contractors under this Agreement shall be marked substantially similar to the following: "Yucaipa Fire Department vehicles in cooperation with the San Bernardino County Fire Protection District serving Oak Glen" and requires that SBCFPD provide a similar replacement vehicle should the vehicle be deemed no longer operational; 5) SBCFPD agreeing to provide additional equipment to Yucaipa as described in Exhibit "D" attached hereto; and 6) increasing the annual lump sum/not-to-exceed amount due to CITY by \$61,539.52 (from \$55,448 to \$116,987.52 per fiscal year) which amount now only covers CITY's responses that are at first alarm assignment levels identified in the new Exhibit "F"; and 7) CITY agreeing to SBCFPD's standard indemnification provision; and,

WHEREAS, in lieu of preparing an amendment to Agreement No. 19-513, CITY and SBCFPD find it is more efficient to prepare and enter into this new Agreement, which will supersede Agreement No. 19-513, effective on July 1, 2022, through June 30, 2038.

NOW, THEREFORE, it is agreed as follows:

1. During the term of this Agreement, CITY shall be designated as the fire protection and ALS/Paramedic Services provider to "Area A" including first alarm assignment levels as set forth in "Exhibit F", and the Fire Chief designated by CITY for providing fire protection services to and within CITY shall act as the Fire Chief for "Area A", together with all the powers, duties and responsibilities associated with that position in providing the services pursuant to this Agreement. Any incident that requires additional resources exceeding a first alarm assignment (see "Exhibit F" attached hereto and incorporated herein by this reference) will be the financial responsibility of SBCFPD.

2. CITY will furnish to "Area A" fire protection services at first alarm response levels set forth in Exhibit "F", including ALS/Paramedic Services at the same level previously supplied by SBCFPD and which may be provided through separate agreement including auto-aid agreements.

3. CITY will furnish to "Area A" fire cause and origin determination including wildland fire investigations at the same level that it furnishes within its own boundaries.

4. CITY will include "Area A" in fire department disaster response planning at the same level CITY furnishes within its own boundaries. The CITY will not furnish resources for disaster response beyond those set forth in Exhibit "F" under the terms of this contract. The CITY may furnish resources beyond those set forth in Exhibit "F" for disaster response under a separate agreement such as a Mutual Aid agreement or Assistance by Hire agreement between the Parties.

5. CITY is authorized to collect fire prevention inspection fees, excluding fire protection planning fees, in "Area A" which fees shall be adopted by Resolution of the City, and which services and fees shall be consistent with the most current fee ordinance adopted by SBCFPD.

6. SBCFPD will continue to provide fire protection planning and collect related fees for "Area A" and shall provide CITY with copies of commercial and industrial project conditions upon final approval of such projects by San Bernardino County.

7. CITY shall submit during the term of this Agreement to SBCFPD a yearly report of all fire protection and ALS/Paramedic Services provided within "Area A". The report shall be submitted within 90 days after the end of the calendar year.

TERM AND TERMINATION:

8. Term and Termination. This Agreement shall become effective July 1, 2022, and shall continue in effect until June 30, 2038, unless terminated by either party by giving the other party 365 days written notice of the party's intent to terminate this Agreement.

All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such address as the respective parties may provide in writing for this purpose:

SBCFPD:

SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
Attn: Fire Chief/ Fire Warden
157 W. 5th Street, 2nd floor
San Bernardino, CA 92415-0451

CITY:

City of Yucaipa
Attn: Ray Casey, City Manager
34272 Yucaipa Blvd.
Yucaipa, CA 92399

9. Payment. SBCFPD shall pay the total sum/not-to-exceed amount of \$116,987.52 for each fiscal year, commencing Fiscal Year 2022-23, for fire protection and ALS/Paramedic Services provided by CITY to SBCFPD during the term of this Agreement. Such payment by SBCFPD to CITY shall be made as set forth in "Exhibit B" of this Agreement. CITY may give notice to SBCFPD of increased costs (incurred by CITY in providing the services pursuant to this Agreement, and this Agreement may be amended to reflect the increased costs to CITY, with any such amendment to be effective on the date such an amendment has been approved by both Parties. CITY and SBCFPD shall have the option to terminate this Agreement by providing the non-terminating party 365 days written notice of the party's intent to terminate this Agreement if the parties cannot agree on the amount of additional costs proposed by CITY. Should CITY annex all or any portion of "Area A" or otherwise become legally obligated to provide fire protection services and ALS/Paramedic Services to any or all of Area A" at any time during the effective period of the Agreement, the parties hereto agree to pro-rate the actual reimbursement to CITY for those services covered by this Agreement.

A. Following the initial contract year and thereafter, personnel, labor, and benefit costs shall be adjusted annually consistent with CITY fire personnel MOUs (Memorandum of Understanding); while all other non-personnel type budget costs shall adjust annually to allow for a cost-of-living adjustment (COLA) based on the Riverside-San Bernardino- Ontario, CA CPI- U. Any adjustments other than those set forth in this Subparagraph 9.A. shall follow the terms of this Paragraph 9 and shall only take effect if approved by both CITY and SBCFPD pursuant to an amendment to this Agreement. The preceding January through December CPI- U period shall be used when determining the adjustment but shall not exceed four (4) percent or fall below two (2) percent. Administrative cost related to the execution of this contract shall be adjusted annually and cannot exceed 4%. Administrative cost that exceeds 4%, must be approved by SBCFPD. Any annual adjustment for consistency with CITY fire personnel MOUs shall not exceed 4%.

10. Premises Lease. SBCFPD hereby leases to CITY the real property, together with the fixtures and furnishings described on Exhibit "C" (the leased Premises) for the sum of \$1 per year for duration of this Agreement, on the terms and conditions set forth in this Agreement. During the term of this Agreement, CITY shall maintain in good repair the heating, ventilation and cooling system, plumbing and electrical systems, exterior walls, windows, roof,

sidewalks, and other like portions of the Leased Premises. CITY shall be financially responsible for said maintenance and repairs up to a maximum of \$250 per occurrence. Any repairs and maintenance exceeding \$250 per occurrence must receive prior authorization from SBCFPD which shall be financially responsible for any such pre-authorized repairs. An occurrence shall be defined as all repair parts/items, including normal labor as per industry standards for that repair item. An example would be replacement of the water heater would include the water heater, assorted plumbing parts/fittings and installation labor. SBCFPD may not unreasonably withhold authorization for any repairs or maintenance which are necessary to the peaceful occupancy of the Leased Premises, or which are necessary for the replacement of fixtures and furnishings which have exceeded their useful life.

11. Utilities. CITY shall pay all service charges, including charges for electricity, gas, water, sanitation, telephone, and refuse disposal services provided to the Leased Premises.

12. Maintenance Expense. CITY shall provide all necessary routine maintenance expense including janitorial interior maintenance and landscaping maintenance for the Leased Premises.

13. Fire/ALS/Paramedic Apparatus and Equipment. SBCFPD hereby leases to CITY the fire vehicles, apparatus, equipment, and property described on Exhibit "D" (the Vehicular Property) for the sum of \$1 per year for duration of this Agreement, on the terms and conditions set forth in this Agreement. Leased fire vehicles will be marked with language substantially similar as the following: "Yucaipa Fire Department vehicles in cooperation with San Bernardino County Fire Department serving Oak Glen." During the term of this Agreement, CITY shall maintain in good repair, by way of a preventative maintenance program and good stewardship, the Vehicular Property, and shall be financially responsible for said maintenance and repairs up to a maximum of \$500 per occurrence, or an annual combined limit for all Vehicular Property in the amount of \$2,500. Any repairs and maintenance exceeding \$500 per occurrence, or over the combined annual amount of \$2,500 for all Vehicular Property must receive prior authorization from SBCFPD, which shall be financially responsible for any such pre-authorized repairs. An occurrence shall be defined as all repair parts/items and labor as per industry standards for that repair item. An example would be a fire engine that breaks down on an incident because of motor/engine problems. The costs of towing, all repair parts/items and labor to get the motor/engine repaired and the fire engine back in service would be included in the occurrence. SBCFPD shall further be financially responsible for necessary replacement of the cost of providing and operating the Vehicular Property. SBCFPD will provide a similar replacement fire vehicle or apparatus if vehicles listed in Exhibit "D" have been deemed to be no longer operational and or serviceable. Notwithstanding anything provided in this Agreement. CITY shall be responsible for the costs of repair or replacement of the Vehicular Property transferred hereunder which is consumed, lost, stolen, damaged or destroyed due to the negligence of CITY or CITY's authorized officers, employees, agents, and volunteers.

14. Cost of Providing and Operating Equipment: The cost of providing, maintaining, operating, and replacing any and all property, furnishings and equipment, real or personal, previously furnished by SBCFPD to CITY for fire protection and ALS/Paramedic Services (other than the fire equipment set forth in Exhibit "D" and provided for hereinabove) shall be borne by SBCFPD unless otherwise provided for herein or by separate written agreement, or in section 15.A below.

15.A Personal Protective Equipment, Excluding Self-Contained Breathing Apparatus (SCBA), mobile and handheld radios. The CITY shall, after signing this agreement, provide and maintain, as replacement, all structural and wildland personal protective clothing. SBCFPD shall provide two (2) serviceable SCBA's at SBCFPD's expense consistent with CITY equipment for BP-555. SBCFPD shall provide at SBCFPD's expense one (1) FIRESCOPE compliant mobile VHF and 800mhz radio and two (2) FIRESCOPE compliant handheld VHF radios per apparatus listed in Exhibit "D" consistent with CITY equipment.

16. Indemnification.

SBCFPD, to the extent permitted by law, agrees to indemnify, defend (with counsel approved by CITY), and hold harmless the CITY, its officers, agents, employees, and volunteers from any and all claims, actions, losses, damages, and/or liability resulting from SBCFPD's negligent acts or omissions which arise from SBCFPD's performance of its obligations under this Agreement. The CITY, to the extent permitted by law, agrees to

indemnify, defend (with counsel approved by SBCFPD), and hold harmless SBCFPD and their officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of the CITY's performance of its obligations under this Agreement.

In the event SBCFPD and/or CITY is found to be comparatively at fault for any claim, action, loss, or damage which results from their respective obligations under the agreement, SBCFPD and/or CITY shall indemnify the other to the extent of its comparative fault.

17. Insurance. SBCFPD hereby agrees to obtain and purchase physical damage coverage for the specified leased vehicles and property insurance on the leased facility. The CITY shall provide all insurance as specified below in addition to premises liability coverage with limits of \$1,000,000 per claim or occurrence for the subject leased facility. Without in any way affecting the indemnity herein provided and in addition thereto, the CITY shall secure and maintain throughout the contract the following types of insurance or self-insurance with limits as shown.

17.1 Contract Services. SBCFPD has reviewed CITY's contract with CAL FIRE for fire protection and ALS/Paramedic Services, a copy of which is attached hereto as Exhibit "E" and incorporated herein in full by this reference the "CAL FIRE Contract"), which services shall be provided to "Area A" pursuant to that Contract. CITY shall provide, through the CAL FIRE Contract, those forms and levels of insurance set forth therein, and CITY shall ensure that in all policies and as to all coverages provided by CAL FIRE to CITY, SBCFPD and its authorized officers, employees, agents, and volunteers are named as additional insureds with respect to liabilities arising out of the performance of services to "Area A".

17.2 Non- Contract Services. For those services, which as provided by CITY pursuant to this Agreement, other than the services provided to CITY through the CAL FIRE Contract, CITY shall secure and maintain the following types of insurance or self-insurance with limits as shown:

A. Workers' Compensation. A program of Workers' Compensation Insurance or a state-approved self-insurance program in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability with \$ 250,000 limits covering all persons providing services on behalf of the CITY and all risks to such persons under this Agreement.

B. Comprehensive General and Automobile Liability Insurance or Self- Insurance. This coverage to include contractual coverage and automobile liability coverage for owned, hired, and non-owned vehicles. The policy or self-insurance shall have combined single limits for bodily injury and property damage of not less than two million dollars (\$2,000,000).

C. Waiver of Subrogation Rights. CITY hereby grants the SBCFPD a waiver of any right to subrogation which any insurer of said CITY may acquire against the SBCFPD by virtue of the payment of any loss under such instance. CITY agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether the SBCFPD has received a waiver of subrogation endorsement from the insurer. Proof of Coverage. CITY shall, within sixty (60) days of commencement of this Agreement, furnish certificates of insurance or self- insurance to SBCFPD, evidencing the insurance coverage including endorsements, above required prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to SBCFPD and CITY shall maintain such insurance from the time CITY commences performance of services hereunder until the completion of such services.

18. Additional Insured: All policies, except for Worker's Compensation, Errors and Omissions and Professional Liability policies shall contain additional endorsements naming SBCFPD and its officers, employees, agents and volunteers as additional named insured with respect to liabilities arising out of the performance of services hereunder. The additional insured endorsements shall not limit the scope of coverage for SBCFPD to vicarious liability but shall allow coverage for SBCFPD to the full extent provided by the policy. Such additional insured coverage shall be at least as broad as Additional Insured (Form B) endorsement form ISO, CG 2010. 11 85.

19. General Terms and Conditions.

- a. Representation of SBCFPD. In the performance of the Agreement, CITY, its contractors, agents and employees, shall act in an independent capacity and not as officers, employees, or agents of SBCFPD.
- b. Change of Address. CITY shall notify SBCFPD and SBCFPD shall notify CITY in writing of any change in mailing address within ten (10) business days of the change.
- c. Agreement Assignability. Without the prior written consent of SBCFPD, the agreement is not assignable by CITY or CAL FIRE, either in whole or in part.
- d. Agreement Amendments. CITY agrees that any alterations, variations, modifications, waivers, or provisions of the Agreement shall be valid only when reduced to writing, duly signed, and attached to the original Agreement and approved by the required persons of both CITY and SBCFPD.
- e. Correction of Performance Deficiencies. Failure by CITY to comply with any of the provisions, covenants, requirements or conditions of this agreement shall be a material breach of this agreement.

In the event of a non-cured breach, SBCFPD may, at its sole discretion and in addition to termination upon 30-day notification to CITY and any other remedies available at law, in equity, or otherwise specified in this Contract:

- (1) Afford CITY a time period within which to cure the breach, which period shall be established at sole discretion of SBCFPD; and/or,
- (2) Terminate this Contract.

- f. Disputes. In the event of a dispute, the parties shall use their best efforts to settle the dispute through negotiation with each other in good faith
- g. Attorney Fees and Costs. If any legal action is instituted to enforce any party's rights hereunder, each party shall bear its own costs and attorneys' fees, regardless of who is the prevailing party. This paragraph shall not apply to those costs and attorneys' fees directly arising from a third-party legal action against a party hereto and payable under INDEMNIFICATION paragraphs.
- h. Venue and Governing Law. The venue of any action or claim brought by any party to this Agreement will be the Central District Court of San Bernardino County Superior Court. Each party hereby waives any law or rule of the court, which would allow them to request or demand a change of venue. If any action or claim concerning this Agreement is brought by any third-party, the parties hereto agree to use their best efforts to obtain a change of venue to the Central District Court of San Bernardino County Superior Court. This contract shall be governed by the laws of the State of California.
- i. Notification. In the event of a problem or potential problem that will impact the level of performance under this Agreement, the CITY shall notify the SBCFPD within one (1) working day, in writing and by telephone.
- j. Former County and SBCFPD Officials. CITY agrees to provide or has already provided information on former San Bernardino County and SBCFPD administrative officials (as defined below) who are employed by or represent CITY. The information provided includes a list of former County and SBCFPD administrative officials who terminated County or SBCFPD employment within the last five years and who are now officers, principals, partners, associates or members of the business. The information also includes the employment with or representation of CITY. For purposes of this provision, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, County Administrative Officer or member of such officer's staff, County or SBCFPD department or group head, assistant department or group head, or an employee in the Exempt Group, Management Unit, or Safety Management Unit.
- k. Inaccuracies or Misrepresentations. If in the course of or the administration of this Agreement if a Party determines that the other Party has made a material misstatement or misrepresentation, or that materially inaccurate information has been provided, this Agreement may be immediately terminated. If

the Agreement is terminated according to this provision, either Party is entitled to pursue any available legal remedies.

- l. Waiver. No delay on the part of either party in exercising any power or right hereunder shall operate as a waiver thereof; nor shall any single or partial exercise of any power or right preclude any other or further exercise thereof of any other power or right. No waiver by any party of any right hereunder or of any default shall be binding upon such party unless such waiver is in writing and signed by a duly authorized official of such party; and no waiver of any default or failure by such party to exercise any right hereunder shall operate as a waiver of any other or further exercise of such right or of any further default.
- m. Severability. If any provisions of this agreement, or portions thereof, or the application thereof to any circumstances shall be held invalid or unenforceable, the remainder of this agreement and the application thereof to other circumstances shall nevertheless be valid.
- n. Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health (HITECH) Act. Pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health (HITECH) Act, regulations have been promulgated governing the privacy of individually identifiable health information. CITY acknowledges that it is a covered entity and subject to the requirements of HIPAA and HITECH, and their implementing regulations. CITY agrees to fully comply with the terms of HIPAA and HITECH, and regulations promulgated thereunder, and to ensure any Subcontractors utilized to fulfill Services pursuant to this Contract comply with said provisions. CITY further agrees to comply with the requirements of all other applicable federal and state laws that pertain to the protection of health information.

20. Full Agreement. This Agreement contains the entire agreement between the Parties to this Agreement relating to the settlement and transactions contemplated hereby, and supersedes any and all prior agreements, understandings, representations, and statements between the Parties, whether oral or written, and whether by a Party or such Party's legal counsel. The Parties are entering into this Agreement based solely on the representations and warranties herein and not based on any promises, representations, and/ or warranties not found herein. No modification, waiver, amendment, discharge, or change of this Agreement shall be valid unless the same is in writing.

21. Counterparts. This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterpart shall together constitute one and the same agreement. The parties shall be entitled to sign and transmit an electronic signature of this agreement (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed agreement upon request.

IN WITNESS THEREOF, this Agreement has been executed and approved and is effective and operative as to each of the parties as herein provided.

San Bernardino County Fire Protection District

CITY OF YUCAIPA

(Print or type name of corporation, company, contractor, etc.)

►

Curt Hagman, Chairman, Board of Directors

By ► _____
(Authorized signature - sign in blue ink)

Dated: _____
SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

Name Ray Casey
(Print or type name of person signing contract)

Lynna Monell, Secretary

Title City Manager
(Print or Type)

By _____
Deputy

Dated: _____

Address 34272 Yucaipa Blvd. Yucaipa, CA
92399

FOR COUNTY USE ONLY

Approved as to Legal Form	Reviewed for Contract Compliance	Reviewed/Approved by Department
► _____ Scott Runyan, Principal Assistant County Counsel	► _____	► _____
Date _____	Date _____	Date _____

City of Yucaipa & Oak Glen

"Exhibit A"

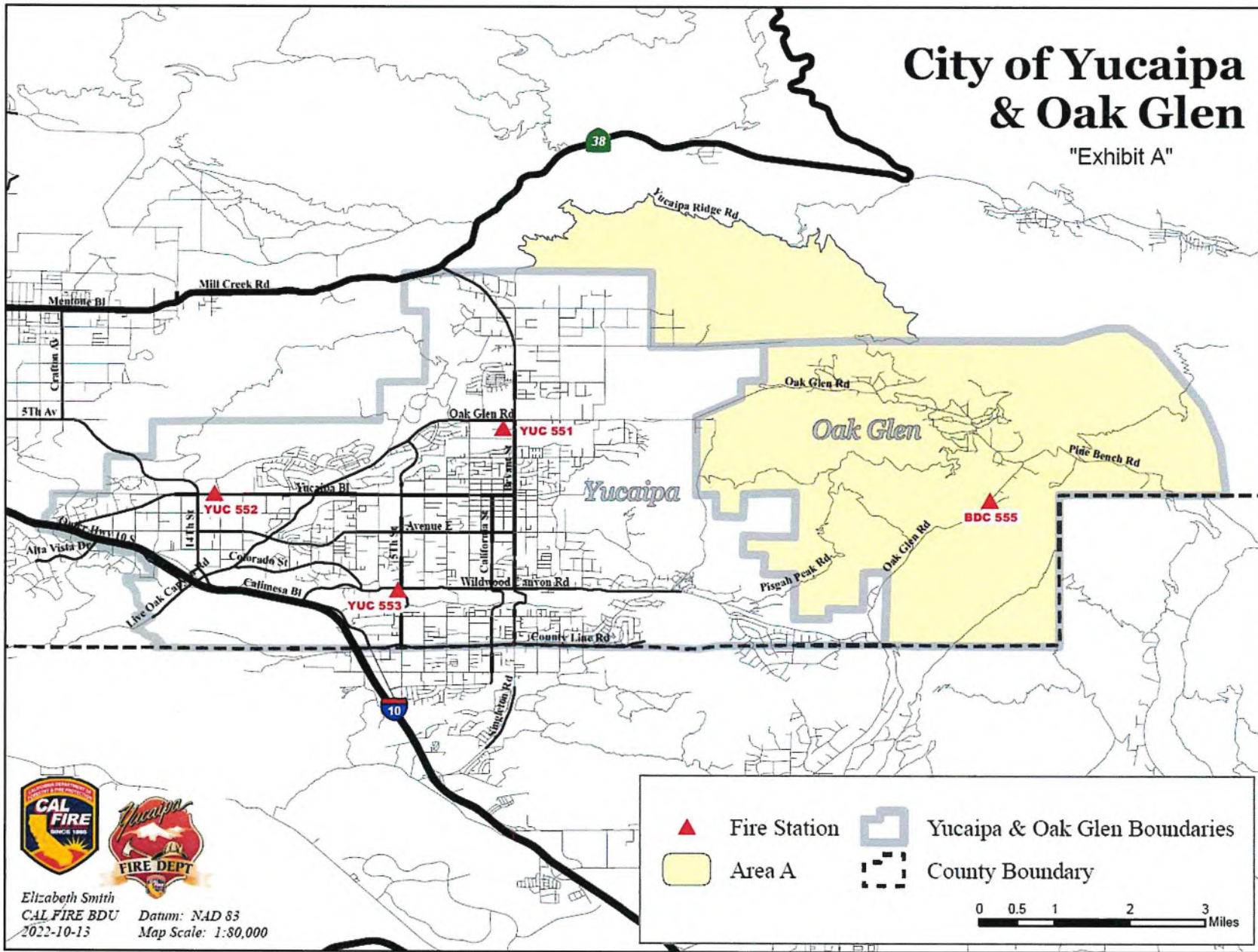


Exhibit B
Payment Schedule

SBCFPD shall make provision to pay the City at a rate of 50% of the total contract amount, two times per year. The City shall prepare and remit invoices to SBCFPD 60 days prior to the due date. The payments shall be due no later than August 31st and January 31st of each fiscal year.

Exhibit C
Leased Premises

Subject to the term of this Agreement, SBCFPD leases the following items of real and personal property to the City of Yucaipa, California:

Real Property

SBCFPD - Owned Real Property located at
11877 Oak Glen Road
Yucaipa, California

Exhibit D
Vehicular Property

Amount	Item Description	County ID	Radio Number
One (1)	Water Tender— 2000 KME	19329	WT555
One (1)	Brush Patrol— 2006 Central States Ford F- 550	8316	BP555

Exhibit E

YUCAIPA - CAL FIRE contract for fire protection and ALS/Paramedic Services
Pages 14 - 38

COOPERATIVE FIRE PROGRAMS
FIRE PROTECTION REIMBURSEMENT AGREEMENT
 LG-1 REV. 01/2017

AGREEMENT NUMBER	3CA04821
REGISTRATION NUMBER	

1. This Agreement is entered into between the State Agency and the Local Agency named below:

STATE AGENCY'S NAME	California Department of Forestry and Fire Protection – (CAL FIRE)
LOCAL AGENCY'S NAME	City of Yucaipa

2. The term of this Agreement is: July 1, 2020 through June 30, 2025

3. The maximum amount of this Agreement is: \$ 32,825,686.00
 Thirty two million, Eight Hundred Twenty Five Thousand, Six Hundred Eighty Six Dollars, and Zero Cents

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work – Includes page 2 (contact page) in count for Exhibit A	4	pages
Exhibit B – Budget Detail and Payment Provisions	2	pages
Exhibit C – General Terms and Conditions	7	pages
Exhibit D – Additional Provisions	10	pages
Exhibit E – Description of Other Services	1	pages

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

LOCAL AGENCY	
LOCAL AGENCY'S NAME City of Yucaipa	
BY (Authorized Signature) <i>Ray Casey</i>	DATE SIGNED (Do not type) 6/19/2020
PRINTED NAME AND TITLE OF PERSON SIGNING Ray Casey- City Manager	
ADDRESS 34272 Yucaipa Blvd. Yucaipa, CA	
STATE OF CALIFORNIA	
AGENCY NAME California Department of Forestry and Fire Protection	
BY (Authorized Signature) <i>Joe Tyler</i>	DATE SIGNED (Do not type) 7/8/2020
PRINTED NAME AND TITLE OF PERSON SIGNING Joe Tyler, Deputy Director, Fire Protection	
ADDRESS P.O. Box 944246, Sacramento, CA 94244-2460	

California Department of General Services Use Only

APPROVED

AUG 26 2020

BK:skb

OFFICE OF LEGAL SERVICES
DEPT. OF GENERAL SERVICES

Contractor Name: City of Yucaipa

Contract No.: 3CA04821

Page No.: 2

**EXHIBIT A
COOPERATIVE FIRE PROGRAMS
FIRE PROTECTION REIMBURSEMENT AGREEMENT**

The project representatives during the term of this agreement will be:

CAL FIRE Unit Chief:	Shane Littlefield	Local Agency:	City of Yucaipa
Name:	San Bernardino	Name:	Ray Casey
Phone:	(909) 881-6900	Phone:	(909) 797-2489
Fax:	(909) 881-6969	Fax:	(909) 790-9203

All required correspondence shall be sent through U.S. Postal Service by certified mail and directed to:

CAL FIRE Unit Chief:	Shane Littlefield	Local Agency:	City of Yucaipa
Section/Unit:	San Bernardino	Section/Unit:	City Manager
Attention:	Patrick Aguada	Attention:	Ray Casey
Address:	3800 N. Sierra Way San Bernardino, CA 92405	Address:	34272 Yucaipa Blvd. Yucaipa, CA 92399
Phone:	(909) 881-6900	Phone:	(909) 797-2489
Fax:	(909) 881-6969	Fax:	(909) 790-9203

Send an additional copy of all correspondence to:

**CAL FIRE
Cooperative Fire Services
P.O. Box 944246
Sacramento, CA 94244-2460**

AUTHORIZATION

As used herein, Director shall mean Director of CAL FIRE. This agreement, its terms and conditions are authorized under the Public Resources Code Sections 4141, 4142, 4143 and 4144, as applicable.

EXHIBIT A
SCOPE OF WORK

Under Public Resources Code Section 4114 and other provisions of law, STATE maintains fire prevention and fire suppression forces including the necessary equipment, personnel, and facilities required to prevent and extinguish forest fires.

The purpose of this agreement is to provide mutually advantageous fire and emergency services through an effective consolidated organization, wherein the STATE is primarily financially responsible for protecting natural resources from vegetation fires and the LOCAL AGENCY is primarily financially responsible for protecting life and property from fires and other emergencies. The LOCAL AGENCY shall have sole authority to establish the fire protection organization and structure needed to meet the determined level of service. This level of service may be based on the LOCAL AGENCY governing board's established fiscal parameters and assessment of risks and hazards. LOCAL AGENCY personnel providing services under this agreement may include any one or a combination of the following: regular employees, persons temporarily employed and commonly known as volunteers, paid-call firefighters, or others temporarily employed to perform any emergency work or emergency service including, but not limited to fire prevention, fire suppression and emergency medical response.

To comply with the STATE's mandate for full cost recovery of goods and services provided for others, the LOCAL AGENCY shall be responsible for all STATE costs, both direct and indirect, required to execute the terms of this agreement. These costs shall include, but not be limited to: required training and associated post coverage, employee uniform and Personal Protective Equipment (PPE) costs.

1. FIRE PROTECTION SERVICES TO BE PROVIDED BY THE STATE

STATE provides a modern, full service fire protection and emergency incident management agency that provides comprehensive fire protection and other emergency incident response. STATE designs regional fire protection solutions for urban and rural communities by efficiently utilizing all emergency protection resources. Regional solutions provide the most effective method of protecting the citizens of California at local, county and state levels.

Fire protection services to be provided by STATE under this agreement shall include the following: (check boxes below that apply)

1) Emergency Fire Protection, Medical and Rescue Response: services include commercial, residential, and wildland fire protection, prevention and investigation; hazardous materials incident response; emergency vehicle extrication; hazardous conditions response (flooding, downed power lines, earthquake, terrorist incident, etc.); emergency medical and rescue response; and public service assistance. Also included are management support services that include fire department administration, training and safety, personnel, finance and logistical support.

2) Basic Life Support Services: emergency medical technician (EMT) level emergency medical response providing first aid, basic life support (BLS), airway management, administration of oxygen, bleeding control, and life support system stabilization until patients are transported to the nearest emergency care facility.

3) Advanced Life Support Services: paramedic level emergency medical response providing early advanced airway management, intravenous drug therapy, and life support system stabilization until patients are transported to the nearest emergency care facility.

4) Dispatch Services: provide fire department 9-1-1 emergency dispatch by CAL FIRE Fire/Emergency Command Center (ECC). CAL FIRE will be responsible for fire/emergency

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dispatching emergency resource units covered under this agreement. The CAL FIRE ECC is staffed with a Battalion Chief, three or more Fire Captains and Communications Operators to provide 24/7 year-round coverage. There is always an officer of Captain rank or higher to serve as the shift supervisor and command officer. CAL FIRE uses an integrated Computer Aided Dispatch (CAD) system using the latest technology, to direct the closest available resources to all emergency incidents.

5) Fire Code Inspection, Prevention and Enforcement Services: CAL FIRE has staff Fire Inspectors serving under the direction of the LOCAL AGENCY Fire Marshal to provide services to the area covered by this agreement. Fire Code Enforcement will normally be available five days per week, with emergency or scheduled enforcement inspections available seven days per week. Fire Prevention and Investigation services will be provided by CAL FIRE Prevention Officers trained in arson, commercial, and wildland fire investigation. Officers are available by appointment for site visits and consultations. Officers are trained at CAL FIRE's Peace Officer Standard Training (POST) certified law enforcement training academy and they cooperate effectively with all local, state and federal law enforcement agencies.

6) Land Use/ Pre-Fire Planning Services – CAL FIRE staff will provide community land use planning, administration of Pre-Fire project work, including community outreach, development of community education programs, project quality control, maintenance of project records and submittal of progress reports, completion of required environmental documentation, acquisition of required permits and completion of other associated administrative duties.

7) Disaster planning services (listed in Exhibit E, Description of Other Services, attached hereto and made a part of this agreement)

8) Specific service descriptions and staffing coverage, by station (listed in Exhibit E, Description of Other Services, attached hereto and made a part of this agreement)

9) Extended Fire Protection Service Availability (Amador)

2. ADMINISTRATION

Under the requirements of California Public Resources Code Section 4114 and other provisions of law, STATE maintains fire prevention and firefighting services as outlined in Exhibit D, Schedule B of this agreement.

- A. Director shall select and employ a Region Chief who shall, under the direction of the Director/Chief Deputy Director, manage all aspects of fire prevention and fire protection services and forestry-related programs.
- B. Director will select and employ a Unit Chief who shall, under the supervision and direction of Director/Region Chief or a lawful representative, have charge of the organization described in Exhibit D, Schedules A, B and C included hereto and made a part of this agreement.
- C. LOCAL AGENCY shall appoint the Unit Chief as the LOCAL AGENCY Fire Chief for all Emergency Fire Protection, Medical and Rescue Response Agreements, pursuant to applicable statutory authority. The Unit Chief may delegate this responsibility to qualified staff.
- D. The Unit Chief may dispatch personnel and equipment listed in Exhibit D, Schedules A, B and C from the assigned station or location under guidelines established by LOCAL AGENCY and approved by STATE. Personnel and/or equipment listed in Exhibit D, Schedule B may be dispatched at the sole discretion of STATE.

- E. The Unit Chief shall exercise professional judgment consistent with STATE policy and his or her employment by STATE in authorizing or making any assignments to emergencies and other responses, including assignments made in response to requests for mutual aid.
- F. Except as may be otherwise provided for in this agreement, STATE shall not incur any obligation on the part of LOCAL AGENCY to pay for any labor, materials, supplies or services beyond the total set forth in the respective Exhibit D, Schedules A and C, as to the services to be rendered pursuant to each Schedule.
- G. Nothing herein shall alter or amend or be construed to alter or amend any Collective Bargaining Agreement or Memorandum of Understanding between the State of California and its employees under the State Employer-Employee Relations Act.

3. SUPPRESSION COST RECOVERY

As provided in Health and Safety Code (H&SC) Section 13009, STATE may bring an action for collection of suppression costs of any fire caused by negligence, violation of law, or failure to correct noticed fire safety violations. When using LOCAL AGENCY equipment and personnel under the terms of this agreement, STATE may, at the request of LOCAL AGENCY, bring such an action for collection of costs incurred by LOCAL AGENCY. In such a case LOCAL AGENCY appoints and designates STATE as its agent in said collection proceedings. In the event of recovery, STATE shall deduct fees and litigation costs in a proportional percentage amount based on verifiable and justifiable suppression costs for the fire at issue. These recovery costs are for services provided which are beyond the scope of those covered by the local government administrative fee.

In all such instances, STATE shall give timely notice of the possible application of H&SC Section 13009 to the representative designated by LOCAL AGENCY.

4. MUTUAL AID

When rendering mutual aid or assistance as authorized in H&SC Sections 13050 and 13054, STATE may, at the request of LOCAL AGENCY, demand payment of charges and seek reimbursement of LOCAL AGENCY costs for personnel, equipment and operating expenses as funded herein, under authority given by H&SC Sections 13051 and 13054. STATE, in seeking said reimbursement pursuant to such request of LOCAL AGENCY, shall represent LOCAL AGENCY by following the procedures set forth in H&SC Section 13052. Any recovery of LOCAL AGENCY costs, less expenses, shall be paid or credited to LOCAL AGENCY, as directed by LOCAL AGENCY.

In all such instances, STATE shall give timely notice of the possible application of H&SC Sections 13051 and 13054 to the officer designated by LOCAL AGENCY.

5. PROPERTY PURCHASE AND ACCOUNTING

LOCAL AGENCY shall be responsible for all costs associated with property required by personnel to carry out this agreement. Employee uniform costs will be assessed to the LOCAL AGENCY through the agreement billing process. Personal Protective Equipment (PPE) costs shall be the responsibility of the LOCAL AGENCY. By mutual agreement, PPE meeting the minimum specifications established by the STATE may be purchased directly by the LOCAL AGENCY. Alternately, the STATE will supply all PPE and the LOCAL AGENCY will be billed for costs incurred.

All property provided by LOCAL AGENCY and by STATE for the purpose of providing fire protection services shall be marked and accounted for by the Unit Chief in such a manner as to conform to the regulations, if any, established by the parties for the segregation, care, and use of the respective properties.

EXHIBIT B
BUDGET DETAIL AND PAYMENT PROVISIONS

1. PAYMENT FOR SERVICES

- A. LOCAL AGENCY shall pay STATE actual cost for fire protection services pursuant to this agreement an amount not to exceed that set forth in Exhibit D, Schedule A for each fiscal year. STATE shall prepare an Exhibit D, Schedule A each year, which shall be the basis for payment for the entire fiscal year for which services are provided.
- B. Any other funds designated by LOCAL AGENCY to be expended under the supervision of or for use by a Unit Chief for fire protection services shall be set forth in Exhibit D, Schedule C. This clause shall not limit the right of LOCAL AGENCY to make additional expenditures, whether under Exhibit D, Schedule C or otherwise.
- C. STATE shall invoice LOCAL AGENCY for the cost of fire protection services on a quarterly basis as follows:
 - 1) For actual services rendered by STATE during the period of July 1 through September 30, by an invoice filed with LOCAL AGENCY on or after December 10.
 - 2) For actual services rendered by STATE during the period October 1 through December 31, by an invoice filed with LOCAL AGENCY on or after December 31.
 - 3) For actual services rendered by STATE during the period January 1 through March 31, by an invoice filed with LOCAL AGENCY on or after March 31.
 - 4) For the estimated cost of services during the period April 1 through June 30, by an invoice filed in advance with LOCAL AGENCY on or after March 1.
 - 5) A final statement shall be filed with LOCAL AGENCY by October 1 following the close of the fiscal year, reconciling the payments made by LOCAL AGENCY with the cost of the actual services rendered by STATE and including any other costs as provided herein, giving credit for all payments made by LOCAL AGENCY and claiming the balance due to STATE, if any, or refunding to LOCAL AGENCY the amount of any overpayment.
 - 6) All payments by LOCAL AGENCY shall be made within thirty (30) days of receipt of invoice from STATE, or within thirty (30) days after the filing dates specified above, whichever is later.
 - 7) The STATE reserves the right to adjust the frequency of billing and payment to a monthly cycle with a thirty (30) day written notice to the LOCAL AGENCY when:
 - a. The Director predicts a cash flow shortage, or
 - b. When determined by the Region Chief, after consulting with the Unit Chief and the LOCAL AGENCY Contract Administrator, that the LOCAL AGENCY may not have the financial ability to support the contract at the contract level.
- D. Invoices shall include actual or estimated costs as provided herein of salaries and employee benefits for those personnel employed, charges for operating expenses and equipment and the administrative charge in accordance with Exhibit D, Schedule A. When "contractual rates" are indicated, the rate shall be based on an average salary plus all benefits. "Contractual rates" means an all-inclusive rate established in Exhibit D, Schedule A for total costs to STATE, per specified position, for 24-hour fire protection services during the period covered.

- E. STATE shall credit the LOCAL AGENCY, or cover behind at no cost, for the costs of Non-post (e.g. Fire Marshal, Training Officer, etc.) positions and equipment assigned to STATE responsibility fires or other STATE funded emergency incidents. The STATE shall notify the LOCAL AGENCY when this occurs.

2. COST OF OPERATING AND MAINTAINING EQUIPMENT AND PROPERTY

The cost of maintaining, operating, and replacing any and all property and equipment, real or personal, furnished by the parties hereto for fire protection purposes, shall be borne by the party owning or furnishing such property or equipment unless otherwise provided for herein or by separate written agreement.

3. BUDGET CONTINGENCY CLAUSE

- A. If the LOCAL AGENCY's governing authority does not appropriate sufficient funds for the current year or any subsequent years covered under this Agreement, which results in an inability to pay the STATE for the services specified in this Agreement, the LOCAL AGENCY shall promptly notify the STATE and this Agreement will terminate pursuant to the notice periods required herein.
- B. If funding for any fiscal year is reduced or deleted by the LOCAL AGENCY for purposes of this program, the LOCAL AGENCY shall promptly notify the STATE, and the STATE shall have the option to either cancel this Agreement with no liability occurring to the STATE, or offer an agreement amendment to LOCAL AGENCY to reflect the reduced amount, pursuant to the notice terms herein.
- C. If the STATE Budget Act does not appropriate sufficient funds to provide the services for the current year or any subsequent years covered under this Agreement, which results in an inability to provide the services specified in this Agreement to the LOCAL AGENCY, the STATE shall promptly notify the LOCAL AGENCY, and this Agreement will terminate pursuant to the notice periods required herein.
- D. If funding for any fiscal year is reduced or deleted by the STATE Budget Act for purposes of this program, the STATE shall promptly notify the LOCAL AGENCY, and the LOCAL AGENCY shall have the option to either cancel this Agreement with no liability occurring to the LOCAL AGENCY, or offer an agreement amendment to LOCAL AGENCY to reflect the reduced services, pursuant to the notice terms herein.
- E. Notwithstanding the foregoing provisions in paragraphs A and B above, the LOCAL AGENCY shall remain responsible for payment for all services actually rendered by the STATE under this Agreement regardless of LOCAL AGENCY funding being reduced, deleted or not otherwise appropriated for this program. The LOCAL AGENCY shall promptly notify the STATE in writing of any budgetary changes that would impact this Agreement.
- F. LOCAL AGENCY and STATE agree that this Budget Contingency Clause shall not relieve or excuse either party from its obligation(s) to provide timely notice as may be required elsewhere in this Agreement.

EXHIBIT C
GENERAL TERMS AND CONDITIONS

1. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. STATE will not commence performance until such approval has been obtained.
2. **AMENDMENT:** This agreement may be amended by mutual consent of LOCAL AGENCY and STATE. No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

If during the term of this agreement LOCAL AGENCY shall desire a reduction in STATE civil service employees assigned to the organization provided for in Exhibit D, Schedule A, LOCAL AGENCY shall provide 120 days written notice of the requested reduction. Notification shall include the following: (1) The total amount of reduction; (2) The firm effective date of the reduction; and (3) The number of employees, by classification, affected by a reduction. If such notice is not provided, LOCAL AGENCY shall reimburse STATE for relocation costs incurred by STATE as a result of the reduction. Personnel reductions resulting solely from an increase in STATE employee salaries or STATE expenses occurring after signing this agreement and set forth in Exhibit D, Schedule A to this agreement shall not be subject to relocation expense reimbursement by LOCAL AGENCY.

If during the term of this agreement costs to LOCAL AGENCY set forth in any Exhibit D, Schedule A to this agreement increase and LOCAL AGENCY, in its sole discretion, determines it cannot meet such increase without reducing services provided by STATE, LOCAL AGENCY shall within one hundred twenty (120) days of receipt of such Schedule notify STATE and designate which adjustments shall be made to bring costs to the necessary level. If such designation is not received by STATE within the period specified, STATE shall reduce services in its sole discretion to permit continued operation within available funds.

3. **ASSIGNMENT:** This Agreement is not assignable by the LOCAL AGENCY either in whole or in part, without the consent of the STATE in the form of a formal written amendment.
4. **EXTENSION OF AGREEMENT:**
 - A. One year prior to the date of expiration of this agreement, LOCAL AGENCY shall give STATE written notice of whether LOCAL AGENCY will extend or enter into a new agreement with STATE for fire protection services and, if so, whether LOCAL AGENCY intends to change the level of fire protection services from that provided by this agreement. If this agreement is executed with less than one year remaining on the term of the agreement, LOCAL AGENCY shall provide this written notice at the time it signs the agreement and the one year notice requirement shall not apply.
 - B. If LOCAL AGENCY fails to provide the notice, as defined above in (A), STATE shall have the option to extend this agreement for a period of up to one year from the original termination date and to continue providing services at the same or reduced level as STATE determines would be appropriate during the extended period of this agreement. Six months prior to the date of expiration of this agreement, or any extension hereof, STATE shall give written notice to LOCAL AGENCY of any extension of this agreement and any change in the level of fire protection services STATE will provide during the extended period of this agreement. Services provided and obligations incurred by STATE during an extended period shall be accepted by LOCAL AGENCY as services and obligations under the terms of this agreement.

- C. The cost of services provided by STATE during the extended period shall be based upon the amounts that would have been charged LOCAL AGENCY during the fiscal year in which the extended period falls had the agreement been extended pursuant hereto. Payment by LOCAL AGENCY for services rendered by STATE during the extended period shall be as provided in Exhibit B, Section 1, B of this agreement.
5. **AUDIT:** STATE, including the Department of General Services and the Bureau of State Audits, and LOCAL AGENCY agree that their designated representative shall have the right to review and to copy any records and supporting documentation of the other party hereto, pertaining to the performance of this agreement. STATE and LOCAL AGENCY agree to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated, and to allow the auditor(s) of the other party access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. STATE and LOCAL AGENCY agree to a similar right to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).
 6. **INDEMNIFICATION:** Each party, to the extent permitted by law, agrees to indemnify, defend and save harmless the other party, its officers, agents and employees from (1) any and all claims for economic losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers and any other person, firm, or corporation furnishing or supplying work services, materials or supplies to that party and (2) from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by that party, in the performance of any activities of that party under this agreement, except where such injury or damage arose from the sole negligence or willful misconduct attributable to the other party or from acts not within the scope of duties to be performed pursuant to this agreement; and (3) each party shall be responsible for any and all claims that may arise from the behavior and/or performance of its respective employees during and in the course of their employment to this cooperative agreement.
 7. **DISPUTES:** LOCAL AGENCY shall select and appoint a "Contract Administrator" who shall, under the supervision and direction of LOCAL AGENCY, be available for contract resolution or policy intervention with the STATE's Region Chief when, upon determination by the designated STATE representative, the Unit Chief acting as LOCAL AGENCY's Fire Chief under this agreement faces a situation in which a decision to serve the interest of LOCAL AGENCY has the potential to conflict with STATE interest or policy. Any dispute concerning a question of fact arising under the terms of this agreement which is not disposed of within a reasonable period of time by the LOCAL AGENCY and STATE employees normally responsible for the administration of this agreement shall be brought to the attention of the CAL FIRE Director or designee and the Chief Executive Officer (or designated representative) of the LOCAL AGENCY for joint resolution. For purposes of this provision, a "reasonable period of time" shall be ten (10) calendar days or less. STATE and LOCAL AGENCY agree to continue with the responsibilities under this Agreement during any dispute.
 8. **TERMINATION FOR CAUSE/CANCELLATION:**
 - A. If LOCAL AGENCY fails to remit payments in accordance with any part of this agreement, STATE may terminate this agreement and all related services upon 60 days written notice to LOCAL AGENCY. Termination of this agreement does not relieve LOCAL AGENCY from providing STATE full compensation in accordance with terms of this agreement for services actually rendered by STATE pursuant to this agreement.

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B. This agreement may be cancelled at the option of either STATE or LOCAL AGENCY at any time during its term, with or without cause, on giving one year's written notice to the other party. Either LOCAL AGENCY or STATE electing to cancel this agreement shall give one year's written notice to the other party prior to cancellation.

9. **INDEPENDENT CONTRACTOR:** Unless otherwise provided in this agreement LOCAL AGENCY and the agents and employees of LOCAL AGENCY, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the STATE.

10. **NON-DISCRIMINATION CLAUSE:** During the performance of this agreement, LOCAL AGENCY shall be an equal opportunity employer and shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS) mental disability, medical condition (e.g.cancer), age (over 40), marital status, denial of family care leave, veteran status, sexual orientation, and sexual identity. LOCAL AGENCY shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. LOCAL AGENCY shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. LOCAL AGENCY shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

In addition, LOCAL AGENCY acknowledges that it has obligations relating to ethics, Equal Employment Opportunity (EEO), the Fire Fighter's Bill of Rights Act (FFBOR), and the Peace Officer's Bill of Rights Act (POBOR). LOCAL AGENCY shall ensure that its employees comply with all the legal obligations relating to these areas. LOCAL AGENCY shall ensure that its employees are provided appropriate training.

11. **TIMELINESS:** Time is of the essence in the performance of this agreement.
12. **COMPENSATION:** The consideration to be paid STATE, as provided herein, shall be in compensation for all of STATE's expenses incurred in the performance hereof, including travel, per Diem, and taxes, unless otherwise expressly so provided.
13. **GOVERNING LAW:** This agreement is governed by and shall be interpreted in accordance with the laws of the State of California.
14. **CHILD SUPPORT COMPLIANCE ACT:** "For any Agreement in excess of \$100,000, the LOCAL AGENCY acknowledges in accordance with Public Contract Code 7110, that:
- A. The LOCAL AGENCY recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
 - B. The LOCAL AGENCY, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department."

15. **UNENFORCEABLE PROVISION:** In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

16. **COMPLIANCE WITH THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)**

The STATE and LOCAL AGENCY have a responsibility to comply with the provisions of the 1996 Federal Health Insurance Portability and Accountability Act (HIPAA) and the 2001 State Health Insurance Portability and Accountability Implementation Act. HIPAA provisions become applicable once the association and relationships of the health care providers are determined by the LOCAL AGENCY. It is the LOCAL AGENCY'S responsibility to determine their status as a "covered entity" and the relationships of personnel as "health care providers", "health care clearinghouse", "hybrid entities", "business associates", or "trading partners". STATE personnel assigned to fill the LOCAL AGENCY'S positions within this Agreement, and their supervisors, may fall under the requirements of HIPAA based on the LOCAL AGENCY'S status. It is the LOCAL AGENCY'S responsibility to identify, notify, train, and provide all necessary policy and procedures to the STATE personnel that fall under HIPAA requirements so that they can comply with the required security and privacy standards of the act.

17. **LIABILITY INSURANCE**

The STATE and LOCAL AGENCY shall each provide proof of insurance in a form acceptable to the other party at no cost one to the other, to cover all services provided and use of local government facilities covered by this agreement. If LOCAL AGENCY is insured and/or self-insured in whole or in part for any losses, LOCAL AGENCY shall provide a completed Certification of Self Insurance (Exhibit D, Schedule E) or certificate of insurance, executed by a duly authorized officer of LOCAL AGENCY. Upon request of LOCAL AGENCY the STATE shall provide a letter from DGS, Office Risk and Insurance Management executed by a duly authorized officer of STATE. If commercially insured in whole or in part, a certificate of such coverage executed by the insurer or its authorized representative shall be provided.

Said commercial insurance or self-insurance coverage of the LOCAL AGENCY shall include the following:

- A. Fire protection and emergency services - Any commercial insurance shall provide at least general liability for \$5,000,000 combined single limit per occurrence.
- B. Dispatch services - Any commercial insurance shall provide at least general liability for \$1,000,000 combined single limit per occurrence.
- C. The CAL FIRE, State of California, its officers, agents, employees, and servants are included as additional insured's for purposes of this contract.
- D. The STATE shall receive thirty (30) days prior written notice of any cancellation or change to the policy at the addresses listed on page 2 of this agreement.

18. **WORKERS COMPENSATION:** (only applies where local government employees/volunteers are supervised by CAL FIRE, as listed in Exhibit D Schedule C. STATE contract employees' workers compensation is included as part of the contract personnel benefit rate).

- A. Workers' Compensation and related benefits for those persons, whose use or employment is contemplated herein, shall be provided in the manner prescribed by California Labor Codes, State Interagency Agreements and other related laws, rules, insurance policies, collective bargaining agreements, and memorandums of understanding.

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- B. The STATE Unit Chief administering the organization provided for in this agreement shall not use, dispatch or direct any non STATE employees, on any work which is deemed to be the responsibility of LOCAL AGENCY, unless and until LOCAL AGENCY provides for Workers' Compensation benefits at no cost to STATE. In the event STATE is held liable, in whole or in part, for the payment of any Worker's Compensation claim or award arising from the injury or death of any such worker, LOCAL AGENCY agrees to compensate STATE for the full amount of such liability.
- C. The STATE /LOCAL AGENCY shall receive proof of Worker's Compensation coverage and shall be notified of any cancellation and change of coverage at the addresses listed in Section 1.

19. **CONFLICT OF INTEREST:** LOCAL AGENCY needs to be aware of the following provisions regarding current or former state employees. If LOCAL AGENCY has any questions on the status of any person rendering services or involved with the Agreement, the STATE must be contacted immediately for clarification.

Current State Employees (Public Contract Code §10410):

- 1) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- 2) No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Public Contract Code §10411):

- 1) For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.
- 2) For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If LOCAL AGENCY violates any provisions of above paragraphs, such action by LOCAL AGENCY shall render this Agreement void. (Public Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Public Contract Code §10430 (e))

20. **LABOR CODE/WORKERS' COMPENSATION:** LOCAL AGENCY needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and LOCAL AGENCY affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

21. **AMERICANS WITH DISABILITIES ACT:** LOCAL AGENCY assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis

of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

22. **LOCAL AGENCY NAME CHANGE:** An amendment is required to change the LOCAL AGENCY'S name as listed on this Agreement. Upon receipt of legal documentation of the name change the STATE will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.
23. **RESOLUTION:** A county, city, district, or other local public body must provide the STATE with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.
24. **AIR OR WATER POLLUTION VIOLATION:** Under the State laws, the LOCAL AGENCY shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.
25. **AFFIRMATIVE ACTION.** STATE certifies its compliance with applicable federal and State hiring requirements for persons with disabilities, and is deemed by LOCAL AGENCY to be in compliance with the provisions of LOCAL AGENCY'S Affirmative Action Program for Vendors.
26. **DRUG AND ALCOHOL-FREE WORKPLACE.** As a material condition of this Agreement, STATE agrees that it and its employees, while performing service for LOCAL AGENCY, on LOCAL AGENCY property, or while using LOCAL AGENCY equipment, shall comply with STATE's Employee Rules of Conduct as they relate to the possession, use, or consumption of drugs and alcohol.
27. **ZERO TOLERANCE FOR FRAUDULENT CONDUCT IN LOCAL AGENCY SERVICES.** STATE shall comply with any applicable "Zero Tolerance for Fraudulent Conduct in LOCAL AGENCY Services." There shall be "Zero Tolerance" for fraud committed by contractors in the administration of LOCAL AGENCY programs and the provision of LOCAL AGENCY services. Upon proven instances of fraud committed by the STATE in connection with performance under the Agreement, the Agreement may be terminated consistent with the termination for cause/cancellation term, Exhibit C, section 8, subsection B, of Cooperative Fire Programs Fire Protection Reimbursement Agreement, LG-1, between the California Department of Forestry and Fire Protection (CAL FIRE) and the LOCAL AGENCY.
28. **CONFIDENTIAL INFORMATION.** "Confidential information" means information designated by CAL FIRE and/or the LOCAL AGENCY disclosure of which is restricted, prohibited or privileged by State and federal law. Confidential Information includes, but is not limited to, information exempt from disclosure under the California Public Records Act (Government Code Sections 6250 et seq.) Confidential Information includes but is not limited to all records as defined in Government Code section 6252 as well as verbal communication of Confidential Information. Any exchange of Confidential Information between parties shall not constitute a "waiver" of any exemption pursuant to Government Code section 6254.5

CAL FIRE and LOCAL AGENCY personnel allowed access to information designated as Confidential Information shall be limited to those persons with a demonstrable business need for such access. CAL FIRE and LOCAL AGENCY agree to provide a list of authorized personnel in writing as required by Government Code section 6254.5(e). CAL FIRE and the LOCAL

EXHIBIT D
ADDITIONAL PROVISIONS

EXCISE TAX: State of California is exempt from federal excise taxes, and no payment will be made for any taxes levied on employees' wages. STATE will pay any applicable State of California or local sales or use taxes on the services rendered or equipment or parts supplied pursuant to this agreement. The STATE may pay any applicable sales and use tax imposed by another state.

Schedules

The following Schedules are included as part of this agreement (check boxes if they apply):

- A. Fiscal Display, PRC 4142 AND/OR PRC 4144 - STATE provided LOCAL AGENCY funded fire protection services. STATE-owned vehicles shall be operated and maintained in accordance with policies of STATE at rates listed in Exhibit D, Schedule A.**
- B. STATE Funded Resource - A listing of personnel, crews and major facilities of the STATE overlapping or adjacent to the local agency area that may form a reciprocal part of this agreement.**
- C. LOCAL AGENCY Provided Local Funded Resources - A listing of services, personnel, equipment and expenses, which are paid directly by the local agency, but which are under the supervision of the Unit Chief.**
- D. LOCAL AGENCY Owned STATE Maintained Vehicles - Vehicle information pertaining to maintenance responsibilities and procedures for local agency-owned vehicles that may be a part of the agreement.**

LOCAL AGENCY-owned firefighting vehicles shall meet and be maintained to meet minimum safety standards set forth in Title 49, Code of Federal Regulations; and Titles 8 and 13, California Code of Regulations.

LOCAL AGENCY-owned vehicles that are furnished to the STATE shall be maintained and operated in accordance to LOCAL AGENCY policies. In the event LOCAL AGENCY does not have such policies, LOCAL AGENCY-owned vehicles shall be maintained and operated in accordance with STATE policies. The cost of said vehicle maintenance and operation shall be at actual cost or at rates listed in Exhibit D, Schedule D.

Exhibit D, Schedule D is incorporated into this section if LOCAL AGENCY-owned vehicles listed in Exhibit D, Schedule D are to be operated, maintained, and repaired by STATE.

LOCAL AGENCY assumes full responsibility for all liabilities associated therewith in accordance with California Vehicle Code Sections 17000, 17001 et seq. STATE employees operating LOCAL AGENCY-owned vehicles shall be deemed employees of LOCAL AGENCY, as defined in Vehicle Code Section 17000. Except where LOCAL AGENCY would have no duty to indemnify STATE under Exhibit C, Section 6 for all LOCAL AGENCY-owned vehicles operated or used by employees of STATE under this agreement.

Contractor Name: City of Yucaipa

Contract No.: 3CA04821

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LOCAL AGENCY employees, who are under the supervision of the Unit Chief and operating STATE-owned motor vehicles, as a part of the duties and in connection with fire protection and other emergency services, shall be deemed employees of STATE, as defined in Vehicle Code Section 17000 for acts or omissions in the use of such vehicles. Except where STATE would have no duty to indemnify LOCAL AGENCY under Exhibit C, Section 6.

- E. **Certification of Insurance** - Provider Insurance Certification and/or proof of self-insurance.

Fiscal Year: 2020	Unit:	Sub Total	\$1,537,026	Contract Name:	City of Yucapa
Index: 3500		Admin	\$179,678	Contract No.:	3CA04821
PCA: 37270		Total	\$1,716,704	Page No.:	17
PRC:		Overtime Total:	\$220,885		
Comments: FY20-21					

This is a Schedule A - 4142 of the Cooperative Agreement, dated July 1, 2020 between "City of Yucapa" and The California Department of Forestry and Fire Protection (CAL FIRE)

CAL FIRE Unit Chief	Glenn Barley
CAL FIRE Region Chief	Dan Johnson

Number of Positions	Classification/ad-ons (Pick From List)	RET.	Period	Salary Months	Salary Rate	Total Salary	EDWC Rate	EDWC Periods	Total EDWC	Salary Benefits	FFI UI	EDWC Benefits	Total Salary & EDWC	Total Position Cost
7	Fire Fighter II (Paramedic)	POF		12	\$4,917	\$413,028	\$2,973	12	\$249,732	\$385,355	\$0	\$137,452	\$1,185,568	\$1,537,026
7	Longevity Pay Differential - 7%	POF		12	\$0	\$28,912			\$0	\$26,975		\$0	\$55,887	
7	Education Incentive Pay Differential	POF		12	\$75	\$6,300			\$0	\$5,878		\$0	\$12,178	
7	Paramedic Recruitment and Retention - 500	POF		12	\$500	\$42,000			\$0	\$20,509		\$0	\$62,509	
	Overtime	POF	12 Shifts x 7		\$0	\$0			\$0	\$0		\$0	\$0	
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
	Overtime				\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
	Overtime				\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
	Overtime				\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
	Overtime				\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
	Overtime				\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0

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Fiscal Year: 2020		Unit:		Sub Total		Contract Name:		City of Yucapa						
Index: 3600				Admin		Contract No.: 3CA04821		Page No.: 19						
PCA: 37271				Total										
PRC:				Overtime Total:										
Comments: FY20-21				\$499,110										
This is a Schedule A - 4142 of the Cooperative Agreement, dated July 1, 2020 between "City of Yucapa" and The California Department of Forestry and Fire Protection (CAL FIRE)				CAL FIRE Unit Chief		Glenn Barley								
				CAL FIRE Region Chief		Dan Johnson								
Number of Positions	Classification/ad-ons (Pick From List)	RET.	Period	Salary Months	Salary Rate	Total Salary	EDWC Rate	EDWC Periods	Total EDWC	Salary Benefits	FFI UI	EDWC Benefits	Total Salary & EDWC	Total Position Cost
1	Fire Captain (Paramedic)	POF		12	\$6,122	\$73,464	\$3,629	12	\$43,548	\$68,542	\$0	\$23,969	\$209,523	\$268,700
1	Longevity Pay Differential - 7%	POF		12	\$0	\$5,142			\$0	\$4,798	\$0	\$0	\$9,940	
1	Education Incentive Pay Differential	POF		12	\$75	\$900			\$0	\$840	\$0	\$0	\$1,740	
1	Paramedic Recruitment and Retention - 500	POF		12	\$500	\$6,000			\$0	\$2,930	\$0	\$0	\$8,930	
	Overtime	POF	12 Shifts		\$0	\$0			\$0	\$0	\$0	\$0	\$0	
						\$38,016			\$0	\$551	\$0	\$0	\$38,567	
6	Fire Captain, Range A	POF		12	\$5,720	\$411,840	\$3,155	12	\$227,160	\$384,247	\$0	\$125,029	\$1,148,276	\$1,414,288
6	Longevity Pay Differential - 7%	POF		12	\$0	\$28,829			\$0	\$26,897	\$0	\$0	\$55,726	
6	Education Incentive Pay Differential	POF		12	\$75	\$5,400			\$0	\$5,038	\$0	\$0	\$10,438	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
	Overtime	POF	12 Shifts x 6		\$0	\$0			\$0	\$0	\$0	\$0	\$0	
						\$196,992			\$0	\$2,856	\$0	\$0	\$199,848	
2	Communications Operator, Range B	SAF		12	\$6,081	\$145,944	\$0	0	\$0	\$97,826	\$0	\$0	\$243,770	\$268,614
2	Night-Shift Pay Differential	SAF		12	\$173	\$4,160			\$0	\$2,788	\$0	\$0	\$6,948	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
	Overtime	SAF			\$0	\$0			\$0	\$0	\$0	\$0	\$0	
						\$17,640			\$0	\$256	\$0	\$0	\$17,896	
0.5	Battalion Chief (Nonsupervisory)	POF		12	\$6,639	\$39,834	\$3,656	12	\$21,936	\$37,165	\$0	\$12,074	\$111,009	\$146,194
0.5	Longevity Pay Differential - 7%	POF		12	\$0	\$2,788			\$0	\$2,602	\$0	\$0	\$5,390	
0.5	Education Incentive Pay Differential	POF		12	\$75	\$450			\$0	\$420	\$0	\$0	\$870	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
	Overtime	POF	9 Shifts		\$0	\$0			\$0	\$0	\$0	\$0	\$0	
						\$28,512			\$0	\$413	\$0	\$0	\$28,925	
6	Fire Apparatus Engineer	POF		12	\$5,098	\$367,056	\$2,817	12	\$202,824	\$342,463	\$0	\$111,634	\$1,023,978	\$1,262,894
6	Longevity Pay Differential - 7%	POF		12	\$0	\$25,694			\$0	\$23,972	\$0	\$0	\$49,666	
6	Education Incentive Pay Differential	POF		12	\$75	\$5,400			\$0	\$5,038	\$0	\$0	\$10,438	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
	Overtime	POF	12 Shifts x 6		\$0	\$0			\$0	\$0	\$0	\$0	\$0	
						\$176,256			\$0	\$2,556	\$0	\$0	\$178,812	
1	Fire Apparatus Engineer (Paramedic)	POF		12	\$5,458	\$65,496	\$3,267	12	\$39,204	\$61,108	\$0	\$21,578	\$187,386	\$241,979
1	Longevity Pay Differential - 7%	POF		12	\$0	\$4,585			\$0	\$4,278	\$0	\$0	\$8,862	
1	Education Incentive Pay Differential	POF		12	\$75	\$900			\$0	\$840	\$0	\$0	\$1,740	
1	Paramedic Recruitment and Retention - 500	POF		12	\$500	\$6,000			\$0	\$2,930	\$0	\$0	\$8,930	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
	Overtime	POF	12 Shifts		\$0	\$0			\$0	\$0	\$0	\$0	\$0	
						\$34,560			\$0	\$501	\$0	\$0	\$35,061	
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	
	Overtime				\$0	\$0			\$0	\$0	\$0	\$0	\$0	
					\$0	\$0			\$0	\$0	\$0	\$0	\$0	

מסמך זה נמצא באתר האינטרנט של משרד המשפטים, ת.ד. 727, תל אביב 6100

EXHIBIT D, SCHEDULE A

Contractor Name: City of Yucaipa

Agreement No: 3CA04821

Page No: 21

Yucaipa 2020-2025 LG-1 Contract

	20/21	21/22	22/23	23/24	24/25
Fire PS	\$ 4,023,821	\$ 4,225,012	\$ 4,607,711	\$ 4,838,097	\$ 5,251,450
Fire OE	\$ 50,007	\$ 52,507	\$ 59,416	\$ 62,387	\$ 69,790
Medic PS	\$ 1,716,704	\$ 1,802,539	\$ 1,892,666	\$ 1,987,300	\$ 2,086,665
Medic OE	\$ 18,028	\$ 18,929	\$ 19,875	\$ 20,869	\$ 21,912
Total	\$ 5,808,560	\$ 6,098,988	\$ 6,579,668	\$ 6,908,652	\$ 7,429,818

Plus 1/2 BC

Plus 1/2 BC

Plus 1/2 BC

Agreement Total **\$ 32,825,686**

EXHIBIT D, SCHEDULE B

Contractor: City of Yucaipa
 Contract No: 3CA04821
 Page No:22

STATIONS/CAMPS	ADDRESS	PHONE #	FAX #
HEADQUARTERS	3800 N. SIERRA WAY SAN BERNARDINO, CA 92405	909-881-6900	909-881-6969
BDU ECC		909-881-6916	881-6970
BATTALION 2			
PHELAN	9600 CENTOLA RD PHELAN, CA 92371	760-868-3555	760-868-2431
LUCERNE VALLEY	33271 OLD WOMAN SPRINGS RD LUCERNE VALLEY, CA 92356	760-248-7525	760-248-9243
APPLE VALLEY	21860 TUSSING RANCH RD. APPLE VALLEY, CA 92308	760-247-3039	
YUCCA VALLEY	7105 AIRWAY AVE. YUCCA VALLEY, CA 92284	760-365-4411	760-365-4411
BATTALION 3			
YUCAIPA	11416 BRYANT ST YUCAIPA, CA 92399	909-797-1000 or 797-2224	909-797-1764
BATTALION 4			
BISHOP	2784 S. ROUND VALLEY RD. BISHOP, CA 93514	760-387-2179	760-387-2031
INDEPENDENCE	P.O. BOX 369 250 E. PARK ST INDEPENDENCE, CA 93526	760-878-2258	760-878-2109
BATTALION 5			
CHINO HILLS	14467 CENTRAL AVE CHINO, CA 91710	909-597-6665	909-597-8831
DEVORE	18365 CAJON CT. SAN BERNARDINO, CA 92407	909-887-3630	909-887-3630
PRADO HELITACK	14467 CENTRAL AVE CHINO, CA 91710	909-606-1902	
BATTALION 6			
RUNNING SPRINGS NO-MAIL	31250 HILLTOP BLVD. RUNNING SPRINGS, CA 92382	909-867-2680	
BIG BEAR VALLEY	45360 LUCKY BALDWIN RANCH RD. BALDWIN LAKE, CA 92314 MAIL : P.O. Box 2045 Big Bear city CA. 92314	909-361-0078 Station Cell # 909-547-0160	
SKY FOREST NO-MAIL	28104 HWY 18 (BLDG110G1485). SKY FOREST, CA 92385	909-337-8194	
CRESTLINE NO-MAIL	22311 WATERS DR. CRESTLINE, CA 92325	909-338-6188	
CAMPS			
PRADO	14467 CENTRAL AVE CHINO, CA 91710	909-597-2911	909-597-8831
CIW	P.O. BOX 2018 CHINO, CA 91708	909-597-1771 x7444	909-606-4946
PILOT ROCK	P.O. BOX 3670 CRESTLINE, CA 92325	909-338-2812	909-338-4603
FENNER	P.O. BOX 7 VALYERMO, CA 93563	661-944-5086	661-944-6371
OWENS VALLEY	2781 S. ROUND VALLEY RD. BISHOP, CA 93514	(760) 387-2565	(760) 387-2295

EXHIBIT D, SCHEDULE C

CITY OF YUCAIPA LOCAL AGENCY PROVIDED LOCAL AGENCY RESOURCES

YEAR/TYPE	LICENSE NUMBER	VIN	MAKE/MODEL	NUMBER	TYPE
2016/Fire Engine	1495578	1K9AF4589HN058448	KME/KOVATCH	ME-551	1
2013/Fire Engine	1381420	1K9AF4289DN058475	KME/KOVATCH	ME-552	1
2019/Fire Engine	1450163	3HAWETAR9KL384596	KME/KOVATCH	BE-552	3
2002/Fire Engine	1027001	4P1CT02M52A002173	PIERCE/SABER	E-552A	1
2007/Fire Engine	1245408	4P1C0IT5TA007313	PIERCE/SABER	ME-553	1
2003/Fire Engine	1027149	4P1CT02M63A003530	PIERCE/SABER	E-553A	1
2006/Pickup	1245191	1FTYR14UX7PA17269	FORD/RANGER	U-553	P/U

CITY OF HIGHLAND LOCAL AGENCY PROVIDED LOCAL AGENCY RESOURCES

YEAR/TYPE	LICENSE #	VIN	MAKE/MODEL	NUMBER	TYPE
2011 Fire Engine	1234375	1K9AF42885BN058129	KME Kovatch	ME-541	Type I
2000 Fire Engine	1054573	4P1CT02M3YA000088	Pierce Enforcer	E-541A	Type I
2017 Fire Engine	1445296	1K9AF4S83HN058459	KME	ME-542	Type I
2005 Fire Engine	1216379	4P1CEO1T85A005253	Pierce Enforcer	E-542A	Type I
2014 Fire Engine	1505091	1K9AF4281FN058862	KME	ME-543	Type I
2005 Fire Engine	1216380	4P1CS01A75A004974	Pierce Saber	E-543A	Type I
2004 Heavy Rescue	1185200	44KFT42874WZ20376	HME	IS-543	Incident Support
2007 Pickup Truck	1256831	1FTRF12247K811059	F-150	U-541	Utility Vehicle

Contractor Name: City of Yucaipa
Contract No: **3CA04821**

Page No.: 25

EXHIBIT E
DESCRIPTION OF OTHER SERVICES

CAL FIRE prevention and investigation services will be provided to the City of Highland by CAL FIRE law enforcement contingent on their availability.

CAL FIRE fleet services will be provided to the City of Highland by CAL FIRE fleet managers and mechanics contingent on their availability.

Exhibit F
First Alarm Response Levels

Call Type	First Alarm Response
Residential Structure Fire	1 Battalion Chief, 4 Fire Engines, 1 Breathing Support
Commercial Structure Fire	1 Battalion Chief, 5 Fire Engines, 1 Ladder Truck, 1 Breathing Support
Vegetation Fire	1 Battalion Chief, 4 Fire Engines, (BP-555 and/or WT-555 if available)
Hazardous Materials	1 Battalion Chief, 3 Fire Engines
Natural Disaster	1 Battalion Chief, 4 Fire Engines
All Other Call Types Not Listed	1 Battalion Chief, 3 Fire Engines

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Fermin Preciado, Director of Development Services/City Engineer *FP*
Landon Kern, Assistant City Engineer *LK*

FOR: City Council Meeting of November 28, 2022

SUBJECT: Change Order No. 4 – Debris Removal/Wilson III Basin Phase 1C Improvements

RECOMMENDATION:

That City Council:

- 1) Formally approve a Notification of Obligation and Payment (Funding Agreement) from the California Governor’s Office of Emergency Services for the CDAA Grant Program (CDAA-2022-03, Cal OES ID: 071-87042; and
- 2) Amend the FY 2022/2023 Non-Capital Budget in the Miscellaneous Special Revenues Fund by adding Change Order No. 4 – Debris Removal/Wilson III Basin Phase 1C Improvements Project with a budget of \$812,382 comprised of \$623,456 in CDAA Grant Program Funding and the amount of \$188,926 in local match funds as follows:
 - a. Increase expenditures budget in the project in the amount of \$812,382 in the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
 - b. Increase revenues budget in the project in the amount of \$623,456 (CDAA grant) in the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
 - c. Authorize a transfer of \$188,926 to the project for the CDAA grant local match requirement from the Miscellaneous Capital Fund (Munis Fund 600 – formerly Eden Fund 35) to the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
- 3) Approve and authorize the City Manager to execute Change Order No. 4 -Debris Removal/ Wilson III Basin Phase IC Project with Borden Excavating Inc. (Borden) for emergency work on a time and material basis in accordance with the terms of the CDAA Grant Program in the not to exceed amount of \$755,704; and

- 4) Find that the construction of the emergency work for the El Dorado Fire Debris Removal at Wilson III Basin Project is Exempt from CEQA pursuant to Section 21080(b)(3) of the Public Resources Code, and direct staff to file a notice of exemption.

BACKGROUND/DISCUSSION:

On September 6, 2020, the Yucaipa City Manager proclaimed a Local Emergency due to the EL Dorado Fire in Yucaipa. On September 10, 2020, City Council ratified the City Manager's proclamation of the existence of a local emergency, in accordance with City of Yucaipa Municipal Code Section 8.36.075 and State Law. The fire has burned approximately 23,000 acres, and the watersheds affected by the fire include Wilson Creek, Spoor Creek and Oak Glen Creek along with various local drainage tributaries. A post-fire watershed assessment was completed in the burn areas to identify on-site and downstream threats to public health or safety from landslides, debris flow, flooding, road hazards and other post-fire related concerns, as well as to determine measures to prevent or mitigate identified threats. Standard preliminary estimates show that storm water and debris runoff volumes will increase as much as 30% from the burn area to the downstream drainage courses.

Section 2.24.130 of the Yucaipa Municipal Code permits the City Council to direct the City of Yucaipa purchasing officer to expend any sum of money budgeted and required in an emergency with no further compliance with the public contract procedure upon approval of a resolution, by four-fifths vote, declaring that public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property. On October 26, 2020 City Council adopted Resolution No. 2020-64, approving the immediate expenditure of funds for public interest and necessity per the City's Municipal Code 2.24.130, Section I.

Over the past 2 years, City staff has continued to evaluate the needs throughout the City, and has authorized emergency work to occur in accordance with Resolution No. 2020-64 in order to address conditions that represent immediate threats to public health and safety. Some of this work took place within the National Resources Conservation Service (NRCS) Emergency Watershed Protective Measures Phase I and II efforts. The work completed with these efforts have been completed, and staff is working with NRCS staff to finalize the remaining reimbursements of funds to the City for Phase II.

Due to a significant storm event that took place on December 14, 2021, multiple City facilities were impacted with debris flows from the El Dorado burn areas. Subsequently, the City applied for CALOES/CDAA Grant Program (Grant Program) funding for necessary, emergency response work (Debris Removal) planned for various City facilities. On October 7, 2022, the City received the Notification of Obligation and Payment (Funding Agreement) for removal of burn scar area debris deposited by storm flows in Wilson III Basin in the amount of \$755,704. The CDAA grant funding obligated for the project is in the amount of \$623,455, which represents the sum of the following grant funded components:

- 1) 75% of the overall project amount, in the amount of \$566,778; and
- 2) Administrative Allowance for staff time and administrative costs, in the amount of \$56,678.

In addition to the grant funding summarized above, the CDAA Grant program requires a local match in the amount of 25%, which is in the amount of \$188,926 (25% of \$755,704). Similar to the NRCS grant program, the CDAA Grant Program also includes an “Administrative Allowance” budget approved with the project, which represents additional funding in the amount of \$56,678. This administrative allowance in the amount of \$56,678 is in addition to the \$566,778 for the project, and has been approved for construction management, inspections, staff time, consultant costs and grant administration related tasks required to support the emergency work and associated reimbursements.

On August 8, 2022, following a competitive public bid process, City Council awarded a construction contract to Borden Excavating Inc. (Borden) for the Wilson III Basin Phase 1C Project (Phase 1C Project). The Phase 1C Project is currently under construction, and the scope of work includes grading and drainage improvements in the Wilson III Basin area (including a portion of the area subject to this removal project) with an anticipated completion in the spring of 2023. Due to the location of the proposed work and similar scope of work identified in the CDAA Grant Program Project, staff is proposing approval of contract change order No. 4 (CCO No. 4) with Borden for the CDAA Grant Program Project. Approval of CCO No. 4 would allow for this emergency work to begin immediately on a time and material basis, under the terms and conditions of an existing City/Borden construction agreement dated August 8, 2022 and in accordance with the CDAA Grant Program not to exceed \$755,704.

On February 26, 2018, City Council adopted Resolution No. 2017-47 approving the Oak Glen Creek Specific Plan; certifying that the final EIR was completed in compliance with the California Environmental Quality Act, accepting the mitigation measures identified in the EIR Staff subsequently filed a Notice of Determination, completing and fulfilling the required environmental review. The work associated with proposed CCO No. 4 is consistent with the approved EIR.

Additionally, in accordance with Public Resources Code (PRC) section 21080.(b)(3), projects undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code are exempt from CEQA environmental review as a statutory exemption. Since the work associated with proposed CCO No. 4 and approved CDAA Grant Program funding are a direct result of a state of emergency proclaimed by the Governor, the work also meets these requirements as a statutory exemption.

FISCAL IMPACT

The table below summarizes the proposed funding for CCO No. 4:

Proposed Funding Source	Proposed Amount
CDAA Grant Program Funding (Wilson III Basin Area) ^{1,2}	\$566,778
Proposed Local Match (Transfer from Miscellaneous Capital Fund) ²	188,926
Subtotal – CDAA Grant Program Funding and Local Match	755,704
CDAA Grant Program Funding – Administrative Allowance ^{2,3}	56,678
Total Proposed Funding Sources	\$812,382
Total Proposed Change Order No. 4 Costs ²	\$812,382

- 1) Requires a 25% local match from City funding source(s)
- 2) Part of this council action
- 3) Project Administration – 100% funded from CDAA – No local match required.

Staff’s proposed recommendation is to Amend the FY 2022/2023 Non-Capital Budget in the Miscellaneous Special Revenues Fund by adding Change Order No. 4 – Debris Removal/Wilson III Basin Phase 1C Improvements Project. The proposed funding sources for CCO NO. 4 are summarized in the table above. Staff has determined that the existing construction budget for Wilson III Basin Phase IC (as approved by Council on August 8, 2022 in the amount of \$5,350,000) would not require any amendments, as a result of CCO No 4, therefore, there is sufficient funding to accommodate staff’s recommendations.

Attachments: Contract Change Order No. 4
 Funding Agreement
 CalOES Funding Guidelines

Approved by: 



PUBLIC WORKS DEPARTMENT

Date: 11/28/2022 City Project No. 10879
 Purchase Order No. 5200-0000784

Contract Change Order No. 4

Contractor: Borden Excavating Inc.

Project: Emergency (CDA/CALOES) Debris Removal - Wilson III Basin Project Phase 1C

Change Proposed:

Extra Work at Force Account (Time and Material):

Scope of Work:
 Removal of debris/material from Wilson III Basin within the basin area(s) from the December 2021 storm event. Removal of the material shall be in accordance with the CDA/Grant Program (CDA-2022-03, CalOES ID: 071-87042) and the scope of work to be completed as described in the Damage Survey Report (DSR) 4545.

In accordance with the CalOES/CDA/Grant Program, the contractor will be compensated for this work at Force Account (T&M) for a not to exceed amount of \$755,704.

To be performed in accordance with the terms of the CDA/Grant Program.

Background:
 The Wilson III Basin project is being constructed in phases. Phase 1A of the project was completed in June 2021. It consisted primarily of mass excavation of the basin easterly of Second Street and the Wilson Creek Channel from Oak Glen Road to the basin. Phase 1B project started in October 2021 and is now complete. In this current Phase 1C, the Wilson Creek Channel that was excavated in the previous project was improved primarily by lining it with rock slope protection from the RCB outlet at Oak Glen Road to the confluence with Oak Glen Creek near the basin. Construction activities on the current project, Phase 1C, started in early September 2023. This phase includes construction of an energy dissipator structure at the Oak Glen Creek confluence with Wilson Creek and completing the rock lining of the Wilson Creek Channel down to the Forebay.

During the month of December 2021, the project was impacted by a significant amount of stormwater and debris from the EL Dorado Fire burn areas, and grant funding was obligated to the City of Yucaipa to remove the material from this storm event that settled in the Wilson III Basin areas.

Per Section 2-10 of the Contract Specifications, "Payment for all contract and subcontract administrative, bonds and insurance, overhead, profit, labor, materials, and equipment costs is limited to 20% increase of the cost of "Extra Work". Also, as agreed with Borden, the mark up for trucking will be 12%.

No time adjustment is warranted as a result of this change.

Estimated Cost of Extra Work at Force Account for a not to exceed amount of\$755,704

The additive and/or deductive work as stated above is compensable as Changes In Work under the provisions of Section 3 of Standard Specifications for Public Works Construction (Latest Edition).

	Deductive	Additive
Adjustment of Contract Time of Completion:	<u>0</u>	<u>\$755,704.00</u>
Agreed Contract Change Order price:		<u>\$755,704.00</u>
Contract Amount:	<u>\$6,095,000.00</u>	
Previously Approved Change Order Numbers:	<u>No. 1 - 3</u>	
Previously Approved Contract Change Order Amount:		<u>-\$1,383,604.00</u>
New/Revised Total Contract Amount:		<u><u>\$5,467,100.00</u></u>

Reviewed and Approved by Const. Engineer: _____ Date _____

Approved by City Engineer: _____ Date _____

Approved by City Manager: _____ Date _____

Accepted by: Borden Excavating Inc. _____ Date _____

We, the Undersigned Contractor, have given careful consideration to the change and hereby agree that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will therefore accept as full payment the prices shown above. Additionally, we agree that the compensation (time and cost) set forth in this Change Order comprises the total compensation due the Contractor, and all the Subcontractors and all Suppliers, for the work or change defined in this



October 7, 2022

Raymond Casey
City Manager
Yucaipa, City of
34272 Yucaipa Boulevard
Yucaipa, CA 92399

Subject: Notification of Obligation and Payment
CDAA Grant Program
CDAA-2022-03, Cal OES ID: 071-87042

Dear Raymond Casey:

Obligation Notification The California Governor's Office of Emergency Services (Cal OES) has attached the Exhibit C for Damage Survey Report #4545. Please see the table below for further obligation details.

Obligation Details	Supplement Obligation Amount	Cumulative Amount Obligated
State-California Disaster Assistance Act (CDAA)	\$623,455.80	\$623,455.80

Payment Process For this disaster, funds will be paid in accordance with the following disbursement table:

Project Status	State Funds Disbursement Process
Projects less than 100% complete	Advance administrative allowance only. All other funds (less retention) will be paid on a reimbursement basis
Projects 100% complete	Automatic payment of state share and administrative allowance

**Payment
Process-
Continued**

For this particular Supplement, payment will be automatically disbursed as follows:

Payment Details	Amount Automatically Paid
State-CDAA	\$56,677.80

For those projects with a work completion of less than 100%, a Project Reimbursement Request form has also been included with this supplement.

State funds will be issued separately by the State Controller's Office. Please be advised that state warrants have a one-year period of negotiability.

**Required
Documents**

In order to receive funds, the following forms must be on file with our office:

Form	Received by Cal OES?
Project Application CDAA Program (CDAA 1)	Yes
Designation of Applicants Agent Resolution (OES 130)	Yes
Payee Data Record (STD. 204) - Private non profit organizations only	N/A

**Program
Requirements-
General**

As a requirement of this program, a special fund for the deposit of the state warrant must be established upon receipt of any advance funding. Under no circumstances are expenditures to be made for any damages other than those approved in this application. Any funds received in excess of current needs or approved amounts, or those found owed as a result of an audit or final inspection, must be refunded to the State within 30 days upon receipt of an invoice from Cal OES.

Fair Hearing Process

In accordance with Title 19 California Code of Regulations, Section 2900, if you disagree with the obligated amount(s) or scope of work for the Damage Survey Report (DSR) addressed in this Supplement, you must direct your grievance, together with any information in writing, to the Assistant Director of Recovery within sixty (60) working days of receipt of notification of the issue to be grieved, unless this deadline is extended by Cal OES. The grievance must state the issue(s) in the dispute, the legal authority, or other basis for the local agency's position and the remedy sought. Please submit your grievance in writing to the following mailing address:

California Governor's Office of Emergency Services
Recovery Division, Public Assistance
3650 Schriever Avenue
Mather, California 95655

Questions and Inquiries


For appeal assistance, contact Public Assistance at (916) 845-8200. For assistance regarding this letter, contact the Recovery Financial Processing Unit's main line at (916) 845-8110.

RECOVERY FINANCIAL PROCESSING UNIT

Enclosure(s)

c: Subrecipient's Federal File/ Subrecipient's State File

Page 3 of 3

STATE OF CALIFORNIA		GAVIN NEWSOM, Governor	
	Cal OES ID:	071-87042	
	Supplement Number:	0	
	Disaster Number:	202203	
PROJECT APPLICATION APPROVAL			
CALIFORNIA DISASTER ASSISTANCE ACT PROGRAM			
1. SUBGRANTEE'S NAME AND ADDRESS		2. AUTHORIZED AGENT	
Yucaipa, City of		Raymond Casey City Manager	
3. PROJECT SUMMARY	CATEGORY OF WORK	AMOUNT APPROVED BY STATE	
	A - DEBRIS REMOVAL	\$0	
	B - EMERGENCY PROTECTIVE MEASURES	\$0	
	C - ROAD SYSTEMS REPAIRS	\$0	
	D - DIKES, LEVEES & FLOOD CONTROL WORKS	\$566,778.00	
	E - PUBLIC BUILDINGS	\$0	
	F - UTILITIES	\$0	
	G- OTHER	\$0	
	H - FIRE SUPPRESSION	\$0	
	Z - FEDERAL ADMINISRATIVE COSTS	\$0	
Obligation Summary			
Dam.Cat.	CDAA DSR#/PW#	FEMA DSR#/PW#	Total Obligation
D: Water Control Facilities	0	DSR-4545	\$566,778.00
Desc:	Subtotal for Category:		\$566,778.00
	ADMINISTRATIVE ALLOWANCE:		\$56,677.80
	TOTAL THIS SUPPLEMENT:		\$623,455.80
	TOTAL NOW APPROVED FOR APPLICATION:		\$623,455.80
SIGNATURE: Chase Elliott	TITLE:		
DATE APPROVED: 10/3/2022			
CDAA Form 1a (7/21) OES 126A			



California Disaster Assistance Act
Damage Survey Report
(DSR)

4545

STATE DISASTER NUMBER: 2022-03 FEDERAL DISASTER #: NA
 STATE APPLICANT ID NUMBER: 071-87042 FEDERAL PA ID #: NA
 STATE INCIDENT PERIOD: 12/10/22 01/01/22
 TYPE OF DISASTER: Governor's Proclamation or Director's Concurrence
 Earthquake or Flood/Winter Storm or Fire
 Other (Please Specify Type): _____
 TYPE OF CDAAS DSR: Emergency Work or Permanent Work
 CATEGORY D WATER CONTROL FACILITIES
 SUPPLEMENT TO CDAAS DSR #: NA

SUBGRANTEE NAME: City of Yucaipa

FACILITY/SITE ADDRESS OR DIRECTIONS (Include City, County of Site):	LATITUDE	LONGITUDE
Wilson Creek Basin, Yucaipa, 92399	34.044367,	-117.039488
	COUNTY: SAN BERNARDINO	

DESCRIBE DISASTER RELATED DAMAGE TO THE FACILITY/SITE:
 During the month of December, a torrential rain storm caused significant damage to the City of Yucaipa's Wilson Creek Basin, due to heavy debris flow caused by the storm. The rain storm created a significant concentrated water flow that traveled down slope through Yucaipa, and breached the basin. The water carried heavy vegetative and mud debris with a collection of various soil elements and traveled through a constructed channel adjacent to the Wilson Creek Basin. The channel flows downward and empties out into the Basin, creating a massive layer of debris that includes remnants of burned vegetation and ash from the El Dorado fire that occurred back in 2019 that flooded the Basin. After the basin was flooded, a hardened layer of mud, ash, and burned vegetative debris created an estimated average 3.5' D layer of debris that covered the entire floor of the basin. This prevented the basin from performing its constructed purpose to percolate ground water, and must be removed. According to the applicant the Wilson Creek Basin had been cleaned in the month of April 2021 to original design elevations and surveyed post disaster.
 This project is in reference to LOP #3

SCOPE OF WORK TO BE COMPLETED:
 Work to be completed:
 It is understood that the Applicant plans to complete the work using a combination of contract and force account labor.
 Damages based on engineer estimates:
 Damage Dimensions of Basin: Total area of Rectangle - 915' x 675' W x 4' D of measured area upon site inspection.
 The applicant provided an engineer's estimate with damage description of debris that includes: 1,120,000.00 estimated volume (CF) of debris with 41,481.48, estimate volume of (CY) at \$16.00 per CY (excluding equipment mobilization, debris location, and construction admin costs) to restore the predisaster capacity of the basin.
 Work has not began on the Wilson III Basin, so this DSR is based on engineer estimates.
 Note: Applicant has indicated that this basin is under contract for work outside of the emergency debris removal. The applicant must inform CalOES and request a supplemental DSR should the scope of work vary from that listed above, in accordance with CCR Title 19 §2970 (d) at that time the applicant must provide predisaster survey documentation to justify actual quantities. Additionally, at the time of Final Inspection, the applicant must provide pre and post disaster surveys to justify actual quantities of debris material. In accordance with CCR Title 19 2980 (c).
 Note: In accordance with CCR Title 19 §2970. (d) Applicant may request a supplement to this DSR when it is discovered there is a substantial cost overrun, or addressed at Final Inspection.

Is this Facility Eligible for Federal Funds?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKN	Federal DSR/PW Number:
Federal Program:	<input type="checkbox"/> FEMA <input type="checkbox"/> NRCS <input type="checkbox"/> FHWA <input type="checkbox"/> USACE <input type="checkbox"/> OTHER	Federal DSR/PW \$ Amount:
Is this an Historic Structure?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKN	On National Register? <input type="checkbox"/> 50+ Years Old? <input type="checkbox"/>
Significant Effect on Environment?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKN	Is Project Cat-X or Stat-X? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKN
Is there Insurance for Damages?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKN	Insurance Recovery: \$ 0 Ins. Deductible \$ 0
Work done by Force Account Labor?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKN	Percentage of Work Completed at Inspection: 0%
Total Eligible Labor, Equipment, Materials and Contract costs from Cost Worksheet:		TOTAL COSTS: \$755,704.00

OES Applicant Services Rep. Name	OES ASR Signature	Date of Site Inspection:	NA
Nick Vaquero	See Attached	Date of DSR Submission to AC:	
Name of Local Representative	Representative's Signature	Recommend Eligible?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Trevor Benson	See Attached	Concur with Scope of Work?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Name of Reviewer/Area Coordinator	Reviewer/AC Signature	Contact Telephone Number and Fax Number:	
		Date Reviewed:	
Public Assistance Officer	PAO Signature	Recommend Eligible?	<input type="checkbox"/> YES <input type="checkbox"/> NO
David Gillings		<input checked="" type="checkbox"/> See attachment explaining changes or denial	Approved? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			Amount \$: 755,704.00

Preserving Public Assistance Funding

1

Procurement

Procurement records must include the rationale for selecting the type of procurement method, the basis for contractor selection or rejection, and the contract price basis.

Contracts must generally be bid competitively, with a clear description of the approved scope of work.

Contracts must comply with local, state, and federal procurement requirements including contracting with small and minority firms, women's business enterprise, and labor surplus area firms. Also, strict avoidance of suspended or debarred contractors is required.

Ensure the contractor complies with all terms and conditions of the contract, along with the approved scope of work.

Cost plus percentage contracts are specifically prohibited, while sole source contracts should be avoided without sufficient-significant rationale.

Procurement

2

Environmental

Commencing permanent work projects without required environmental permits along with FEMA environmental-historic clearance is prohibited.

Emergency work is not necessarily exempted from permitting requirements, especially the Endangered Species Act.



Scope of Work

Records

Procurement

3

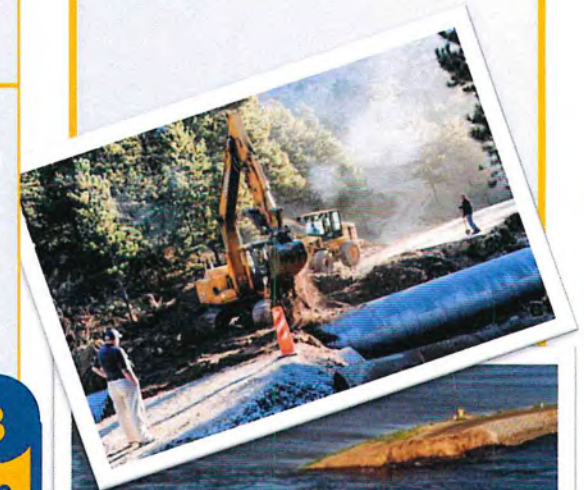
Environmental

3

Scope of Work

Records

Any deviation from the approved scope of work is prohibited unless approved by FEMA.



Claimed costs must be compiled on a per project basis.

Specified program deadlines, e.g., work-related deadlines and appeals for net small project overruns (NSPO) must be met.

Payroll records for each employee must account for all daily disaster-related activities performed, with time sheets signed and certified by the employee and supervisor.

Source documentation, such as paid invoices, contracts, change orders, is required for all funding expenditures.

Funding recipients must be monitored.

Comprehensive records retention is required.

For more information about preserving Public Assistance funding, contact the California Governor's Office of Emergency Services at:

3650 Schriever Avenue
Mather, CA 95655
(916) 845-8200
(916) 845-8388 (fax)
DisasterRecovery@caloes.ca.gov
www.caloes.ca.gov

Obtain further program information for protecting your Public Assistance disaster funding from the Federal Emergency Management Agency at:

www.fema.gov/public-assistance-frequently-asked-questions

For minimizing the loss of program funding through audits, contact the Office of Inspector General at:

http://www.oig.dhs.gov/assets/Audit_Tips.pdf

Version 01.16

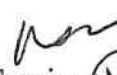

Four Steps to Success

Protecting Your Public Assistance Disaster Funding

- 1 Procurement
- 2 Environmental
- 3 Scope of Work
- 4 Record-keeping

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Raymond A. Casey, City Manager 
Megan Wolfe, Director of Community Services 

FOR: City Council Meeting of November 28, 2022

SUBJECT: Community Services Department Reorganization

RECOMMENDATION:

That City Council:

1. Approve the Reorganization of the Community Services Department and amend the Fiscal Year 2022-2023 budget by (**Recommended by the Finance Committee**):
 - a. Increasing the Annual Budget for Salary and Benefits in the amount of \$311,094; and
 - b. Increasing the Annual Budget for Revenues in the amount of \$226,500; and
2. Adopt Resolution No. 2022-63, amending Resolution No. 2022-57, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on December 3, 2022, by:
 - a. Creating one (1) position of Recreation Superintendent, Salary Range 41 (\$100,607-\$125,644); and
3. Adopt Resolution No. 2022-64, amending Resolution No. 2022-56, amending the General Unit Employee Salary, Benefit and Classification Plan effective with the pay period beginning on December 3, 2022, by:
 - a. Adding two (2) additional positions of Community Services Coordinator, Salary Range 20 (\$57,910-\$72,322); and
 - b. Creating three (3) positions of Community Services Specialist, Salary Range 10 (\$45,239-\$56,498).

DISCUSSION:

Staff has reviewed the potential reorganization of the Community Services Department (CSD) necessary to provide the enhanced programming and services to Yucaipa residents as directed by the City Council.

In part, this reorganization is intended to accommodate the following changes in programming needs and the associated job market:

1. In 2022, the Yucaipa Calimesa School District (YCJUSD) received a grant from the State of California to pay for before and/or after school care for children who fall into one of four categories: low income, English as a second language, meets qualifications to receive free or reduced lunch, and/or have immigrated to America. Due to this change, there has been a significant increase in participation. This increase in participation and grant funding is expected to continue indefinitely and perhaps even increase over time.
2. The need to offset the growing costs of festivals by aggressively marketing sponsorship packages and marketing opportunities to businesses.
3. The current workforce challenges and the ability to hire, train and retain temporary and full-time staff. Unfortunately, COVID significantly impacted the workforce in a negative way, particularly as it relates to part-time staffing.
4. The increase in the total number of special events, programs and services offered throughout the year. For example, Five Winds Festival, the 911 remembrance ceremony, golf classes, Pee Wee Sports and The Five Winds/El Dorado Ranch facility programming to begin later this fiscal year.

These changes necessitated a review of the Community Services Department structure, particularly after experiencing the ever increasing “revolving door” issue with temporary staffing since the start of the pandemic, holding extensive discussions with staff members of Community Services/Parks and Recreation Departments from other communities, and comparing staffing levels in other communities with similar programming, special events and festivals. Staff believes the current level of staffing-to- programming ratio is low and there is a justified need to increase staffing levels in order to be able to continue to provide quality of service to the community. The proposed staffing positions and CSD reorganization are summarized below:

Community Services Recreation Superintendent (one position)

The Recreation Superintendent will be responsible for the overall management of the recreation programs in the Department which will include Sports, Community Center, Scherer Center, STARS, camp and crossing guard. The increase in services has significantly increased the amount of work for the Director. The position of Recreation Superintendent would reduce the need for the Director to attend all special events /festivals and allow the Director to focus on achieving and managing budgetary goals, future event/program planning, program service level and ensure overall quality control in all departmental services.

Community Services Coordinators (two positions)

The proposal includes hiring two new Community Services Coordinators: a Special Events and Sponsorship Coordinator and a Marketing Coordinator. The Special Events and Sponsorship Coordinator responsibilities would include researching, creating, and implementing a sponsorship sales program for City programs, services, and special events. The Marketing Coordinator would focus on City marketing which would include managing the City website and social media platforms to ensure the most up to date content is being published and creating the designs for all departments within the City and ensuring that the correct message is being sent to the residents, customers and/or visitors.

Community Services Specialist (three positions)

For the past several years, the CSD has relied on part-time staff to assist in carrying out programs, services, and special events. These part-time positions have been critical to help maintain the consistency of programming and services of the CSD. Last fiscal year a handful of employees worked over 1,000 hours to help maintain the level of service being provided in the department. The part-time staff that worked over 1,000

hours were in the STARS Division and one person worked at the Community Center. Over the past year, the CSD has experienced an increase in the loss of part-time STARS employees due to seeking full-time employment and continued difficulties in hiring part-time positions to fill vacancies. In order to provide the required employee to student ratio required in the new YCJUSD before and/or after school care grant program and to achieve the Council goal of providing excellent customer service, staff is recommending the creation of a new entry level Specialist position. A total of three Specialist positions are being recommended, of which two would be assigned to the STARS/YCJUSD before and/or after school care grant program, and one position would be assigned to the Community Center. The Community Center Specialist will be cross trained to work in other areas of the department such as festivals and events.

Over the past year, City and Crafton Hills College (CHC) staff have been developing an internship/staff recruitment program to help address the CSD temporary part time staff shortage and to provide students with the opportunity to work in their field of interest. Although no CHC students have been hired to date, this collaboration has developed a new opportunity in that a professor at CHC conducted a STEM training for STARS staff. The City and CHC will continue to work together to achieve the goals of both entities.

Based on proposed staffing identified above, the table below includes the annualized costs and estimated increased costs for the remainder of FY 2022-2023 (including taxes and benefits):

Revenue and Expenditure Forecast
Proposed Reorganization

	Annualized increased costs, including taxes/benefits	Estimated increased costs for remainder of FY 22/23 including taxes/benefits
Revenues:		
Registrations	\$ 100,000.00	\$ 50,000.00
YCJUSD Grant	\$ 283,000.00	\$ 141,500.00
Sponsorships	\$ 70,000.00	\$ 35,000.00
Total Revenues	\$ 453,000.00	\$ 226,500.00
Expenditures:		
Recreation Superintendent (1)	\$ (175,167.94)	\$ (71,754.04)
Community Services Coordinator (2)	\$ (215,484.00)	\$ (107,742.00)
Specialist (3)	\$ (263,195.44)	\$ (131,597.72)
Total Expenditures	\$ (653,847.38)	\$ (311,093.76)
Other Considerations:		
Part-Time staff savings	\$ 20,000.00	\$ 10,000.00
Proposed Total	\$ (180,847.38)	\$ (74,593.76)

The increased costs associated with the reorganization will be partially offset by \$236,500 (remainder of FY 2022-2023) / \$473,000 (annually) by offsetting revenues earned from program registrations, YCJUSD grant

funding, sponsorships, and temporary staff budget savings. This would result in a total net annual impact to the General Fund in the amount of \$74,593.76 (remainder of FY 2022-2023) / \$180,847.38 (annually)

On November 22, 2022, the Finance Committee met with City staff to discuss the reorganization of the Community Services Department. Following the discussion, the Finance Committee is recommending the reorganization, and encouraged staff to seek partnerships with local colleges and Colton Redlands Yucaipa Regional Occupational Program (CRYROP) as well.

FISCAL IMPACT:

It is anticipated that the FY 22-23 costs associated with this recommendation will be offset by \$236,500 in revenue earned from program registrations, YCJUSD grant funding, sponsorships, and temporary staff budget savings. This would result in a total impact to the General Fund in the amount of \$74,593.76 for FY 22-23.

Attachment: Resolution No. 2022-63
Resolution No. 2022-64

RESOLUTION NO. 2022-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA, AMENDING RESOLUTION NO. 2022-57, AND ADOPTING THE REVISED MANAGEMENT, SUPERVISORY, AND CONFIDENTIAL EMPLOYEE SALARY, BENEFIT AND CLASSIFICATION PLAN

WHEREAS, it is necessary for the efficient operation of the affairs of the City that the City Council adopt a pay and classification plan; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUCAIPA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Adopt Resolution No. 2022-63, amending Resolution No. 2022-57, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on December 3, 2022.

- a. Creating one (1) position of Recreation Superintendent, Salary Range 41 (\$100,607-\$125,644); and

PASSED, APPROVED, and ADOPTED this 28th day of November 2022.

DAVID AVILA, MAYOR

ATTEST:

JENNIFER CRAWFORD, CITY CLERK

**CITY OF YUCAIPA
MANAGEMENT, SUPERVISORY AND CONFIDENTIAL
SALARY SCHEDULE
(Effective beginning pay period December 3, 2022)**

No	Position	Range	Salary Range
1	Accountant (Confidential)	26	69,465-86,753
1	*Accounting Manager	43	105,700-132,005
1	*Senior Accountant	34	84,637-105,700
1	*Assistant Engineer	33	82,573-103,122
2	*Associate Engineer	41	100,607-125,644
1	*Assistant City Manager ^{1**}	63	173,202-216,306
1	*City Manager		290,669
4	Community Services Supervisor	28	72,982-91,145
1	City Clerk/Deputy Rent Administrator**	39	95,759-119,590
1	Deputy City Clerk/Records Technician (Confidential)	28	72,982-91,145
1	*Director of Community Services ¹	57	149,352-186,520
1	*Director of Development Services/City Engineer ¹	62	168,978-211,030
1	*Director of Finance ¹	57	149,352-186,520
1	Senior Executive Assistant/Human Resources Analyst	34	84,637-105,700
1	Housing & Economic Development Analyst	28	72,982-91,145
1	*Recreation Superintendent	41	100,607-125,644
1	*Information Systems Manager	43	105,700-132,305
1	Network Administrator (Confidential)	26	69,465-86,753
1	*Planning Manager/City Planner	43	105,700-132,005
1	Public Information Officer/Grants Coordinator(Confidential)	29	74,807-93,423
1	Public Works Analyst	28	72,982-91,145
1	*Public Works Manager	41	100,607-125,644
1	Construction Engineer	38	93,423-116,673
1	*Assistant City Engineer	52	132,005-164,856

¹ Department Head

* At will employee

** Effective December 31, 2022

**Attachment to Resolution No. 2022-63
November 28, 2022**

RESOLUTION NO. 2022-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA, AMENDING RESOLUTION NO. 2022-56, AND ADOPTING THE REVISED GENERAL UNIT EMPLOYEE SALARY, BENEFIT AND CLASSIFICATION PLAN

WHEREAS, it is necessary for the efficient operation of the affairs of the City that the City Council adopt a pay and classification plan; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUCAIPA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Adopt Resolution No. 2022-64, amending Resolution No. 2022-56, amending the General Unit Employee Salary, Benefit and Classification Plan effective with the pay period beginning on December 3, 2022.

- a. Adding two (2) additional positions of Community Services Coordinator, Salary Range 20 (\$57,910-\$72,322); and
- b. Creating three (3) positions of Community Services Specialist, Salary Range 10 (\$45,239-\$56,498).

PASSED, APPROVED, and ADOPTED this 28th day of November 2022.

DAVID AVILA, MAYOR

ATTEST:

JENNIFER CRAWFORD, CITY CLERK

EXHIBIT "A"

RESOLUTION NO. 2022-64

**CITY OF YUCAIPA
GENERAL EMPLOYEES UNIT
SALARY SCHEDULE
(Effective beginning pay period December 3, 2022)**

No	Position	Range	Salary Range
1	Accountant	27	68,837-85,968
2	Accounting Assistant	17	53,775-67,158
3	Administrative Assistant	21	59,358-74,130
1	Senior Administrative Assistant (Public Works)	23	62,363-77,883
1	Administrative Technician	26	67,158-83,871
2	Assistant Planner	31	75,983-94,893
	Associate Planner	35	83,871-104,744
2	Code Enforcement Officer	27	68,837-85,968
1	Emergency Services Coordinator/Community Liaison	31	75,983-94,893
79	Community Services Coordinator	20	57,910-72,322
3	<i>Community Services Specialist</i>	10	45,239-56,498
1	Geographic Information Systems Technician	21	59,358-74,130
2	Maintenance Worker I	10	45,239-56,498
6	Maintenance Worker II	14	49,936-62,363
1	Network Support Specialist	21	59,358-74,130
2	Office Assistant	10	45,239-56,498
1	Senior Code Enforcement Officer	31	75,983-94,893
1	Senior Development Services Technician	25	65,520-81,826
1	Senior Maintenance Worker	18	55,120-68,837
3	Park Ranger	25	65,520-81,826
1	Public Works Ranger	25	65,520-81,826

Attachment to Resolution No. 2022-64
November 28, 2022

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Fermin Preciado, Director of Development Services/City Engineer *FP.*
Benjamin J. Matlock, Planning Manager/City Planner *B.*
Madeline Jordan, Associate Planner *M.*

FOR: City Council Meeting of November 28, 2022

SUBJECT: Adoption of Urgency Ordinance No. 418-U, extending Ordinance No. 404-U, which was previously extended by Ordinance No. 405-U, and established interim standards for the implementation of SB9.

RECOMMENDATION:

That the City Council conduct a public hearing and approve Urgency Ordinance No. 418-U, which will extend Ordinance No. 404-U (previously extended as Ordinance No. 405-U), an urgency ordinance related to the regulation of urban lot splits and second dwelling units associated with the implementation of Senate Bill 9 (SB9) and making findings regarding the urgency thereof (4/5 VOTES REQUIRED).

BACKGROUND:

Senate Bill 9 (SB9) is a new housing law that was signed by Governor Newsom on September 16, 2021, and became effective on January 1, 2022. This bill requires a proposed urban lot split or housing development containing no more than two (2) residential units within a single-family residential zone to be considered ministerially, meaning a project reviewed and approved at staff level and without a discretionary review or hearing (i.e. Planning Commission), if the proposed housing development meets certain requirements.

SB9 allows a local agency to impose objective zoning, design, and subdivision standards unless those standards would have the effect of physically precluding the construction of two (2) residential units on either of the resulting subdivided parcels or physically precluding either of the two (2) units from being at least 800 square feet in floor area.

The bill also requires that any units developed under these regulations be rented for more than 30 consecutive days and applicants of urban lot splits must sign an affidavit stating that they intend to occupy one (1) of the housing units as their principal residence for a minimum of three (3) years from the date of the approval of the urban lot split.

Since SB9 was signed into law, a variety of property owners throughout the City have reached out to Planning Division staff and expressed interest in the potential opportunities that may now be permitted for their property. Further, the UC Berkeley Turner Center for Housing Innovation

published an analysis of SB9 in July of 2021 (Turner Report) (<https://turnercenter.berkeley.edu/blog/duplexes-lot-split-sb-9/>). Their work concluded that of the 7.5 million available single-family housing parcels, 714,000, or approximately 8% of available lots, would be market feasible under SB9, and also included a city-by-city analysis. For the City of Yucaipa, 1,100 units may be market-feasible for development under these new provisions. It should be noted that the Turner Report acknowledges that in most cases, these units may take years to be developed, and some may never get built. However, based on that analysis, along with the interest received thus far, developing appropriate measures that comply with state law, yet mitigate the potential issues of the law will be an important consideration. Further, staff has been working with the development community to develop appropriate standards and conditions to ensure that new subdivisions continue to maintain the single-family neighborhood design that was intended by the developer.

Due to the short turnaround time from when SB9 was signed by Governor Newsom and its effective date of January 1, 2022, the ability to develop and provide a complete ordinance that met all the legal noticing requirements, including the public hearing with the Planning Commission, City Council, second reading, and 30-day referendum period was simply not feasible. As a result, staff developed an urgency ordinance pursuant to Government Code Section 65658 that provided a stopgap measure to maintain local control to the extent feasible between when the state law went into effect and a formal ordinance could be prepared, adopted, and ultimately implemented by the City. Urgency Ordinance (Ordinance No. 404-U), which provided interim measures for SB9 was presented and approved by the City Council at the regular meeting of December 13, 2021.

Pursuant to state law, an urgency ordinance shall be in effect for 45 days, and may subsequently be extended by the City Council for an additional 10 months and 15 days during that period. Ordinance 404-U remained in effect until January 27, 2022, but prior to its expiration was extended through Ordinance No. 405-U at the regular meeting of January 24, 2022.

DISCUSSION:

Ordinance 405-U currently remains in effect until December 12, 2022; however, consistent with state law, the City Council may extend the original urgency ordinance (Ordinance No. 404-U) for a second and final time period not to exceed one (1) year. Pursuant to Government Code Section 65858, a written report has also been prepared describing the measures taken to alleviate the condition which led to the adoption of the ordinance (attached).

While staff has continued to work towards developing a permanent ordinance to implement SB9, additional time is still needed to best evaluate the appropriate implementation of this new law. In particular, the Planning Department is anticipating the submittal and subsequent processing of the city's first SB9 project, which will serve as a metric to gauge baseline conditions, and where certain preliminary objective development standards may need additional attention and clarification prior to adopting permanent SB9 standards. Further, following the completion of the city's first SB9 project, staff will return to City Council to provide an SB9 Ordinance progress update.

In an effort to best ensure the orderly development of residential properties within the city that pursue SB9 projects, the approval of this final extension (Ordinance No. 418-U) will ultimately

give staff the opportunity to seek final direction from the City Council in regard to existing SB9 standards and processes and procedures which were preliminarily established through the approval of Urgency Ordinance 404 *after* the city’s first SB9 project has been processed.

Environmental Review

The state law includes a provision that explicitly states that an ordinance to implement Senate Bill 9 (California Government Code Section 65852.21) shall not be considered a project under the California Environmental Quality Act (CEQA) and, therefore, is not subject to environmental review. Further, future projects completed under SB9 would be a ministerial action and exempt from CEQA.

FISCAL IMPACT:

There is no direct fiscal impact as a result of this Council action regarding the Development Code Amendments. However, the ability to collect Development Impact Fees (DIFs) would remain, and any subsequent units developed would be required to pay their “fair share” contribution consistent with the current Development Impact Fee Program in order to mitigate their impacts on traffic, drainage, parks, fire services, policies services, and public facilities.

Attachments: Ordinance No. 418-U
2nd Report on Urban Lot Split and Second Unit Review

Approved by:

A handwritten signature in black ink, appearing to read "Margaret A. Casey", written over a horizontal line.

URGENCY ORDINANCE NO. 418-U

AN EXTENSION OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUCAIPA ADOPTING EMERGENCY REGULATIONS RELATED TO URBAN LOT SPLITS AND HOUSING UNITS BUILT IN ACCORDANCE WITH SENATE BILL 9 AND DECLARING THE URGENCY THEREOF

WHEREAS, during the 2021 legislative session, the California Legislature passed, and the Governor signed Senate Bill 9 (SB 9), which requires local agencies to ministerially approve urban lot splits and development of two residential units per single family residential lot provided the projects meet certain criteria. SB 9 became effective on January 1, 2022; and,

WHEREAS, SB 9 projects will have the potential to significantly impact the character of the City's well established single family neighborhoods; and,

WHEREAS, on December 13, 2021, the City Council adopted Urgency Ordinance No. 404-U to establish objective standards for SB 9 projects in single family residential zones; and,

WHEREAS, on January 24, 2022, the City Council adopted Urgency Ordinance No. 405-U extending Urgency Ordinance No. 404-U for an additional ten months and 15 days, such that the provisions of Ordinance No. 404-U would expire on December 13, 2022; and,

WHEREAS, the City intends to continue to study and formulate permanent regulations for the implementation of SB 9 projects in the City. This process may be lengthy and because of the further increase of split lots and new units built on these lots, the City Council wishes to further extend the provisions of Urgency Ordinance No. 404-U for an additional one year period through December 13, 2023, pursuant to Government Code Section 65858, and preserve limits on development of units constructed under SB 9 while permanent standards are studied and formulated; and,

WHEREAS, SB 9 projects have the potential to impact the health, safety, and welfare of residents in the City, and particularly on the character of single family residential neighborhoods, the rural quality of the community, vehicular and pedestrian safety, and on-street parking demand. As such, the City of Yucaipa City Council finds that there is an immediate need to continue the applicability of the Urgency Ordinance's objective zoning and subdivision standards for SB 9 projects in order to protect the public health, safety, and welfare while it studies permanent land use regulations for such projects and to ensure SB 9 projects do not have a detrimental impact on single family residential neighborhoods within the City while permanent regulations are being studied. This process may be lengthy and therefore the City Council wishes to extend Urgency Ordinance No. 404-U, which extension ordinance will take effect immediately to ensure that the health, safety and welfare is not impacted by SB 9 projects while permanent regulations are studied, formulated, and adopted.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUCAIPA DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Authority. Pursuant to Government Code Section 65858, the City Council may, to protect the public safety, health, and welfare, adopt, as an urgency measure, an interim ordinance that prohibits certain developments that may be in conflict with a contemplated zoning proposal that the City Council is considering, studying or intends to study within a reasonable period of time. After public notice, the City Council may extend the interim ordinance by a period of ten (10) months and fifteen (15) days, and then subsequently extend the ordinance for one (1) additional year. Notice of the public hearing at which the City Council considered adopting this extension ordinance was duly published in accordance with the legal requirements. The City Council finds and determines that there is a potential for an immediate threat to public health, safety, and welfare from SB 9 development projects that do not conform with certain objective standards established by the City because of the potential of SB 9 development projects to have a detrimental impact on single family residential neighborhoods in the City, as mentioned in the foregoing recitals, which are incorporated herein by reference. Therefore, under the authority of Government Code Section 65858, the City Council hereby further extends Urgency Ordinance No. 404-U prohibiting SB 9 projects that fail to comply with certain standards for an additional one year, through December 13, 2023, in order to protect the public health, safety, and welfare, while the City studies permanent standards for SB 9 development projects.

SECTION 2. CEQA Findings. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption of this Ordinance will have a significant adverse effect on the environment, given the fact that no specific development is contemplated at this time, and the ordinance is only establishing regulations for future development if proposed pursuant to SB 9. Further, development that would be contemplated under this ordinance must be treated ministerially, and any such projects would be statutorily exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15268 of Title 14 of the California Code of Regulations, as separate and independent bases for exemption.

SECTION 3. Effective Date. This Ordinance is adopted as an urgency ordinance for the immediate preservation of the public peace, health and safety pursuant to Government Code Section 65858, and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption by a minimum 4/5 vote of the City Council and shall amend and extend the effect of Urgency Ordinance 404-U for a final extension period of one year through December 13, 2023.

SECTION 4. Uncodified. This Urgency Ordinance shall not be codified.

SECTION 5. Severability. The City Council declares that, should any section, subsection, subdivision, sentence, clause, phrase, or portion of this Urgency Ordinance for any reason be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Urgency Ordinance. The City Council hereby declares that it would have adopted this Urgency Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the

fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. Certification and Publication. The City Clerk shall certify to the adoption of this Urgency Ordinance and shall cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2022.

DAVID AVILA, MAYOR

ATTEST:

JENNIFER CRAWFORD, CITY CLERK

APPROVED AS TO FORM:

David Snow, City Attorney

2nd Report on Urban Lot Split and Second Unit Review - Urgency Ordinance 404-U

At the regular meeting of December 13, 2021, the City Council adopted Urgency Ordinance No. 404-U establishing interim standards for the implementation of SB9 for an initial period of 45 days. Senate Bill 9 (SB9) is a new housing law that was signed by Governor Newsom on September 16, 2021 and became effective on January 1, 2022. This bill requires a proposed urban lot split or housing development containing no more than two (2) residential units within a single-family residential zone to be considered ministerially, meaning a project reviewed and approved at staff level and without a discretionary review or hearing, if the proposed housing development meets certain requirements. To that end, the Urgency Ordinance was prepared pursuant to Government Code Section 65658 to provide a stopgap measure that maintains local control to the extent feasible between when the state law goes into effect and to allow time for the City to review and prepare a formal ordinance that will be adopted and implemented. Subsequently, at the regular meeting of January 24, 2022, the City Council adopted the first extension of Urgency Ordinance 404-U, as Ordinance No. 405-U, for a period of 10 months and 15-days to allow the City to continue to study permanent standards for SB9 development projects.

Pursuant to Government Code Section 65858, an Urgency Ordinance may be extended further by the City Council for a final one (1) year period following the issuance of a written report from the City describing the measures taken to alleviate the condition which led to the adoption of the ordinance. These measures are as follows:

- Assessing Ordinance structure and Development Code sections to implement SB9
- Developing Objective Design Criteria to address second unit projects and urban lot splits
- Considering locations of the City that may be exempted from SB9 due to specific constraints identified pursuant to State Law
- Surveying inquiries received from property owners to better gauge the types of requests that may be received and ensure the Ordinance addresses these issues
- Anticipating the processing of the first SB9 project submittal, which will serve as a metric to gauge baseline conditions, and where certain standards may need additional attention and clarification prior to adopting permanent standards

To provide adequate time for the City to explore these and other potential options, it is requested that the City Council adopt an extension of Urgency Ordinance 404-U (Ordinance No. 418-U) for a final one (1) year period. Following City Council approval and adoption, Ordinance No. 404-U will expire on December 12, 2023.

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Fermin Preciado, Director of Development Services 
Benjamin Matlock, Planning Manager/City Planner 

FOR: City Council Meeting of November 28, 2022

SUBJECT: Adoption of the 2022 California Building and Fire Codes (2nd Reading)

RECOMMENDATION:

That the City Council conduct a public hearing and:

- 1) Approve second reading, by title only, as read by staff, of Ordinance No. 417, adopting by reference, and amending the current editions of certain California Building and Fire Codes related to the regulation of construction, and repealing Ordinance No. 381 and all provisions in conflict therewith; and
- 2) Adopt Resolution No. 2022-58, setting forth findings for amendments to the 2022 California Codes relative to local conditions.

BACKGROUND:

Every three years, the State of California Building Standards Commission allows local jurisdictions to adopt and amend the most current editions of the California Building Codes. Consistent with prior code updates, the upcoming 2022 California Building Codes and related amendments are being brought forward for Council consideration. All of the 2022 California Building Codes will become effective automatically on January 1st regardless of the City's actions, but with the adoption of an implementing ordinance, the City can incorporate certain amendments that reflect local climactic, geographic, and/or geological conditions that are unique to Yucaipa.

At the meeting of November 14, 2022, the City Council conducted a public hearing regarding the update to the Building Codes and approved the first reading of Ordinance No. 417 as well as established the date of November 28, 2022, for the second reading of the Ordinance.

DISCUSSION:

Pursuant to State law, all of the California Building Codes referenced in Ordinance No. 417 can only be adopted after two consecutive publications of a Notice of Public Hearing, the first of which occurred on November 4, 2022. The second Notice of Public Hearing was published on November 11, 2022. At the November 14, 2022, meeting, the Council set the date of public hearing for the Ordinance on November 28, 2022, at which time the second reading would also be approved and the ordinance could be adopted. The ordinance can go into effect 30 days after adoption but no sooner than January 1, 2020. Each of the building codes recommended for adoption have previously been in effect within the City, and the current editions will not result in any substantial changes to the City's development requirements or procedures.

Most of the amendments being implemented by the 2022 California Building Codes address building safety, fire safety, and energy saving advancements that have occurred since the last code adoption but does not necessarily include as dramatic of changes that had been seen in prior codes, such as the implementation of rooftop solar system in all new residential construction that was required as part of the 2019 Building Code adoption. A change to residential standards that is worth noting is new requirements regarding the provision for additional electrical connections to appliances, such as a stove, to encourage the installation of an electric version of those appliances in lieu of their natural gas counterpart. The City has maintained a number of standards and requirements associated with swimming pool design and security, consistent with the prior code adoption, as one of the City's local requirements.

One new element proposed for Council's consideration with the 2022 Code update is a permit requirement for the installation of a block wall on a single parcel. Currently, a permit is required for block walls constructed as part a commercial or a complete residential project, but a permit has not been required for walls constructed for an individual home. However, the Building and Safety Department has received concerns about block wall construction issues in the past, including a case where a block wall was constructed without concrete footings and ultimately toppled over. The proposed permit process would provide an inspection of the wall relative to the City's standard, consistent with the approach for other types of projects.

As previously stated, all of the 2022 California Building Codes will become effective automatically on January 1st regardless of the City's actions; however, by adopting the City's implementing ordinance, the City can address certain local conditions that are unique to the City of Yucaipa that may not apply to other parts of the state. The City will maintain its approach to projects that fall within this transition, where any project submitted for plan check prior to January 1, 2023, will be able to follow the current codes, provided a permit is issued prior to June 30, 2023, and where that permit remains active. Any and all applications that are submitted after January 1st will then be required to adhere to the new codes.

It should be noted that the State adopted Codes represent a minimum standard and local jurisdictions can only add regulations and clarification, but cannot reduce State regulations. The proposed Building, Electrical and Plumbing Code amendments largely represent items of clarification, many of which are administrative in nature. The proposed Fire Code amendments represent clarification unique to Yucaipa's proximity to fire severity zones. Regarding the Green Building Standards Code, the City of Yucaipa is not proposing to adopt any local amendments; therefore, the City would be adopting the Green Building Code consistent with the State Code. The current International Property Maintenance Code will also be adopted.

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

CONCLUSION:

That the City Council conduct a public hearing and approve second reading, by title only, as read by staff, of Ordinance No. 417, adopting by reference, and amending the current editions of certain California Building and Fire Codes related to the regulation of construction, and repealing

Ordinance No. 381 and all provisions in conflict therewith, and adopting Resolution No. 2022-58, setting forth findings for amendments to the 2022 California Codes relative to local conditions.

Attachments: Ordinance No. 417
Resolution 2022-58

Approved by: 

ORDINANCE NO. 417

AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF YUCAIPA, CALIFORNIA, ADOPTING BY REFERENCE, AND AMENDING PART 1 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2022 CALIFORNIA ADMINISTRATIVE CODE; PART 2 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA BUILDING CODE 2022 EDITION, VOLUMES 1 AND 2, WITH APPENDICES, F G, H, I, J, N AND CHAPTER 1 DIVISION II; PART 2.5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA RESIDENTIAL CODE 2022 EDITION, WITH APPENDICES; PART 3 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA ELECTRICAL CODE 2022 EDITION; PART 4 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; PART 5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA PLUMBING CODE, 2022 EDITION WITH APPENDIX H; PART 6 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA ENERGY CODE, 2022 EDITION; PART 8 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA HISTORICAL BUILDING CODE 2022 EDITION; PART 9 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA FIRE CODE, 2022 EDITION WITH APPENDIX CHAPTER 4, APPENDICES B,BB,C,CC, D,E,F,G,H,I,N AND O; PART 10 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; PART 11 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; PART 12 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE CALIFORNIA REFERENCED STANDARDS CODE, 2022 EDITION; THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND APPENDIX H; THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION,; REPEALING ORDINANCE NO. 381, AND ALL ORDINANCES AND PROVISIONS IN CONFLICT HEREWITH, AND AMENDING TITLE 15 OF THE YUCAIPA MUNICIPAL CODE.

WHEREAS, California Government Code Section 50022.1, et seq. provides that cities may adopt by reference, in whole or in part, the California Building Standards Code as well as other model and uniform codes; and

WHEREAS, a noticed public hearing was held by the City Council on November 14, 2022, concerning the adoption of this Ordinance; and

WHEREAS, California Health and Safety Code Section 17958.5 and Section 18941.5 allow local jurisdictions to amend Codes comprising the California Building Standards Code, provided that changes to building standards are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, it is in the interest of the public health, safety, and welfare to adopt these

Codes by reference and enact certain amendments thereto, as set forth herein, including amendments to building standards, because such changes to building standards are reasonably necessary based on local climatic, geological, and/or topographical conditions; and

WHEREAS, That the additional requirements and standards established herein are needed to properly protect the health, safety and welfare of the existing and future residents and workers within the City of Yucaipa. Said requirements and standards are reasonably necessary because of local climatic, geological, and topographical conditions and comply with existing state laws and regulations, and

WHEREAS, State law allows local governments to amend Codes comprising the California Building Standards Code, provided the amendments are more restrictive and are reasonably necessary. The City Council of the City of Yucaipa has made findings connected to these local climatic, geographical and topographical conditions and has adopted Resolution No. 2022-58.

NOW, THEREFORE, the City Council of the City of Yucaipa does ordain as follows

Section 1. Section 15.04.010 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.010 California Building Code adopted.

A. Except as hereinafter provided, the California Building Code Volumes 1 and 2, 2022 Edition (Part 2, Title 24, California Code of Regulations), which incorporates and amends the International Building Code, 2021 Edition, including California Building Code Chapter 1 Division II, and Appendices F, G, H, I J, and N published by the International Code Council, is hereby adopted by reference as the Building Code of the City of Yucaipa for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of Yucaipa, and providing for issuance of permits and collection of fees therefor. Each and all of the regulations, provisions, conditions and terms of the California Building Code, 2022 Edition, Volumes 1 and 2, and the secondary publications referenced above, not adopted or amended in the California Building Code, or amended herein, are hereby adopted by reference and made a part hereof as if fully set out in this ordinance.

B. A copy of the Building Code of the City of Yucaipa, including each and all of the codes referenced in subsection A, shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and shall be made available for public inspection while this Code is in force."

Section 2. Section 15.04.020 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.020 California Building Code amendments.

Section 104.8 of the CBC is amended to read as follows:

104.8 Liability. The Building Official or his or her authorized representative as employees or acting under contract as agents of this jurisdiction, charged with the enforcement of this code and the technical codes, acting in good faith and without malice in the discharge of their duties, shall not thereby be rendered personally liable for damage that may occur to persons or property as a result of an act or omission in the discharge of the assigned duties. A suit brought against the Building Official, employee or his/her authorized agent acting under contract of this jurisdiction, because of such act or omission performed by the Building Official, employee or his/her authorized agent acting under contract of this jurisdiction in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from shall be assumed by this jurisdiction.

This Code shall not be construed to relieve from or lessen the responsibility of any such person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code, or permits or certificates issued under this Code.

Section 105.2, exemptions 2, 9 and 14, of the CBC are amended to read as follows:

2. Fences not over 6 feet (2134 mm) high. Block walls not over 4 feet high (1219 mm).
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
14. Decks not over 200 square feet (18.58 m²) in area, that are not more than 30 inches (762mm) above grade at any point, and not attached to a dwelling and do not serve the exit door required by Section R311.2.

Section 105.5 of the CBC is amended to read as follows:

105.5 Expiration. Every residential permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 365 days after its issuance, or if work has been suspended or abandoned for a period of 180 days between each required inspection. Every commercial permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if work has been suspended or abandoned for a period of 180 days between each required inspection. The building official is authorized to grant, in writing, only one extension of time for a period of 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

Section 109.2 of the CBC is amended to read as follows:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and

plumbing systems, grading or alterations requiring a permit, a fee for each permit shall be paid as set forth in the most recent resolution of the City Council regarding fees for building, plumbing, mechanical, electrical, solar, fire and grading permits. When a plan or other data is required to be submitted by Section 106.1, the plan review fee, established by city council resolution, must be paid at the time of submitting plans and specifications for review.

Section 109.6.1 is added to the CBC to read as follows:

109.6.1 Fee refunds. The Building Official may authorize a refund of any fee that was erroneously paid or collected.

The Building Official may authorize a refund of not more than eighty percent (80%) of the applicable permit fee paid when no work has been done under the permit.

The Building Official may authorize a refund of **not more than** 80 percent of the plan review fee paid when an application for a permit is withdrawn or canceled before any examination time has been expended.

The Building Official may not authorize a refund of any fee paid except upon written application filed by the original permittee no later than 180 days after date of fee payment.

Section 109.7 is added to the CBC to read as follows:

109.7. Investigation fees: Work without a Permit.

109.7.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation will be made before a permit may be issued.

109.7.2 Fee. An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The investigation fee must be equal to the amount of the permit fee required by this code and will be established by City Council resolution. The payment of such investigation fee will not exempt an applicant from compliance with all other provisions of either this code or the technical codes, nor from the penalty prescribed by law.

Section 109.8 is added to the CBC to read as follows:

109.8 Reinspection Fees. A reinspection fee may be imposed for each inspection or reinspection, when such portion of work for which inspection is called is not complete or when required corrections are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as a method of controlling the practice of calling inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be imposed when the inspection record card is not posted, or otherwise not available on the work site; the approved plans are not readily available to the inspector; for failure to provide access on the date for which the inspection is

requested; or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection, the applicant must file an application in writing upon a city-approved form and pay the applicable reinspection fee.

In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

Section 111.3 of the CBC is amended to read as follows:

111.3 Temporary occupancy. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit and approvals; provided that such portion or portions shall be occupied safely, and approvals granted from associated departments. The building official shall set a time period during which the temporary occupancy is valid, and the applicant **shall** provide a bond or cash deposit for the cost of completion of the work.

Section 113.3 of the CBC is amended to read as follows:

Section 113.3 Board of appeals qualifications The City Council shall be designated as the board of appeals.

Section 202 of the CBC is amended by adding the following definitions to read as follows:

BARRIER means a fence, wall, building wall, or any combination of these that completely surrounds the swimming pool or yard and obstructs access to the swimming pool.

SWIMMING POOL means any body of water created by artificial means which is designed, intended for use, or used for swimming or immersion purposes, which has a water depth exceeding 18 inches. The term, "pool," includes swimming pools, spas, hot tubs, above-and below- ground, and vinyl-lined pools; pool does not include plumbing fixtures such as bathtubs nor does it apply to man-made lakes, reservoirs, farm ponds, or ponds used primarily for public park purposes, water conservation purposes, irrigation purposes or for the watering of livestock.

SPA, NON-SELF-CONTAINED means a hydro-massage pool or tub for recreational or therapeutic use, not located in health-care facilities, designed for immersion of users and usually having a filter, heater and motor driven blower. It may be installed indoors or outdoors, on the ground or on a supporting structure, or in the ground or in a supporting structure. A non-self-contained spa is intended for recreational bathing and contains water over 18 inches deep.

SPA, SELF-CONTAINED means a continuous-duty appliance in which all control, water-heating and water-circulating equipment is an integral part of the product, located entirely under the spa skirt. A self-contained spa is intended for recreational bathing and contains water over 18 inches deep.

Section 1505.1 of the CBC is amended to read as follows:

1505.1 General. Roof assemblies shall be divided into classes defined in this section. Class A and B roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E108 or UL 790.

Table 1505.1 of the CBC is amended to read as follows:

**TABLE 1505.1
MINIMUM ROOF COVERING CLASSIFICATION FOR
TYPES OF CONSTRUCTION ^a**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

FOR SI: 1 FOOT = 304.8 MM, 1 square foot = 0.0929m²
(footnote a: Unless otherwise required in accordance with Chapter 7A)

Section 1505.1.2 of the CBC is amended to read as follows:

1505.1.2 The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure, shall be fire-retardant roof covering that is at least Class B

Section 3109.1 of the CBC is amended to read as follows:

3109.1 General. The design and construction of swimming pools, spas and hot tubs shall comply with this Code, including Section 3109.2.

Section 3109.3 is added to the CBC to read as follows:

3109.3 Residential swimming pools. Residential swimming pools shall be completely enclosed by a barrier complying with California Residential Code Appendix AX, as amended.

Sections 3109.3.1 through 3109.3.3 are added to the CBC to read as follows:

3109.3.1 Barrier height and clearances. The top of the barrier must be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier must be two inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier must be four inches.

3109.3.1.1 Openings. Openings in the barrier must not allow passage of a 4-inch-diameter sphere.

3109.3.1.2 Solid barrier surfaces. Solid barrier surfaces which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

3109.3.1.3 Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not be greater than 1 ¾ inches in width. Where there are decorative cutouts within vertical members, spacing with the cutouts shall not be greater than 1 ¾ inches in width.

3109.3.1.4 Widely spaced horizontal members. Where the barrier is composed of horizontal members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members must not be greater than 4 inches. Where there are decorative cutouts within vertical members, spacing must not be greater than 1 ¾ inches in width.

3109.3.1.5 Chain link dimensions. Mesh size for chain link fences must not be greater than 1 ¾ inches in width, unless the fence is provided with slats fastened at the top or bottom that reduce the openings to not more than 1 ¾ in width. 3109.3.1.6 Diagonal members. Where the barrier is composed of diagonal members shall not be greater than 1 ¾ inches.

3109.3.1.6 Gates. Access gates must comply with the requirements of Sections 3109.3.1 through 3109.3.1.6 and must be equipped to accommodate a locking device. Pedestrian access gates must open outward away from the pool and must be self-closing and have a self-latching device. Doors or gates other than pedestrian access gates must have a self-latching device and must be equipped with lockable hardware or padlocks and must remain locked at all times when not in use. Release mechanisms must comply with Sections 1010.1.9 and 1109.13. Where release mechanisms of the self-latching device are located less than 60 inches above grade measured on the side of the barrier that faces away from the swimming pool, the release mechanism must be located on the pool side of the gate at least three inches below the top of the gate and the gate barrier may have no opening greater than one-half inch within 18 inches of the release mechanism.

3109.3.1.7 Dwelling wall as a barrier. Where a wall of a dwelling serves as part of the barrier, two safety devices must be provided in accordance with Section 115922 of the California Health and Safety Code.

3109.3.1.8 Pool structure as barrier. Where an above-ground pool structure, and the means of access is a ladder or steps, then the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier that meets the requirements of Sections 3109.3.1.1 through 3109.3.1.5. Where the ladder or steps are secured, locked or removed, any opening shall not allow the passage of a 4-inch-diameter sphere.

3109.3.2 Indoor swimming pools. Walls surrounding indoor swimming pools shall not be required to comply with Section 3109.3.1.1. through 3109.3.1.5

3109.3.3 Prohibited locations. Barriers shall be located as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers. There shall be a clear zone of not less than 36” between the exterior of the enclosure and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the enclosure.

Section 3109.4 is added to the CBC to read as follows:

3109.4 Withholding approval. Plaster inspection or approval to fill a pool and/or spa with water shall be withheld by the Building Official, until there has been compliance with all fencing and other requirements of this Section.

Appendices deleted. Appendices A, B, C, D, E, and K of the CBC are deleted.

Section 103.2 of Appendix J of the California Building Code is amended to read as follows:

J103.2 Exemptions. A grading permit shall not be required for the following:

When approved by the building official, grading, which consist of a fill less than 1 foot in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 2ft in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course. Such grading shall be in an isolated, self-contained area, provided there is no danger to the public, and such grading will not adversely affect adjoining properties

Excavation for construction of a structure permitted under this code.

- Cemetery graves.
- Refuse disposal sites controlled by other regulations.
- Excavations for wells, or trenches for utilities.
- Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties. Exploratory excavations performed under the direction of a registered design professional.

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Section J104.2.1 is added to Appendix J of the CBC to read as follows:

J104.2.1 Grading designation. All grading exceeding 500 cubic yards must be performed in accordance with the approved grading plan prepared by a civil engineer and will be designated as engineered grading. Grading involving less than 500 cubic yards will be designated regular grading, unless Building Official’s determines that special conditions or unusual hazards exist, in which case the grading must conform to the requirements for engineered grading.

Section J104.2.2 is added to Appendix J of the CBC to read as follows:

J104.2.2 Engineered grading requirements. Application for a grading permit must, at a minimum, be accompanied by, but not be limited to, two sets of plans and specifications, and supporting data consisting of a soils engineering report and engineering geology report. The plans and specifications must be prepared and signed by an individual licensed by the State to prepare such plans or specifications when required by the City Engineer or Building Official.

Specifications must contain information covering construction and material requirements.

Plans must be drawn to scale upon substantial mylar; must be of sufficient clarity to indicate the nature and extent of the work proposed; and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans must give the location of the work, the name and address of the owner, and the person who prepared the plans.

The plans must include, but not be limited to, the following information:

1. General vicinity of the proposed site.
2. Property limits and accurate contours of existing ground and details of terrain and area drainage.
3. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.
4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage area and the estimated runoff of the area served by any drains.
5. Location of any buildings or structures on the property where the work is to be performed, and the location of any buildings or structures on land of adjacent owners that are within 15 feet (4572 mm) of the property, or that may be affected by the proposed grading operations.
6. Recommendations included in the soils engineering report and the engineering geology report must be incorporated in the grading plans or specifications. When approved by the City Engineer or Building Official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference.
7. The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms, or individuals, who prepared the reports.

Section 105.1 of Appendix J of the CBC is amended by adding the following sentence:

'All grading equaling or greater than 5000 cubic yards shall be reviewed, permitted and inspected by the City Engineer or the Building Official per Resolution No. 90-100.'

Section 3. Section 15.04.025 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.025 California Residential Code adopted with amendments.

A. Except as hereinafter provided, the California Residential Code, 2022 Edition (Part 2.5, Title 24, California Code of Regulations) (“CRC”), which incorporates and amends the International Residential Code, 2021 Edition, published by the International Code Council, is hereby adopted as the Residential Code of the City of Yucaipa for regulating the design, construction, quality of materials, erections, installation, alteration, repair, location, replacement, addition to, use or maintenance of residential buildings in the City of Yucaipa, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such "International Residential Code," 2021 Edition published by the International Code Council, not adopted or amended in the California Residential Code, which are on file in the office of the Building Division of the Community Development Department in the City of Yucaipa, are hereby adopted by reference and made a part hereof as if fully set out in this ordinance.

B. A copy of the Residential Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.

Table R301.2 of the CRC is amended to read as follows:

TABLE 301.2
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				Seismic Design Category	Subject To Damage From			Winter Desig n Temp	Ice Barrier Underlaym ent	Flood Hazar d	Air Freezing	Mean Annu al Temp
	Speed	Topograp hic Effects	Specia l Wind Regio n	Wind Bourn e Debri		Weatherin g	Frost Line Depth	Termit e					
Zero	95/110	Yes	No/Yes	No	D ₁ ,D ₂ ,or E	Negligible	12-24”	Very Heavy	43	N0	Yes/N o	0	63

Sections R403.1.2, R403.1.3, R403.1.3.1 - R403.1.4, R403.1.3.6, and R403.1.6.1 of the CRC are amended to read as follows:

R403.1.2 Continuous footings in Seismic Design Categories D0, D1, D2, and E. Exterior walls of buildings located in Seismic Design Categories D0, D1, D2, and E, must be supported by continuous solid or fully grouted masonry or concrete footings. Other footing materials or systems must be designed in accordance with accepted engineering practice. The braced wall panels at exterior walls of buildings located in Seismic Design Categories D0, D1, D2 and E must be supported by continuous footings. All required interior braced wall panels in buildings must be supported by continuous footings.

The exception is deleted in its entirety.

R403.1.3 Footing and stem wall reinforcing in Seismic Design Categories D0, D1, D2 and E. Concrete footings located in Seismic Design Categories D0, D1, D2, and E, as established in Table R301.2(1), must have minimum reinforcement in accordance with this section and Figure R403.1.3. Reinforcement must be installed with support and cover in accordance with Section R403.1.3.5.

R403.1.3.1 Concrete stem walls with concrete footings. In Seismic Design Categories D0, D1, D2, and E, where a construction joint is created between a concrete footing and a concrete stem wall, a minimum of one No. 4 vertical bar must be installed at not more than four feet (4') on center. The vertical bar must have a standard hook and extend to the bottom of the footing and must support and cover as specified in Section R608.5.4.5. A minimum of one No. 4 horizontal bar must be installed within 12 inches of the top of the stem wall and one No. 4 horizontal bar must be located 3 to 4 inches from the bottom of the footing.

R403.1.3.2 Masonry stem walls with concrete footings. In Seismic Design Categories D0, D1, D2, and E, where a masonry stem wall is supported on a concrete footing, a minimum of one No. 4 vertical bar must be installed at not more than four feet (4') on center. The vertical bar must have a standard hook and extend to the bottom of the footing and must have support and cover as specified in Section R403.1.3.5.3 and extend a minimum of 14 inches into the stem wall. Standard hooks must comply with Section R608.5.4.5. A minimum of one No. 4 horizontal bar must be installed within 12 inches of the top of the wall and one No. 4 horizontal bar must be located 3 to 4 inches from the bottom of the footing. Masonry stem walls must be solid grouted.

R403.1.3.3 Slabs-on-ground with turned-down footings. In Seismic Design Categories D0, D1, D2, and E, slabs on ground cast monolithically with turned-down footings must have a minimum of one No. 4 bar at the top and the bottom of the footing or one No. 5 bar or two No. 4 bars in the middle third of the footing depth. Where the slab is cast monolithically with the footing, No. 3 or larger vertical dowels with standard hooks on each end must be installed at not more than 4 feet on center in accordance with Figure R403.1.3, Detail 2. Standard hooks must comply with Section R608.5.4.5.

R403.1.3.4 Interior bearing and braced wall footings in Seismic Design Categories D0, D1, D2, and E. In Seismic Design Categories D0, D1, D2, and E, interior footings supporting bearing walls or braced wall panels, and cast monolithically with a slab on grade, must extend to a depth of not less than 12 inches below grade.

R403.1.3.6 is deleted in its entirety.

R403.1.6.1 Foundation anchorage in Seismic Design Categories C, D0, D1, D2, and E. In addition to the requirements of Section R403.1.6, the following requirements apply to wood light-frame structures in Seismic Design Categories D0, D1, D2, and E and wood light- framed townhouses in Seismic Design Category C.

Section R902.1 of the CRC is amended to read as follows:

R902.1 Roof covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or B roofing shall be installed in areas designated by this section and in accordance with the High Fire Area requirements as set forth in other portions of this code. Class A or B roofing required by this section to be listed and tested in accordance with UL 790 or ASTM E 108.

Section R902.1.2 of the CRC is amended to read as follows:

R902.1.2 Roof coverings within all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure, shall be fire-retardant roof covering that is at least Class B

Section R902.2, first paragraph, of the CRC is amended to read as follows:

R902.2 Fire retardant-treated shingles and shakes. Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified for use on a Class A or B roof.”

Section 4. Section 15.04.030 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.030 California Electrical Code adopted with amendments.

A. Except as hereinafter provided, the California Electrical Code, 2022 Edition (Part 3, Title 24, California Code of Regulations), including all annexes (“CEC”), which incorporates and amends the National Electrical Code, 2020 Edition, published by the National Fire Protection Association, is hereby adopted by reference as the electrical code of the City of Yucaipa for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the City of Yucaipa, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions, and terms of such National Electrical Code, 2020 Edition, published by the National Fire Protection Association, not adopted or amended in the California Electrical Code, which are on file in the office of the Building Division of the Community Development Department in the City of Yucaipa, are hereby adopted and made a part hereof as if fully set out in this ordinance

B. A copy of the Electrical Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspections while this Code is in force.

c) Article 690.13 of the California Electrical Code is being amended to read as follows:

690.13 Photovoltaic System Disconnecting Means.

(A) **Location.** The PV disconnecting means shall be installed at a readily accessible location outside of a building or structure nearest the point of entrance of the system conductors. A single visible, lockable AC disconnect shall be within 3 feet of the meter on the exterior of the building. Where disconnecting means of systems above 30V are readily accessible to unqualified persons, any enclosure door or hinged cover that exposes live parts when open shall be locked or require a tool to open.”

Section 5. Section 15.04.040 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.040 California Plumbing Code with amendments.

A. Except as hereinafter provided, the California Plumbing Code, 2022 Edition (Part 5, Title 24, California Code of Regulations), including all appendices, which incorporates and amends the Uniform Plumbing Code, 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, including Uniform Plumbing Code Appendices thereto, not in conflict with the California Plumbing Code, is hereby adopted by reference as the Plumbing Code of the City of Yucaipa for regulating the design, construction, quality of materials, erections, installation, alteration, repair, location, replacement, addition to, use or maintenance of plumbing systems in the City of Yucaipa, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of the "Uniform Plumbing Code," 2021 Edition, not adopted or amended in the California Plumbing Code, and "IAMPO Installations Standards", 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, which are on file in the office of the Building Division of the Community Development Department in the City of Yucaipa, are hereby adopted by reference and made a part hereof as if fully set out in this ordinance

B. A copy of the Plumbing Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.

Section 710.1 of the California Plumbing Code is amended to read as follows:

710.1 Backflow Protection. Drainage piping serving fixtures which have flood level rims located less than 12" above the elevation of the next upstream manhole cover of the public sewer serving such drainage piping shall be protected from back flow of sewage by installing an approved type of backwater valve. Fixtures being served by a private sewage disposal may have their flood level rims located at the elevation of the next upstream manhole cover, fixtures above such elevations shall not discharge through the backwater valve.

Section 719.1 of the California Plumbing Code is amended to read as follows:

719.1 Locations. Cleanouts shall be placed inside the building near the connection between the building drain and the building sewer or installed outside the building at the lower end of the building drain and extended to grade, cleanouts are prohibited in garage floors.”

Section 6. Section 15.04.060 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby deleted in its entirety:

Section 7. Section 15.04.070 Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.070 California Mechanical Code adopted.

A. Except as herein after provided, the California Mechanical Code, 2022 Edition (Part

4, Title 24, California Code of Regulations), including all appendices, which incorporates and amends the Uniform Mechanical Code, 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference as the Mechanical Code of the City of Yucaipa for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilation, cooling, refrigeration systems, incinerators, or other miscellaneous heat-reducing appliances in the City of Yucaipa, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of the Uniform Mechanical Code, 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, that are not adopted or amended in the California Mechanical Code, are hereby adopted and made a part hereof as if fully set out in this ordinance.

B. A copy of the Mechanical Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.”

Section 8. Section 15.04.080 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.080 California Administrative Code adopted.

A. Except as hereinafter provided, the California Administrative Code, 2022 Edition (Part 1, Title 24, California Code of Regulations), including all appendices thereto, is hereby made a part hereof as though set forth in full and the same shall be established and adopted by reference as the rules, regulations, provisions and conditions for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use and maintenance of buildings or structures in the City; and is hereby adopted by reference as the Administrative Code of the City of Yucaipa

B. A copy of the Administrative Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.”

Section 9. Section 15.04.090 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.090 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

A. Except as hereinafter provided, the International Property Maintenance Code, 2021 Edition, published by the International Code Council, is hereby made a part hereof as though set forth in full and the same shall be established and adopted as the rules, regulations, provisions and conditions for the maintenance of buildings or structures in the City; and is hereby adopted by reference as the Property Maintenance Code of the City of Yucaipa

B. A copy of the International Property Maintenance Code of the City of Yucaipa shall

be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.”

Section 10. Section 15.04.110 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.110 California Fire Code adopted with amendments.

A. Except as herein after provided, the California Fire Code, 2022 Edition (Part 9, Title 24, California Code of Regulations), including appendices B, BB, C, CC, D, E, F, G, H, I, N and O , which incorporates and amends the International Fire Code, 2021 Edition, published by the International Code Council, is hereby adopted by reference as the Fire Code of the City of Yucaipa for regulating the design, construction, quality of materials, erection installation, alteration, repair, location, relocation, replacement, addition to, provisions of the Fire Code systems, or other provisions in the City of Yucaipa, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Fire Code 2021 Edition, not adopted or amended in the California Fire Code, and excepting Section 103, published by the International Code Council, which are on file in the office of the City Clerk, City of Yucaipa, are hereby adopted by reference and made a part hereof as if fully set out in this ordinance

B. A copy of the Fire Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.”

Section 11. Section 15.04.115 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended to read as follows:

“15.04.115 California Fire Code amendments.

The California Fire Code, as adopted herein, is amended as follows:

A. Definitions.

1. Wherever the word "Jurisdiction" is used in said California Fire Code, it shall mean the City of Yucaipa.
2. Wherever the term "Corporation Counsel" is used in said California Fire Code, it shall mean the City Attorney for the City of Yucaipa.
3. Wherever the term "Chief" is used in said California Fire Code, it shall mean the Fire Chief of the City of Yucaipa, or his or her authorized representative.
4. Wherever the term "Fire Department" is used in said California Fire Code, it shall mean the Fire Department of the City of Yucaipa.
5. An employee or agent of the City of Yucaipa, when enforcing the California Fire Code, the Yucaipa Municipal Code and other laws, rules and regulations relating to fire and life safety, fire prevention and fire investigation, shall be deemed a "Peace Officer" as those words are used in Section 830.31 of the California Penal Code.

B. Amendments.

A new Section 103.4 is hereby added to the California Fire Code to read as follows:

103.4 Cost Recovery. Fire suppression, investigation and rescue or emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1. Any person who negligently, intentionally, or in violation of law, causes an emergency response, including but not limited to, a traffic accident or spill of toxic or flammable fluids or chemicals, is liable for the costs of securing such emergency, including those costs set out in Health and Safety Code Section 13009, et seq., and Government Code Section 53150, et seq. Any expense incurred by the fire department for securing such an emergency may constitute a debt of such person and may be collectible by the City in the same manner as in the case of an obligation under contract, expressed or implied.

Section 104.1.1 is hereby added to the California Fire Code to read as follows:

104.1.1 Responsibilities. The Chief is authorized to administer and enforce this Code. Under the Chief's direction, the fire department is authorized to enforce all ordinances of the jurisdiction and the laws of the State pertaining to the prevention of fires, the suppression or extinguishment of dangerous or hazardous fires, the storage, use and handling of hazardous materials, the installation and maintenance of automatic, manual and other private fire alarm systems and fire-extinguishing equipment, the maintenance and regulation of fire escapes, the maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction, the maintenance of means of egress, and the investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials. Employees and agents of the City of Yucaipa are hereby authorized to interpret and enforce the provisions of this Code (except as provided in Section 108.1) and to make arrests and issue citations as authorized by law.

Section 107.1.1 is hereby added to the California Fire Code to read as follows:

107.1.1 Permit Fees. Permit fees as established by City Council resolution shall be collected by the Finance Department. Proof of receipt shall accompany all permit applications prior to inspection and approval by the fire department.

Section 111.1 of the California Fire Code is hereby amended to read as follows:

111.1 Board of Appeals Established. To determine the suitability of alternate materials and types of construction and to provide for reasonable and lawful interpretations of the provisions of this Code, there shall be and hereby is created a board of appeals, which shall be the City Manager of the City of Yucaipa, the Fire Chief, and the Planning Director. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing with a duplicate copy to the appellant.

Section 202 of the California Fire Code is hereby amended by adding the following

definitions:

ALL-WEATHER DRIVING SURFACE. is an approved concrete, asphalt, or engineered surface approved by the Code Official of sufficient thickness to support the imposed loads of fire apparatus.

BED AND BREAKFAST. See Lodging House.

EXPLOSIVE MATERIALS. Explosive materials are explosives, blasting agents and detonators including, but not limited to, dynamite and other high explosives; slurries, emulsions and water gels; black powder and pellet powder; initiating explosives; detonators or blasting caps; safety fuses; squibs; detonating cord; igniter cord; igniters and fireworks, 1.3G (Class B special fireworks) and any explosives as defined in Section 841 of Title 18 of the United States Code and published pursuant to Section 55.23 of Title 27 of the Code of Federal Regulations.

FIREWORKS. Fireworks means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment. The term fireworks includes, but is not limited to: devices designated by the manufacturer as fireworks, torpedoes, skyrockets, roman candles, rockets, Daygo bombs, sparklers, party poppers, paper caps, chasers, fountains, smoke sparks, aerial bombs, and fireworks kits. (H&SC 12511). Including, but not limited to, all fireworks defined in the California Health and Safety Code starting with Section 12500.

FIRE SAFETY OVERLAY DISTRICT shall mean the Fire Safety Overlay Districts (FR1 and FR2) designated in high fire hazard areas and identified on the City's General Plan hazards maps. Said areas (FR1 and FR2) may overlap or border areas identified by the State of California/Cal-Fire as "High Fire Severity Zone" or "Very High Fire Severity Zone". The State of California Fire Marshal has designated area in the north, northeastern and eastern portions of the City of Yucaipa as 'High Fire Hazard Severity Zone' or 'Very High Fire Severity Zone' areas, in which all new construction must comply with requirements of the California Building Code Chapter 7A. Changes to the Fire Code Chapter 2, Definitions. Section: 202 has been amended by adding to the definition of Fire Safety Overlay Districts to coordinate the City's existing labeled FR1 and FR2 zones into this new designation with State requirements. This change is also consistent with the City of Yucaipa General Plan.

HIGH EXPLOSIVE. An explosive material, such as dynamite, which can be caused to detonate by means of a No. 8 test blasting cap when unconfined and any explosive defined in Section 12000 of the California Health and Safety Code.

HAZARDOUS FIRE AREA. Land which is covered with grass, grain, brush or forest, whether privately, or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated on maps entitled "Hazardous Fire Areas of San Bernardino County" on file in the office of the Chief

MODEL ROCKET. Any toy or educational device, which weighs not more than 500 grams, including the engine and any payload, that is propelled by model rocket engines (H&SC 12519).

MODEL ROCKET ENGINE. A commercially manufactured, non-reusable rocket propulsion device which is constructed of a nonmetallic casing and solid propellant, wherein all of the ingredients are self-contained so as not to require mixing or handling by the user and which have design and construction characteristics determined by the State Fire Marshal to provide a reasonable degree of safety to the user (H&SC 12520).

Section 305.5.1 is hereby added to the California Fire Code to read as follows:

305.5.1 Spark Arresters Required. All chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrester, and the spark arrester shall meet all of the following requirements:

1. The net area of the spark arrester shall not be less than four times the net area of the outlet of the chimney.
2. The spark arrester screen shall have heat or corrosion resistance equivalent to 12 gage wire, 19 gage galvanized wire, or 24 gage stainless steel.
3. Openings shall not permit the passage of spheres having a diameter larger than 1/2-inch and shall not block the passage of spheres having a diameter of less than 3/8-inch.
4. The spark arrester shall be accessible for cleaning and the screen or chimney cap shall be removable to allow for cleaning of the chimney flue.

Section 307.1.2 is hereby added to the California Fire Code to read as follows:

307.1.2 Burning Operations. The burning of salvage vehicles and salvage or waste materials shall be prohibited.

Section 307.1.2.1 is hereby added to the California Fire Code to read as follows:

307.1.2.1 Material restrictions. Open burning of rubbish containing paper products, trash and debris containing non-organic material is prohibited.

Section 315.8. is hereby added to the California Fire Code to read as follows:

315.8 Removal. Combustible rubbish stored in containers outside of noncombustible vaults or rooms shall be removed from buildings at least once each working day or when determined by the Chief to be a fire hazard.

Section 315.9 is hereby added to the California Fire Code to read as follows:

315.9 Abatement. In the event that abatement is not performed as required in this code, the Chief may give notice to the owner of the property upon which such condition exists to correct such prohibited condition, and if the owner fails to correct such condition the Chief may cause the same to be done and make the expense of such correction a lien upon the property upon which such condition exists.

Section 324 is hereby added to the California Fire Code to read as follows:

SECTION 324 USE OF EQUIPMENT

324.1 General. Except as otherwise provided in this section, no person shall use, operate, or cause to be operated, in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrester maintained in effective working order, or the engine is constructed, equipped, and maintained for the prevention of fire.

324.2 Spark arrester. Spark arresters affixed to the exhaust system of engines or vehicles subject to this section shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

324.3 Specifications. A spark arrester is a device constructed of nonflammable material specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch (0.58 mm) in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels, or which is qualified and rated by the U.S. Forest Service.

EXCEPTIONS: Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California. Turbocharged engines are not subject to this section if all exhaust gasses pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in effective mechanical condition.

Section 325 is hereby added to the California Fire Code to read as follows:

Section 325 RESTRICTED ENTRY

325.1 General. The Chief shall determine and publicly announce when hazardous fire areas shall be closed to entry and when such areas shall again be opened to entry. Entry on, and occupation of, hazardous fire areas, except public roadways, inhabited areas, or established trails and camp sites which have not been closed during such time when the hazardous fire area is closed to entry, is prohibited.

EXCEPTIONS: (1) Residents and owners of private property within hazardous fire areas, and their invitees and guests going to, or being upon, their lands; (2) Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department, and members of the U.S. Forest service

Section 326 is hereby added to the California Fire Code to read as follows:

SECTION 326 TRESPASSING ON POSTED PROPERTY

326.1 General. When the fire code official determines that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the

density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

326.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to applicable fire code chapters shall be placed on every closed area.

326.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

EXCEPTION: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state or federal public officers and their authorized agents acting in the course of duty.

Section 327 is hereby added to the California Fire Code to read as follows:

SECTION 327 EXPLOSIVES AND BLASTING

327.1 General. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported, or disposed of within hazardous fire areas except by permit from the fire code official.

Section 328 is hereby added to the California Fire Code to read as follows:

SECTION 328 OUTDOOR FIRES

328.1 General. Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas except by permit from the fire code official.

EXCEPTION: Outdoor fires within habited premises or designated camp sites where such fires are built in a permanent barbeque, portable barbeque, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9,144 mm) from a grass-, grain-, brush-, or forest-covered area.

328.2 Permits. Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas under the following conditions:

1. When high winds are blowing.
2. When a person aged 17 or over is not present at all times to watch and tend such fire.
3. When public announcement is made that open burning is prohibited.

328.3 Prohibited Burning. Permanent barbeques, portable barbeques, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash, or combustible waste material.

Section 503.1 of the California Fire Code is hereby amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in

accordance with sections 503.1.1 through 503.1.5

Section 503.1.4 is hereby added to the California Fire Code to read as follows:

503.1.4 Fire Apparatus Access. Plans for fire apparatus access roads or modification of fire apparatus access roads shall be submitted to the fire marshal for review and approval prior to construction.

Section 503.1.5 is hereby added to the California Fire Code to read as follows:

503.1.5 Fire lane designation. The Chief may designate fire apparatus access roads as "Fire Lane," pursuant to the provisions of Vehicle Code Section 22500.1.

Section 503.2.3 of the California Fire Code is hereby amended to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus, minimum of 75,000 lbs., and shall be provided with a surface so as to provide all-weather driving capabilities. Gravel, Turf block, Ritter Rings, Turf Paver and other similar products shall not be used for fire department access surfacing.

Section 503.2.7 of the California Fire Code amended to read as follows:

503.2.7 Grade. The gradient for fire apparatus access road grades shall not exceed the maximum of 12% unless approved by the Chief.

Section 505.1 of the California Fire Code is hereby amended to read as follows:

505.1 Premises Identification. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

New Group R, Division 3 Occupancy addresses shall be posted with a minimum of 4-inch (102 mm) numbers, visible from the street, and during the hours of darkness the numbers shall be low voltage, internally electrically illuminated. Posted numbers shall contrast with their background and be legible from the street. Where building setbacks exceed 100 feet (30,480 mm) from the roadway or where the addresses are not visible from the roadway, additional non-illuminated contrasting 4-inch (102 mm) numbers shall be displayed at the property entrance.

New Group A, B, E, F, H, I, L, M, R Division I and S occupancy addresses shall be posted with a minimum of 8-inch (203 mm) numbers, visible from the street, and during the hours of darkness shall be electrically illuminated. Where the building setback exceeds 200 feet (60,960 mm) from the roadway or where the addresses are not visible from the roadway, additional non-illuminated contrasting 6-inch (152 mm) numbers shall be displayed at the property entrance. Commercial occupancies with multiple tenants shall be posted with a minimum of 3-inch contrasting numbers displayed on the rear doors of the tenant spaces.

Section 505.1.1 is hereby added to the California Fire Code to read as follows:

505.1.1 Map directory. A lighted directory map shall be installed and maintained at each driveway entrance to multiple unit residential projects and mobile home parks, where the total number of units in the project exceeds fifteen (15).

Section 605.3.1 is hereby added to the California Fire Code to read as follows:

605.3.1 Sparks from Chimneys. Chimneys used in conjunction with fireplaces or heating appliances in which solid or liquid fuel is used shall be equipped and maintained with an approved / listed spark arrester. An approved spark arrester shall mean a device constructed of stainless steel, copper, brass or woven galvanized wire mesh. The spark arrester screen shall have heat and corrosion resistance equivalent to 12-gauge wire, 19-gauge galvanized wire or 24-gauge stainless steel. Openings shall not permit the passage of spheres having a diameter larger than 1/2-inch (12.7 mm) and shall not block the passage of spheres having a diameter of less than 3/8-inch (9.5 mm). The screen shall be mounted per the manufacturers listing in or over all outside flue openings in a vertical or near vertical position, adequately supported to prevent movement and visible from the ground.

Section 605.3.2 is hereby added to the California Fire Code to read as follows:

605.3.2 Incinerators. Free-standing noncommercial incinerators are prohibited. Commercial and industrial incinerators shall be in accordance with other governing agencies regulating emissions. For other requirements and for other types of incinerators, see the Building and Mechanical Codes.

Section 905.4 of the California Fire Code is hereby amended by adding the following:

7. The centerline of the 2.5" outlet shall be no less than 18" above, and no more than 24" above, the finished floor.
8. Outlets shall be provided on every floor of the building.
9. Every new building with any horizontal dimensions greater than 300 feet (91,440 mm) shall be provided with either access doors or a 2.5" outlet so that all portions of the building can be reached with 150 feet (45,720 mm) of hose from an access door or hose outlet. Required access doors shall be located in the exterior of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than 3 feet (914 mm) in width, and not less than 6 feet 8 inches (2,032 mm) in height.

Section 2809.1.1 is hereby added to the California Fire Code to read as follows:

2809.1.1 Pallet Yards. Pallet storage, handling, repair or manufacturing shall comply with the requirements of this Article. Pallets must be stored in an orderly manner not to exceed 16 feet in height, 20 feet in width, and 70 feet in length. Pile separation shall be a minimum of 20 feet and no closer than 26 feet to property lines or exposures. Fire department access roadways shall be no less than 26 feet in width with a vertical clearance of 14 feet 6 inches. All fire department roadways shall be maintained within 150 feet of all pallet storage and

structures. Pallet yards shall be considered as a heavy industrial use.

Section 3703.4.1 is hereby added to the California Fire Code to read as follows:

3703.4.1 Storage of Agricultural Products. Hay, straw and other similar agricultural products shall not be stored adjacent to buildings (except shade structures), property lines, or other combustible material unless a cleared horizontal distance equal to the height of pile or 20 feet, whichever is greater, is maintained between such storage and combustible material, property lines and buildings.

Section 4901.3 is hereby added to the California Fire Code to read as follows:

4901.3 General. A Fuel Modification Plan, approved by the Chief, may be required for new development within the fire overlay districts. The Fuel Modification Plan shall include mitigation measures consistent with the unique problems resulting from the location, topography, flammable vegetation and climate of the proposed site within the FR1 and FR2 Zones. The Fuel Modification Plan shall address water supply, access, building ignition and the fire resistance, fire protection systems and equipment, defensible space and vegetation management. The Fuel Modification Plan shall be consistent with the Interface Code, Appendix TIA and the City of Yucaipa Development Code, or at the option of the Chief, with other nationally recognized standards and good practice.

Section 4905.4 is hereby added to the California Fire Code to read as follows:

4905.5 Construction Within FR-1 and FR-2 Overlay Zones

1. General Provisions

- a. The provisions of this section shall apply to all phases of a development project.
- b. A notice of all land use applications and/or development permits that would lead to the construction of structures or the subdivision of land shall be filed with the responsible fire authority by the Community Development Department.
- c. All proposed land use applications that would lead to the construction or expansion of a structure or the subdivision of land shall be submitted to the responsible fire authority and the appropriate Resource Conservation District Office for review and recommendation. Any recommendations received shall be indicated in any staff report and/or presentation for the proposed development and shall be incorporated into the conditions of approval where possible.
- d. All proposed development must meet all other applicable standards set forth by the responsible fire authority.
- e. When the requirements of the underlying land use district or an applicable specific plan are more restrictive than the provisions of this section, such requirements shall prevail.

f. When an addition, alteration, enlargement or reconstruction of a structure equals or exceeds fifty percent (50%) of the existing structure, or twenty-five percent (25%) of the roof for the roofing requirements only, the provisions of the City of Yucaipa Development Code, regarding construction requirements shall apply to the entire structure and/or the whole roof as applicable. Such structures and/or roofs shall be entirely retrofitted to comply with the provisions of this section.

2. Division of Review Areas

The Fire Safety Review Areas, as established by CAL FIRE and adopted by the City of Yucaipa. Each represents a different level of wildland hazard. A different set of requirements is applied in each review area. The provisions for these requirements, are cumulative in that all of the requirements that are specified for Fire Safety

Review Area 2 shall also apply to Fire Safety Review Area 1, in addition to those specified for only Fire Safety Review Area 1.

a. Fire Safety Review Area 1 (FR1)

Fire Safety Review Area 1 includes wildland areas that are marginally developable, areas which are not likely to be developed, and the area of transition between wildlands and areas that are partially developed or are likely to be developed in the future. The area of transition is often characterized by an abrupt slope change. Natural hazards are prevalent throughout Area 1, especially in areas with natural ungraded slopes greater than thirty percent (30%). Area 1 includes areas of very high to extreme fire hazard.

b. Fire Safety Review Area 2 (FR2)

Land within Area 2 is relatively flat, and is either partially or completely developed, or, if it is not developed, is usually suitable for development. Present and future development within Area 2 is exposed to the impacts of wild land fires and other natural hazards primarily due to its proximity to Area 1.

3. Area FR1 and FR2 Requirements

a. Construction Requirements

(1) Roof coverings shall be either non-combustible or fire retardant with a minimum Class A rating, as defined in the California Building Code. Wood shake or shingle roof coverings are not permitted.

(2) Every chimney used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel is used, shall be maintained with a spark arrester. An approved spark arrester shall mean a device constructed of stainless steel, copper or brass, woven galvanized wire mesh, twelve (12) gauge minimum of three-eighths (3/8) inch minimum to one-half (1/2) inch maximum openings, mounted in or overall outside flue openings in a

vertical and near vertical position, adequately supported to prevent movement and visible from the ground.

(3) Louvers, ventilators, or openings in walls, roofs, attics, and under floor areas having headroom less than four (4) feet in height which are not fitted with sash or doors, shall be covered with wire screen. The screen covering such openings shall be of galvanized metal or copper and shall have a maximum mesh of one-quarter (1/4) inch.

(4) Eave-type attic ventilators are prohibited.

(5) The space between rafters at exterior walls shall be solidly filled with tight-fitting wood blocks at least one and one-half (1-1/2) inches thick.

(6) Fuel tanks (e.g., liquefied petroleum tanks) shall be located at least ten (10) feet away from any structure and in accordance with the California Fire Code.

(7) All non-accessory buildings shall have reflective and noncombustible building address numbers with at least three inch (3") high lettering visible from the road on which the structure fronts.

(8) All buildings on lots created after the effective date of this section shall be set back at least thirty feet (30') from the boundary of the San Bernardino National Forest.

(9) Structures in areas with slopes exceeding thirty percent (30%) and thirty feet (30') in height shall comply with the following:

(a) Where structures are proposed or within two hundred (200) feet of slopes that are greater than thirty percent (30%) prior to grading and where such slopes are at least thirty (30) feet in height, the vegetation on such slopes shall be treated in such a manner that it becomes a fuel modified area. Such fuel modified area shall be maintained for either the entire slope, or one hundred (100) feet, or to the property line, whichever distance is less.

(b) Where grading is utilized which does not conform to the natural slope and the graded area is adjacent to natural ungraded slopes which are greater than thirty percent (30%) and which are greater than thirty (30) feet in height, structures shall be set back at least thirty (30) feet from the edge(s) of the graded area adjacent to such natural ungraded slopes.

(10) All areas used for the storage of firewood, or other flammable materials shall either be at least thirty (30) feet away from all structures, or wholly enclosed within a structure.

(11) Fire hydrants shall be identified by a method specified by the Fire

Authority.

(12) There shall be vehicular access, at least twelve (12) feet in width, to within at least ten (10) feet of any static water source including ponds, lakes, swimming pools, reservoirs and water storage tanks. Access shall be either to a plumbed outlet with two and one-half (2-1/2) inch National Hose Thread Fitting or directly to the source. This requirement shall be waived if the fire authority determines that the water source is sufficiently below the elevation of existing or proposed roads or driveways to make drafting of water from the source through a plumbed outlet infeasible, and that direct vehicular access to the water source would require an impractical extension of a road or driveway.

b. Building Separations

(1) Building Separation Standards

(a) All buildings on parcels created after the effective date of this section and all other parcels with lot widths sixty (60) feet or greater shall have exterior wall separations of at least thirty (30) feet.

(b) All buildings on parcels created prior to the effective date of this section with lot widths less than sixty (60) feet shall have interior side yards which shall not be less than five (5) feet and need not exceed fifteen (15) feet. In no case shall exterior wall separations be less than ten (10) feet for all buildings, including those on adjoining parcels.

(c) When exterior walls of residential and accessory buildings or portions thereof are within fifteen (15) feet of interior side or rear lot lines, or the exterior wall separation is less than thirty (30) feet, the following shall apply:

(i) The outside of all such exterior walls or portions thereof shall be covered with materials which are approved for exterior locations and are of fire resistive construction as defined in the California Building Code.

(ii) All exterior doors made of wood or wood portions shall be solid core wood, and

(iii) Windows, skylights, sliding glass doors or glass inserts in doors shall be constructed of approved tempered dual-pane glass.

(2) Intent of Standards

The intent of the exterior wall separation standards is to reduce the exposure and risk from adjacent structural fires and to reduce the potential spread of fire from structure to structure.

(3) Alternate Measures (Exterior Wall Separation)

Pursuant to Subsection 5, of this section and dependent upon site specific conditions, the following measures or combinations thereof may be substituted for the exterior walls separation requirements specified for all buildings in Subsection b.(1)(a) above; provided, that in no case shall such exterior wall separations be less than ten (10) feet:

(a) The expansion of fuel modified areas around the development perimeter of the development project beyond that required through the provisions of this section or other parts of this Title.

(b) A substantial transfer of density from steeper slopes, including areas with slopes less than thirty percent (30%) if they exist on site, to less steep areas within the development project.

(c) Clustering of structures away from the development perimeter and away from fire hazardous areas. When this alternative is utilized, multi-residential dwelling units shall be located as far as practical from fuel modified areas and fire hazardous areas.

(d) The provision of more fire resistive construction standards than normally required through the provisions of the Fire Safety (FR) District and otherwise required through the California Building Code or California Fire Code.

(e) Other alternate measures if approved by the Community Development Department pursuant to the provisions of Subsection 5 of this Section.

c. Project Design Requirements

(1) All development projects and each phase thereof, except for a development project located exclusively on a cul-de-sac, shall have a minimum of two (2) points of vehicular ingress and egress, designed to City roadway standards, with a minimum width of twenty-four 24 feet of all-weather surface as defined in the California Fire Code, from existing and surrounding streets. One such point of vehicular access may be an emergency access route with an all-weather surface if the Community Development Department makes and justifies all of the following findings:

(a) Two points of non-emergency access are physically infeasible.

(b) Provisions have been made to reasonably ensure that the emergency access will be maintained.

(c) Based on the review and consideration of the Fire Authority's recommendation, the emergency access route will provide adequate vehicular ingress and egress during emergencies.

(2) All development projects shall provide eight (8) inch or larger circulating (loop) water mains as required by the California Fire Code, proper hydrant location and spacing, and have sufficient water storage capacity to provide the minimum fire flow duration requirements (gallons per minute (GPM) for a minimum number of hours or portions thereof) as specified by the minimum system standards established by the Fire Authority. Circulating (loop) mains are not required for cul-de-sacs and are not required for subdivisions that exclusively take all access from cul-de-sacs. In areas not served by water purveyors, on-site fire flow and water storage requirements will be as specified by the California Fire Code.

(3) All public or private streets within or bordering a development project shall have noncombustible and reflective street name signs designed to City standards and visible at all street intersections.

(4) Fuel Modification Areas

(a) A permanent fuel modification area may be required around development projects or portions thereof that are adjacent or exposed to hazardous fire areas for the purpose of fire protection. The recommended width of the fuel modification area shall be determined by the responsible Fire Authority in conjunction with the Fire Department, but in no case shall it be less than the lot line one hundred (100) feet in width as measured from the development structure(s) perimeter. The width of the fuel modification area shall be determined based upon:

(1) The natural ungraded slope of the land within the project and in the areas adjacent to the project;

(2) Fuel loading;

(3) Access to the project and access directly to the fuel modified area;

(4) The on-site availability of water that can be used for firefighting purposes;

(5) Adequate provisions shall be made for the continual maintenance of such areas, and, where feasible, such areas shall be designated as common open space rather than private open space;

(6) Fuel modification areas shall also incorporate soil erosion and sediment control measures to alleviate permanent scarring and accelerated erosion.

(b) When development projects are phased, individual phases may be required to provide temporary fuel modification areas, where the development perimeter of a phase is contiguous to a subsequent phase of a project, which in its undeveloped state is a hazardous fire area. The need for a temporary fuel modification area shall be determined by the responsible fire authority in conjunction with the Fire Department and shall be based upon the same consideration described in Subsection c.(4)(a) of this Section for permanent fuel modification areas.

(c) Erosion and Sediment Control

All development projects, building permits, grading and any other significant land disturbing activity shall install erosion control measures in compliance with the provisions established by Title 16, Land Use and Development of the Highland Municipal Code for such erosion control measures.

4. Additional Area 1 (FR1) Requirements

The following requirements apply only to Area 1, in addition to those specified for both Areas 1 and 2.

a. Construction Requirements

(1) The outside of all exterior walls shall be covered with materials which are approved for exterior locations and listed as one (1) hour fire resistive construction as defined in the California Building Code. All exterior doors made of wood or wood portions shall be solid core wood.

(2) All windows, skylights, sliding glass doors or glass inserts in doors shall be constructed of approved tempered dual-pane glass.

(3) Cantilevered or standard type decks shall be constructed with:

(a) A minimum of at least one and one-half (1-1/2) inch wood decking; and/or

(b) Protected on the underside with materials approved for one (1) hour fire-resistive construction; and/or

(c) Be of noncombustible materials, as defined in the California Building Code.

(4) Patio covers attached or within ten (10) feet of a residential structure with plastic, bamboo, straw or fiberglass or wood lathe lattice made of materials which are one-half (1/2) inch or less in width shall be prohibited.

(5) Exposed piping, except for plumbing vents above the roof, shall be noncombustible as defined in the California Building Code.

(6) A fire hydrant capable of providing the minimum fire flow as required in California Fire Code Appendix B, with at least (1/2) one half inch hose connection shall be available within 600 feet of any portion of the structure.

(7) All fences required adjacent to fuel modification areas or wildland areas as conditions of approval for a development project shall be constructed of noncombustible materials as defined in the California Building Code. All other fences, including those on the interior of such development project, are not subject to this requirement.

(8) Private driveways or access roadways for residential units shall not exceed one hundred fifty (150) feet in length, unless approved by the fire authority pursuant to Section 503; and Appendix D of the California Fire Code.

(9) Roof coverings shall be either non-combustible or shall be fire retardant material not composed of organic fiber with minimum Class A rating, as defined in the California Building Code.

(10) Unenclosed or project roof-ceiling or roof-ceiling assemblies which contain concealed space shall have the ceiling protected on the exposed surface with materials approved for one hour construction.

b. Project Design Requirements

(1) Every development project application submitted to the Community Development Department shall be reviewed by Community Development Department staff through a pre application conference with the project proponent prior to the acceptance of the application for filing.

(2) A slope analysis shall be filed with all development project land use applications. The slope analysis shall include the following information:

(a) A topographic map of the proposed project area and all adjoining properties within one hundred fifty (150) feet at a scale of not less than one (1) inch to two hundred (200) feet. The counter interval shall not be more than two (2) feet except that the contour interval may be five (5) feet if the general natural ungraded slope is more than ten percent (10%). Contour lines are to be obtained by aerial or field survey, done under the supervision of a licensed Land Surveyor, or Registered Engineer.

(b) The natural, ungraded slope categories to be computed are zero percent (0%) to less than fifteen percent (15%), fifteen percent (15%) to less than thirty percent (30%), thirty percent (30%) to less than forty percent (40%), and forty percent (40%) or greater.

(c) The area, in acres, shall be tabulated for each category.

(3) A preliminary grading plan shall be filled with all development project land use applications, except that preliminary grading plan requirements may be waived by the Community Development Director if it is determined through the required pre-application conference that such requirements are unnecessary due to site specific soils, topographic or other physical conditions, or due to the specific design of the project. The preliminary grading plan shall include the following:

(a) A topographic map of the proposed project area and all adjoining properties within one hundred fifty (150) feet at a scale of not less than one (1) inch to two hundred (200) feet. The contour interval shall not be more than two (2) feet except that the contour interval may be five (5) feet if the natural ungraded slope is more than ten percent (10%). Contour lines to be obtained by aerial or field survey, done under the supervision of a licensed Land Surveyor, or Registered Engineer.

(b) Contours of the finished graded slope shall be shown at intervals similar to that on the topographic base map.

(d) Street grades, slope ratios, flow lines, pad elevations, maximum elevation of top and minimum elevation of toe of finished slopes over five (5) feet in vertical height, the maximum heights of those slopes approximate total cubic yards of cut and fill shall be shown on the preliminary grading plan.

(e) Compliance with Appendix J of the current edition of the California Building Code, as adopted by the City of Yucaipa, is required.

(f) In the event no such grading is proposed, a statement to that effect shall be placed on the required topographic map described in Subsection 2(a) above and this map shall delineate the boundary of an adequately sized building pad, driveway and septic system (if proposed) for each parcel proposed.

(4) Perimeter Access to Fuel Modified and Fire Hazard Areas.

(a) Standards

Development projects shall provide for adequate vehicular access

for fire fighting vehicles to the development perimeter of the project along the portion of the development perimeter that is adjacent to either an existing or proposed fuel modified area or a fire hazard area. Provisions shall be made and shall be required, where necessary, through conditions of, development project approval for the continual maintenance of the areas intended to provide such access. Perimeter access shall be provided, either through one of the following two measures or through the alternate measures cited in this Section:

(i) The provision of an existing or proposed road along the development perimeter, or portion thereof that is exposed to a fire hazard or fuel modified area, and which is accessible to firefighting equipment. Such a road shall be capable of supporting firefighting equipment, shall be at least twenty (20) feet in width and shall not exceed a grade of sixteen percent (16%). The conditions of approval for the development project shall require provisions to ensure that the roadway will be maintained if it is not within the publicly maintained road system.

(ii) Development projects shall provide access ways, at least fourteen 14 feet in width, with a grade not to exceed sixteen percent (16%) and capable of supporting fire fighting vehicles, between the development perimeter and proposed or existing streets. Access ways shall be spaced at intervals of no more than an average of three hundred fifty (350) feet along each street. The conditions of approval for the development project shall require specific provisions to ensure that access ways will remain unobstructed and will be maintained. Where feasible, access ways may not be paved and shall be designed so as not to detract from the visual quality of the project.

(b) Intent of Standards

The intent of the standards described in Subsection 4.b.(6) is to permit fire fighting vehicles to have adequate access into areas between fire hazardous areas or fuel modified areas and the development perimeter, so that a wildland fire can be contained at the development perimeter and prevented from spreading to structures. An additional intent of these standards is to prevent structural development from becoming a barrier between firefighting equipment and personnel and the development perimeter.

(c) Alternate Measures

Pursuant to Subsection 5 of this Section and dependent upon site

specific conditions, alternate measures which meet the intent of the standard in Subsection 4.b.(6)(a) above for providing perimeter access to fuel modified and fire hazard areas may be utilized.

(5) Length of Cul-de-sacs

(a) Standard Cul-de-sacs shall not exceed three hundred fifty (350) feet in length, except that they may be extended as allowed by this subsection.

(b) Exception for parcels of less than five (5) acres in area. Cul-de-sacs may exceed three hundred fifty (350) feet in length but shall not exceed six hundred (600) feet in length if:

(i) Alternate measures are utilized pursuant to the provisions of Section 19.50 of this Article or;

(ii) Based upon consideration of the recommendation of the Fire Authority, the Community Development Department determines that the cul-de sac is situated and designed such that the parcels taking access from it are not contiguous to or exposed to either undeveloped fuel modified areas along the development perimeter of the project or to fire hazard areas, and that the extension of the cul-de sac will not increase the exposure of buildings to wildland fires.

(c) Exception for parcels greater than five (5) acres in area. Cul-de-sacs may exceed six hundred (600) feet in length if all parcels that take access from the cul-de-sac are five (5) acres or greater in area and:

(i) The proposed cul-de-sac is not within or adjacent to areas that are zoned for or subdivided to parcels of five (5) acres or less.

(ii) Alternate measures are utilized pursuant to the provisions of Subsection 5 of this Section.

(d) Intent of Standard

The intent of limiting cul-de-sac lengths is to limit the exposure of development and human activity to hazardous fire areas where one rather than two points of access are provided, especially when such cul-de-sacs are directly exposed to fire hazard areas. The provision of only one point of access increases exposure to fire and inhibits the fighting of wild land fires due to the following factors:

- (i) If the single access point becomes blocked, structures exposed to fire cannot be protected by fire fighting vehicles.
- (ii) Fire fighting vehicles can be trapped on a cul-de-sac if the single access is blocked.
- (iii) In order for fire fighting vehicles to turn around, they usually must travel to the end of the cul-de-sac where adequate room for turning is available.
- (iv) All vehicles evacuating a cul-de-sac during a fire will be traveling in the opposite direction to fire fighting vehicles moving into a cul-de-sac, impeding the ingress of the fire fighting vehicles as well as the egress of the evacuees.
- (v) Development of individual cul-de-sacs which intrude into and are generally surrounded by rugged wild land terrain have greater exposure to wild land fire because the fire may come from several directions at once.

(e) Alternate Measures

Pursuant to Subsection 5 of this Section and dependent upon site specific conditions, one of the following measures or combinations thereof may be used to mitigate the effect of creating cul-de-sacs up to six hundred (600) feet in length with parcels less than five (5) acres in area:

- (i) Limitation of the total number of dwelling units which have access to the cul-de-sac to no more than fifteen (15), and restriction of further subdivision of parcels and construction of additional independent residential units which have access to the cul-de-sac. Such restrictions shall be imposed through the conditions of approval of the development project.
- (ii) A continuous perimeter access road at least twenty (20) feet in width is provided along the portion of the cul-de-sac exposed to fire hazard or fuel modified areas such that it is drivable under normal conditions by fire fighting vehicles, provides adequate maneuvering space for such vehicles, and is designed such that at least one point of access to the perimeter access road is taken from roads other than the cul-de-sac in question.
- (iii) The cul-de-sac road will have a paved width of at least forty (40) feet with posted no parking for its entire

length and there is at least one area approximately at the midpoint of the cul-de-sac that serves the same function of a cul-de-sac bulb in allowing fire fighting vehicles adequate room to turn around. This measure may only be utilized if the expansion of the road width will not contribute to slope stability hazards either on or off-site.

(iv) Other alternate measures approved by the Community Development Department pursuant to Subsection 5 of this Section.

(6) Alternate Hazard Protection Measures

(a) Applicability

The following provisions shall apply only to the standards and requirements of Subsections 3.b., regarding building separations; 4.b.(6), regarding perimeter access; and 4.b.(7) regarding length of cul-de-sacs.

(b) Intent

The intent of this subsection is to allow greater design flexibility than would otherwise be permitted in order to provide a more efficient and effective achievement of the purposes of the Fire Safety Regulations: Design flexibility is provided by allowing the substitution of alternate measures for the established standards or requirements if it is found that they provide the same or a greater level of protection from wildland fires and other natural hazards, and that they will fulfill the same purpose as the established standard or requirements.

(c) Substitution of Alternative Measures for Standards and Requirements

(1) If alternative measures are proposed, the Fire Department shall determine, with specific consideration of the effect of the proposed alternative measures, whether the proposed development project has adequate provisions for fuel modification and management, including the ongoing maintenance of fuel modified areas.

(2) If the Fire Department makes a positive determination pursuant to Subsection 5.c.(1) of this Section, then alternate measures may be substituted for the established standards and requirements if the Community Development Department with consideration of the recommendation of the Fire Authority, finds and justifies all of the following:

(a) Alternative measure(s) have been substituted which meet the intent of and which serve the same purpose as the established standards or requirement.

(b) The alternative measure(s) that have been substituted provide the same or a greater level of protection or are as effective as the established standard or requirement.

(c) There are clear and substantial reasons for utilizing the alternative measure(s) because they provide for a more efficient and economic use of the site, or provide for a superior physical design, and are consistent with the intent of the Fire Safety (FR) District.

Section 4907.3.1 is hereby added to the California Fire Code to read as follows:

4907.3.1 Clearance of Brush or Vegetative Growth From Structures

4907.3.1.1 General. Persons owning, leasing, controlling, operating, or maintaining buildings or structures in, upon, or adjoining hazardous fire areas, and persons owning, leasing, or controlling land adjacent to such buildings or structures, shall at all times:

1. Maintain an effective firebreak: by removing and clearing away flammable vegetation and combustible growth from areas within 30 feet (9,144 mm) of such buildings or structures.

EXCEPTION: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Maintain additional fire protection or firebreak: by removing brush, flammable vegetation and combustible growth located from 30 to 100 feet (9,144 mm to 30,480 mm) from such buildings or structures when required by the fire code official because of extra hazardous conditions causing a firebreak: of only 30 feet (9,144 mm) to be insufficient to provide reasonable fire safety.

EXCEPTION: Grass and other vegetation located more than 30 feet (9,144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

3. Remove portions of trees which extend within 10 feet (3,048 mm) of the outlet of a chimney.

4. Maintain trees adjacent to or overhanging a building free of deadwood.

5. Maintain the roof of a structure free of leaves, needles, or other dead vegetative

growth.

4907.3.1.2 Corrective Actions. The fire code official will give notice to the owner of the property upon which conditions regulated by Section 317.1 exist to correct such conditions. If the owner fails to correct such conditions, the fire code official is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

Section 4907.3.2 is hereby added to the California Fire Code to read as follows:

4907.3.2 Clearance of Brush or Vegetative Growth From Transmission Lines

4907.3.2 Support Clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines upon hazardous fire areas, including but not limited to, any mountainous land, forest-covered land, brush-covered land, or grass-covered land shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustion free space consisting of a clearing of not less than 10 feet in each direction from the outer circumference of such pole, tower or line.

EXCEPTION: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by the Public Utilities Commission. The Chief may permit other exceptions from the requirements of this section that are based upon the specific circumstances involved.

4907.3.2.1 Electrical Distribution and Transmission Line Clearance. Except as otherwise provided in Sections 318.3 below, any Persons owning, controlling, operating, or maintaining electrical transmission or distribution lines upon hazardous fire areas, including but not limited to any mountainous land, forest-covered land, brush-covered land, or grass-covered land shall maintain the clearance specified in all directions between vegetation and conductors carrying electrical current: The Chief may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

4907.3.2.2. Exceptions to Minimum Clearance Provisions. Low voltage lines. Section 318.2 above does not apply if the transmission or distribution line voltage is 750 volts or less. Poles and towers. The minimum clearance provisions of subsection 318.1 above are not required around poles and towers, including line junction, comer and dead end poles and towers:

- A. Where all conductors are continuous over and through a pole or tower; or
- B. Where all conductors are not continuous over or through a pole or tower, provided all conductors and subordinate equipment are of the types listed below and are properly installed and used for the purpose for which they were designed and manufactured.

- (1) Compression connectors.

- (2) Automatic connectors.
- (3) Parallel groove connectors.
- (4) Hot line tap or clamp connector that are designed to absorb any expansion **or** contraction by applying spring tension on the main line or running conductor and top connector.
- (5) Fargo GA 300 series piercing connectors designed and manufactured for use with tree wire.
- (6) Flat plate connectors installed with not less than two bolts.
- (7) Tapered C-shaped member and wedge connectors.
- (8) Solid blade single phase bypass switches and solid blade single phase disconnect switches associated with circuit reclosures, sectionalizers and line regulators.
- (9) Equipment that is completely sealed and liquid filled.
- (10) Current limiting, non-expulsion fuses.

4907.3.2.3 Abatement. In the event that the abatement is not performed as required in Sections 4907.3.2.1 or 4907.3.2.2 of this section, the Chief may give notice to the owner of the property upon which such condition exists to correct such prohibited condition. If the owner fails to correct such condition, the Chief may cause the same to be done and make the expense of such correction a lien upon the property upon which such condition exists.

Section 4907.4 is hereby added to the California Fire Code to read as follows:

4907.4 Clearance of Brush or Vegetation Growth from Roadways

4907.4.1 General. The fire code official is authorized to cause areas within 10 feet (3,048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The fire code official is authorized to enter upon private property to do so.

EXCEPTION: Single specimens of trees, ornamental shrubbery or cultivated ground covers, provided that they do not form a means of readily transmitting fire.

Section 4907.5 is hereby added to the California Fire Code to read as follows:

4907.5 Unusual Circumstances

4907.5.1 General. The fire code official may suspend enforcement and require reasonable alternative measures designed to advance the purposes of this chapter if they determine in

any specific case that any of the following conditions exist:

1. Difficult terrain.
2. Danger of erosion.
3. Presence of plants included in any state or federal resources agencies, California Native Plant Society, and County approved list of wildlife, plants, rare, endangered and/or threatened species.
4. Stands or groves of trees or heritage trees.
5. Other unusual circumstances that make strict compliance with the clearance of vegetation provisions of this chapter undesirable or impractical.

Section 4907.6 is hereby added to the California Fire Code to read as follows:

4907.6. Fuel Modification Requirements For New Construction

Section 4907.6.1 General. All new buildings to be built or installed in areas containing combustible vegetation shall comply with the following requirements:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
3. The fuel modification plans shall meet the criteria set forth by the fire department.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification plan shall be approved by the fire code official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the fire code.

Section 5601.2 of the California Fire Code is hereby amended to read as follows:

5601.2 Permits Required. Permits shall be obtained from the San Bernardino County Sheriff's Department for the following:

- To manufacture, possess, store, sell, display or otherwise dispose of explosives blasting agents or phosphoric compounds.
- To manufacture, possess, store, sell, display or otherwise dispose of explosives blasting agents or phosphoric compounds.
- To transport explosives or blasting agents. To use explosives or blasting agents.
- To operate a terminal for handling explosives or blasting agents.
- To transport blasting caps or electric blasting caps in the same vehicle with explosives.

Section 5601.2.1 is hereby added to the California Fire Code to read as follows:

5601.2.1 Permit Holder. The handling and firing of explosives or blasting agents shall be

performed only by persons possessing a valid explosives permit issued by the San Bernardino County Sheriff's Department.

Section 5601.2.4.3 is hereby added to the California Fire Code to read as follows:

5601.2.4.3 Display. The maximum quantities, storage conditions, and fire protection requirements for gunpowder and ammunition displayed in a building shall be as follows:

Smokeless powder - 20 pounds in original containers. Containers shall not exceed one pound.

Section 5601.2.4.4 is hereby added to the California Fire Code to read as follows:

5601.2.4.4 Displays. Permits are required to conduct a fireworks display. See Section 105.6.14. Permit application shall be made not less than 14 days prior to the scheduled date of the display. The permit application shall include a diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of buildings, highways and other lines of communication; the lines behind which the audience will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. At the time of permit application, the Chief shall be consulted regarding requirements for standby fire apparatus and personnel. All fireworks displays shall be electrically fired. Discharging of fireworks without proper permits is prohibited.

Section 5601.2.4.5 is hereby added to the California Fire Code to read as follows:

5601.2.4.5 Additional Requirements. In addition to the requirements set forth in this Article, the police department, the fire department or the San Bernardino County Sheriff's Department may, for the safety and security of the public, set additional requirements for a permit application.

Section 5601.7 the California Fire Code is hereby amended to read as follows:

5601.7 Seizure of Fireworks. The storage, use, sale, possession, and handling of fireworks 1.3G is prohibited. The sales, use and/or display of fireworks 1.4G (commonly referred to as Safe & Sane) is prohibited. The Chief, the police department and the San Bernardino County Sheriff's Department are authorized to seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks, offered or exposed for sale, stored, handled or held in violation of Title 19 CCR, Chapter 6

EXCEPTION: Fireworks 1.4G and fireworks 1.3G may be part of an electrically fired public display when permitted and conducted by a licensed pyrotechnic operator.

Section 5604.1.1 is hereby added to the California Fire Code to read as follows:

5604.1.1 Temporary Storage. For the purpose of this part, temporary storage shall mean no longer than 4 hours or the end of the workday, whichever time is less.

Section 5604.1.2 is hereby added to the California Fire Code to read as follows:

5604.1.2 Storage. The police department and the Chief may authorize the storage of smokeless powder not to exceed 100 pounds, sporting black powder not to exceed 25 pounds, and up to 75,000 small arms primers in approved portable magazines in approved establishments. Sporting black powder, when authorized, shall be stored in an approved portable magazine. Small arms primers or percussion caps shall be stored in a manner prescribed by the police department, the San Bernardino County Sheriff's Department and the Chief.

Section 5604.3.4 is hereby added to the California Fire Code to read as follows:

5604.3.4 Magazines Required. Explosive materials shall be stored in magazines in accordance with Section 5604.3. Magazines shall at all times be in the custody of a person holding a valid Explosives Permit who shall be at least 21 years of age and who shall be held responsible for compliance with all safety precautions.

Section 5604.3.4.1 is hereby added to the California Fire Code to read as follows:

5604.3.4.1 Magazine Size. Indoor magazines shall not be of a size greater than the exit door or contain more than 50 pounds of explosive materials.

Section 5604.3.5 is hereby added to the California Fire Code to read as follows:

5604.3.5 Powder. The amount of powder stored in an indoor magazine shall not exceed 50 pounds.

Section 5604.3.6 is hereby added to the California Fire Code to read as follows:

5604.3.6 Classification and Use of Magazines. Magazines shall be classed as Type 1,2, 3, 4 or 5 and used in accordance with Title 27, Code of Federal Regulations, Part 55, Subpart K, and Title 19, California Code of Regulations, Subchapter 6, Section 989, as amended.

Section 5604.3.7 is hereby added to the California Fire Code to read as follows:

5604.3.7 Use and Handling. The police department, San Bernardino County Sheriff's Department, and the fire department shall be notified prior to detonation of any explosives.

Section 5604.3.8 is hereby added to the California Fire Code added to read as follows:

5604.3.8 Personnel Qualifications. The handling and firing of explosives shall be performed only by person(s) possessing a valid explosives permit issued by the San Bernardino County Sheriff's Department.

Section 5604.3.9 is hereby added to the California Fire Code to read as follows:

5604.3.9 Utility Notification. When blasting is being conducted in the vicinity of gas, electric, water, sewer, fire alarm, telephone, telegraph, cable television or stream utilities, the blasting person shall notify the appropriate representative of such utilities at least 24

hours in advance of blasting specifying the location and intended time of such blasting.

EXCEPTION: In an emergency, advance notification may be waived by the Chief, the police department and the San Bernardino County Sheriff's Department. The fire department shall be notified prior to detonation of any explosives.

Section 5604.10.2.1 is hereby added to the California Fire Code to read as follows:

5604.10.2.1 Deteriorated Material Handling. When an explosive has deteriorated to an extent that it is in an unstable or dangerous condition, or when a liquid has leaked from an explosive material, the person in possession of such explosive material shall immediately contact the police department, the San Bernardino County Sheriff's Department and the Chief. The work of destroying explosive materials shall be directed by persons experienced in the destruction of explosive materials. Explosive materials recovered from blasting misfires shall be handled in a standard method for disposal. Only persons holding a valid explosives permit shall do the work of destroying explosives.

Section 5605.1 the California Fire Code is hereby amended to read as follows:

5605.1 Manufacturing. The manufacturing of fireworks is prohibited.

Section 5605.1.1 is hereby added to the California Fire Code to read as follows:

5605.1.1 Pyrotechnic Special Effects Material. A permit is required to manufacture, compound, store or use pyrotechnic special effects material. A permit for use shall be granted only to a licensed pyrotechnic operator. See Section 105.6.36.

Section 5704.3.1.2 is hereby added to the California Fire Code to read as follows:

5704.3.1.2 Lubricating Oil. Lubricating oil that has been drained from motor vehicles shall be stored and handled as required for Class III-B liquids. Crankcase drainings and waste oil products may be stored in an above-ground tank as approved by the Chief. Drainings and used oils may also be stored outside a building in not more than 3 tight drums having an aggregate capacity not exceeding 180 gallons.

Section 11. Section 15.04.085 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended to read as follows:

“15.04.085 California Historical Building Code adopted.

A. Except as hereinafter provided, the California Historical Building Code, 2022 Edition (Part 8, Title 24, California Code of Regulations), published by the California Building Standards Commission, is hereby made a part hereof as though set forth at length and the same shall be established and adopted as the rules, regulations, provisions and conditions for the construction, enlargement, alteration, repair, removal, conversion, demolition, occupancy, equipment, use and maintenance of historical buildings or structures in the City; and the California Historical Building Code, 2022 Edition, is hereby adopted by reference as the Historical Building Code of the City of Yucaipa.

B. A copy of the Historical Building Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.”

Section 12. Section 15.04.095 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended to read as follows:

“15.04.095 California Existing Building Code adopted.

A. Except as hereinafter provided, the California Existing Building Code, 2022 Edition (Part 10, Title 24, California Code of Regulations), published by the California Building Standards Commission, is hereby made a part hereof as though set forth at length and the same shall be established and adopted as the rules, regulations, provisions and conditions for the construction, enlargement, alteration, repair, removal, conversion, demolition, occupancy, equipment, use and maintenance of existing buildings or structures in the City; and the California Existing Building Code, 2022 Edition, is hereby adopted by reference as the Existing Building Code of the City of Yucaipa.

B. A copy of the Existing Building Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.”

Section 13. Section 15.04.116 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended to read as follows:

“15.04.116 California Green Building Standards Code adopted.

A. Except as hereinafter provided, the California Green Building Standards Code, 2022 Edition (Part 11, Title 24, California Code of Regulations), published by the California Building Standards Commission, is hereby made a part hereof as though set forth at length and the same shall be established and adopted as the rules, regulations, provisions and conditions for the design and construction of buildings through the use of building concepts having a reduced negative impact, or positive environmental impact, and encouraging sustainable construction of buildings or structures in the City; and the California Green Building Standards, 2022 Edition, is hereby adopted by reference as the Green Building Standards Code of the City of Yucaipa.

B. A copy of the Green Building Standards Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.”

Section 14. Section 15.04.118 of Chapter 15.04 of Title 15 of the Yucaipa Municipal Code is hereby amended in its entirety to read as follows:

“15.04.118 California Referenced Standards Code adopted.

A. Except as hereinafter provided, the California Referenced Standards Code, 2022

Edition (Part 12, Title 24 of the California Code of Regulations), including all appendices, which incorporates and amends the California Building Standards Code, published by the International Code Council, is hereby made a part hereof as though set forth in full and the same shall be established and adopted as the referenced standards applicable to Codes comprising the California Building Standards Code adopted by the City, related to the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use and maintenance of buildings or structures in the City; and the California Referenced Standards Code, 2022 Edition, is hereby adopted by reference as the Referenced Standards Code of the City of Yucaipa.

B. A copy of the Referenced Standards Code of the City of Yucaipa shall be maintained in the office of the Building Division of the Community Development Department in the City of Yucaipa, and it shall be made available for public inspection while this Code is in force.”

Section 14. REPEAL OF ORDINANCE NO. 381

Ordinance No. 381 and any and all other provisions of ordinances in conflict herewith, are hereby repealed in their entirety to implement the current Building Codes.

Section 15. SEVERABILITY

If any portion of this Ordinance is found to be unconstitutional or invalid, the City council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part or portion. The City Council of the City of Yucaipa hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 16. PENALTY

Except where specified to be an infraction, violation of any provision of this Ordinance or any Code adopted herein by reference shall constitute a misdemeanor and shall be punishable by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each and every day such a violation exists shall constitute a separate and distinct violation of this Ordinance.

Section 17. PUBLICATION

To the extent permitted by State law, the City Clerk is hereby directed to cause the following summary of this ordinance to be published by two (2) insertions in the Yucaipa News Mirror, a newspaper of general circulation that is printed, published, and circulated in the City of Yucaipa, and hereby designated for that purpose by said Council of the City of Yucaipa:

“Ordinance No. 417 adopts by reference, and amends Part 1 of Title 24 of the California Code of Regulations, comprising the 2022 California Administrative Code; Part 2 of Title 24 of the California Code of Regulations, comprising the 2022 California Building Code Volumes 1 and 2, with appendices F, G, H, I, J, N and Chapter 1, Division 2; Part 2.5 of Title 24 of the California Code of Regulations, comprising the 2022 California Residential

Code, with appendices; Part 3 of Title 24 of the California Code of Regulations, comprising the 2022 California Electrical Code; Part 4 of Title 24 of the California Code of Regulations, comprising the 2022 Mechanical Code; Part 5 of Title 24 of the California Code of Regulations, comprising the 2022 California Plumbing Code, with Appendix H; Part 6 of Title 24 of the California Code of Regulations, comprising the 2022 Energy Code; Part 8 of Title 24 of the California Code of Regulations, comprising the 2022 Historic Building Code; Part 9 of Title 24 of the California Code of Regulations, comprising the 2022 California Fire Code, with Appendices B, BB, C, CC, D, E, F, G, H, I, N and O; Part 10 of Title 24 of the California Code of Regulations, comprising the 2022 California Existing Building Code; Part 11 of Title 24 of the California Code of Regulations, comprising the 2019 California Green Building Standards Code; Part 12 of the California Code of Regulations, comprising the 2019 California Referenced Standards Code; the 2021 Edition of the International Property Maintenance Code and Appendix H, the uniform code for the abatement of dangerous buildings, 1997 Edition; the 2018 Edition of the Uniform Code for Solar Energy Installations; repealing Ordinance No. 353 and all ordinances and provisions in conflict herewith, amending Title 15 of the Yucaipa Municipal Code.”

Section 18. EFFECTIVE DATE

This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby, shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption, but no sooner than January 1, 2023.

PASSED, APPROVED and ADOPTED at the regular meeting of the City Council held on this ____ day of _____, 2022.

David Avila
Mayor

Jennifer Crawford
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF YUCAIPA)

I {NAME}. City Clerk and ex-officio Clerk of the City of Yucaipa, California, does hereby certify that the whole number of the members of the City Council of the City of Yucaipa is 5: that the above and forgoing Ordinance No. 417 was duly and regularly introduced , passed and adopted at a regular meeting of the City Council held on the ____ day of _____, 2022 by the following vote:

COUNCIL MEMBER
COUNCIL MEMBER
COUNCIL MEMBER

{NAME} City Clerk

RESOLUTION NO. 2022-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA, SETTING FORTH FINDINGS IN SUPPORT OF AMENDMENTS TO THE 2022 CALIFORNIA BUILDING CODE, RESIDENTIAL CODE, AND FIRE CODE, BASED ON LOCAL CLIMATIC, TOPOGRAPHICAL AND/OR GEOLOGICAL CONDITIONS

WHEREAS, Health and Safety Code Section 17958 provides that the City of Yucaipa may adopt ordinances and regulations imposing the same or modified or changed building standards as are contained in the codes adopted by the State pursuant to Health and Safety Code Sections 17922 and 18930; and

WHEREAS, the State of California is mandated to adopt the building standards and other rules contained in the model codes specified in Health and Safety Code Section 17922, and to publish said codes, as amended, collectively as the California Building Standards Code; and

WHEREAS, Health and Safety Code Sections 17958.5(a) and 18941.5(b) permit the City to amend building standards in the codes comprising the California Building Standards Code (“Codes”) based on findings that such amendments are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, the Community Development Department has recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to building standards in the Codes are reasonably necessary due to local conditions in the City of Yucaipa and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Codes or are reasonably necessary to safeguard life and property within the City of Yucaipa.

NOW, THEREFORE, BE IT IS FOUND, DETERMINED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF YUCAIPA AS FOLLOWS:

Section 1. Amendments to building standards necessary for the protection of public health and safety, including life and fire safety made, set forth in the California Building Code, Residential Code, and Fire Code and contained in Ordinance No. 417, as recommended by the Community Development Department, are hereby found to be reasonably necessary due to the following local conditions:

A. Climatic Conditions

1. San Bernardino County and the City of Yucaipa are located in a region that is subject to relatively low amounts of precipitation, and relatively high temperatures. These climatic conditions are conducive to the spread drought conditions and to the spread of fire. For example, during July, August and September temperatures often reach the upper 90’s and may reach and exceed 100 degrees Fahrenheit at times. These recordings have been documented by the National Climatic Data Center. Due to the higher temperatures many residents have swimming pools and require as a result

greater degree of pool safety requirements.

2. The City at times experiences windy conditions upwards of 30 mph. These winds, which can cause small fires to spread quickly and are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupants during fire occurrences.

B. Geological Conditions

Seismic Area.

1. The San Andreas Fault runs through the northeast and eastern portion of the city and is easily capable of producing a major earthquake exceeding 7.0 on the Richter scale. Possible future seismic events create a need for additional structural safety measures and fire protection measures for building occupants in the City of Yucaipa.

C. Topographical Conditions

1. Much of the north, northeast and eastern portions of the City are in the wild-land urban interface (WUI) including the San Bernardino National Forest. This creates unique challenges with development in terms of emergency access, adequate water supply and an extended response time from the nearest fire stations(s). In addition, due to the sharp rise of the San Bernardino Mountain slopes from the valley floor and with several drainages, this area is subject to flooding even with any precipitation which occurs seasonally at the higher elevations.

Additional amendments have been made to Codes. On the recommendation of the Community Development Department, such amendments are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in such Codes. The changes made include provisions making each of said Codes compatible with other Codes enforced by the City.

Section 2. Amendments to the 2022 Edition of the California Building, Residential, and Fire Codes are found reasonably necessary based on the climatic, topographical, and/or geological conditions cited in Section 1 of this resolution and are listed as follows:

<u>Building Code Sections</u>	<u>Applicable Findings</u>
CBC 1604.4.1	B-1
CBC 1604.4.2	B-1
CBC 3109.1	A-1
CBC 3109.3	A-1
CBC 3109.3.1	A-1
CBC 3109.3.1.1, 3109.3.1.2, 3109.3.1.3, 3109.3.1.4	
3109.3.1.5, 3109.3.1.7, 3109.3.1.8, 3109.3.1.9	A-1
CBC 3109.3.2, 3109.3.3, 3109.3.4	A-1

Appendix J, J103.2,	C-1
J104.2.1, J104.2.2,	C-1
J105. 1	C-1

Residential Code Sections

CRC R403.1.2	B-1
CRC R403.1.3	B-1
CRC R403.1.3.1	B-1
CRC R403.1.3.2	B-1
CRC R403.1.3.3	B-1
CRC R403.1.3.4	B-1
CRC R403.1.6.1	B-1

Applicable Findings

Fire Code Sections

CFC 104.1.1	A-1, A-2, C-1
CFC 109.1	A-1, A-2, C-1
CFC 202	A-1, A-2, C-1
CFC 305.5.1	A-1, A-2, C-1
CFC 307.1.2	A-1, A-2, C-1
CFC 307.4.4	A-1, A-2, C-1
CFC 315.8- 315.8.1	A-1, A-2, C-1
CFC 326.1, 326.2, 326.3	A-1, A-2, C-1
CFC 327.1	A-1, A-2, C-1
CFC 328.1, 328.2, 328.3	A-1, A-2,C-1
CFC 329.1	A-1, A-2, C-1
CFC 330.1, 330.2, 330.3	A-1, A-2,C-1
CFC 503.1.4, 503.1.5, 503.1.6	A-1, A-2, C-1
CFC 503.2.3	A-1, A-2, C-1
CFC 503.2.7	A-1, A-2, C-1
CFC 505.1, 505.1.1	A-1, A-2, C-1
CFC 603.6.6	A-1, A-2, C-1
CFC 603.8	A-1, A-2, C-1
CFC 905.4	A-1, A-2, C-1
CFC 2809.1.1	A-1, A-2, C-1
CFC 3703.4.1	A-1, A-2, C-1
CFC 4901.3	A-1, A-2, C-1

Applicable Findings

CFC 4905.4(1-6)	A-1, A-2, C-1
CFC 4906.1, 4906.2.1, 4906.2.2	A-1, A-2, C-1
CFC 4906.3.2, 4906.3.2.1, 4906.3.2.2, 4906.3.2.3	A-1, A-2, C-1
CFC 4906.4	A-1, A-2, C-1
CFC 4906.5	A-1, A-2, C-1
CFC 4906.6	A-1, A-2, C-1
CFC 5601.2.1.1	A-1, A-2, C-1
CFC 5601.2.2.1, 5601.2.2.2, 5601.2.2.3	A-1, A-2, C-1
CFC 5601.2.3.1	A-1, A-2, C-1
CFC 5604.1.1, 5604.1.2	A-1, A-2, C-1
CFC 5604.2.1	A-1, A-2, C-1
CFC 5604.10.2.1	A-1, A-2, C-1
CFC 5604.3.4, 5604.3.5, 5604.3.6, 5604.3.7, 5604.3.8, 5604.3.9	A-1, A-2, C-1
CFC 5605.0	A-1, A-2, C-1
CFC 5605.1.1	A-1, A-2, C-1
CFC 5704.4.9	A-1, A-2, C-1

The aforementioned amendments have been incorporated in detail in Ordinance No. 417, respectively.

PASSED, APPROVED and ADOPTED this ____th day of _____, 2022.

David Avila, Mayor

ATTEST:



Jennifer Crawford, City Clerk

APPROVED AS TO FORM:

David M. Snow, City Attorney

**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council

FROM: Fermin Preciado, Director of Development Services/City Engineer 
Benjamin J. Matlock, Planning Manager/City Planner 

FOR: City Council Meeting of November 28, 2022

SUBJECT: Annual Adjustment of Development Impact Fees

DISCUSSION:

The City has been working through the final refinements of the 2023 Development Impact Fee Program, which includes updates that are needed to meet Assembly Bill 602, a new state law that provides new requirements for the fee rate structure. Therefore, staff recommends that the City Council continue review of the hearing to December 12, 2022.

RECOMMENDATION:

MOTION: If the City Council concurs with staff's recommendation, the following motion is provided:

“I move to continue the Public Hearing for Annual Adjustment of Development Impact Fees to the City Council meeting of December 12, 2022.”

Approved by: 