

CITY OF



## City Council Meeting Agenda

**January 9, 2023 – 6:00 PM**

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

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**THE CITY OF YUCAIPA COMPLIES WITH THE AMERICANS WITH DISABILITIES 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](mailto: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**

Recognition of Lenore Will, Brenda Martinez and Fire Captain Travis Paye

**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. 6 1. **SUBJECT:** APPROVE COUNCIL MINUTES OF DECEMBER 12, 2022
- RECOMMENDATION:** That City Council approve City Council Minutes of December 12, 2022.
- P. 21 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. 23 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.

**MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)**

**POSSIBLE ACTION ON PENDING LEGISLATION**

**DEPARTMENT REPORTS**

- P. 25 4. **SUBJECT:** MONTHLY TREASURER’S REPORT: NOVEMBER 2022
- RECOMMENDATION:** That City Council receive and file the Monthly Treasurer’s Report for November 2022.

P. 105 **5.** **SUBJECT:** ACCEPTANCE OF WORK – WILSON III BASIN PROJECT PHASE 1B IMPROVEMENTS – PROJECT NO. 10879

**RECOMMENDATION:** That City Council:

1. Accept the contract work completed by LB3 Enterprises Inc. of Lakeside CA. in the amount of \$1,577,979.06 for the Wilson III Basin Phase 1B Improvements – Project No. 10879; and
2. Approve the final payment for the Project; and
3. Authorize the recordation of the Notice of Completion for the Project.

P. 124 **6.** **SUBJECT:** FISCAL YEAR 2022/2023 COMMUNITY ACTIVITY GRANT IN-KIND GRANT REQUEST AND SPECIAL EVENT PERMIT APPLICATION - REDLANDS BIKE CLASSIC

**RECOMMENDATION:** That City Council:

1. Approve the Special Event Permit Application submitted by the Redlands Bicycle Classic Inc. to conduct the Yucaipa Circuit Professional Bicycle Stage Race on Thursday, April 13, 2023; and
2. Approve the Redlands Bicycle Classic Inc. request for co-sponsorship of the Yucaipa Circuit Race; and
3. Authorize the use of the City logo for promotional items; and
4. Authorize rolling and temporary street and lane closures; and
5. Review and consider the Fiscal Year 2022/2023 Community Activity Grant Application submitted by the Redlands Bike Classic Inc. for in-kind support to hold a large-scale special event that meets the established guidelines; and
6. Determine that the Redlands Bicycle Classic, Inc. should be exempt from the Grant Guideline that requires the organization to be located in Yucaipa if their Community Activity Grant is awarded.

P. 153 **7.** **SUBJECT:** CALIFORNIA STATE LIBRARY BUILDING FORWARD: LIBRARY INFRASTRUCTURE PROGRAM – GRANT AWARD AND AGREEMENTS

**RECOMMENDATION:** That City Council:

1. Review and re-authorize the City Manager to execute a grant agreement with the California State Library for the Library Building Forward: Library Infrastructure Grant Program; and
2. Review and provide direction regarding the draft Joint Use Agreement between the City of Yucaipa, County of San Bernardino, and the Yucaipa-Calimesa Joint Unified School District (District) for the proposed new library facility.

P. 407 **8. SUBJECT: 2022 WINTERFEST WRAP-UP**

**RECOMMENDATION:** That City Council receive and file the wrap-up report for the 2022 Winterfest.

P. 410 **9. SUBJECT: RIGHT-OF-WAY ACQUISITION – COUNTY LINE ROAD MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE (MSRC) GRANT FUNDED PROJECT**

**RECOMMENDATION:** That City Council:

1. Approve a Purchase and Sale Agreement with Denys J. Merriman, Janice H. Merriman, Michael L. McGeorge and Emily A. McGeorge, (APN 0319-233-23) for the acquisition of a 10,454 square foot permanent easement for right of way purposes and the construction of the County Line Road MSRC Grant Funded Project for an amount not to exceed \$10,400; and
2. Approve an expenditure up to the amount of \$3,000 for closing costs associated with the proposed purchase and sale agreement and the amount of \$2,300 for right of way acquisition coordination/staff time for a total cost in the amount of \$15,700 for the acquisition of the permanent right-of-way easement; and
3. Authorize the City Manager, or his designee, to execute the necessary documents to complete the acquisition process.

P. 457 **10. SUBJECT: AWARD OF CONSTRUCTION CONTRACT – COUNTY LINE ROAD MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE (MSRC) GRANT FUNDED PROJECT**

**RECOMMENDATION:** That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$451,691 with Three Peaks Corp. of Calimesa, CA for the County Line Road Mobile Source Air Pollution Reduction Review Committee (MSRC) Grant Funded Project – Project No. 11118; and
2. Approve the amount of \$50,000 for construction contract contingency and the amount of \$45,000 for construction contract administration, survey, testing and inspection for a total project construction budget in the amount of \$546,691; and
3. Authorize the City Manager, or his designee, to administer the terms of the contract; and
4. Approve the Plans and Specifications prepared for the Project.

## **PUBLIC HEARING**

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. 470 11. **SUBJECT:** SG OPAL INC (CASE NO. 21-026/CUP/DA); A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT FOR THE PHASED DEVELOPMENT OF A COMMERCIAL CENTER THAT INCLUDES A FUEL STATION WITH A 9,000 SQUARE FOOT BUILDING THAT INCLUDES A CONVENIENCE STORE, QUICK SERVICE RESTAURANT, AND OFFICE SPACE, FUEL CANOPY WITH 16 FUEL DISPENSERS AND AN EXPRESS CARWASH, AND A 66-ROOM HOTEL WITH A ROOFTOP BAR AND RESTAURANT; LOCATED AT 32788 OAK GLEN RD; APN: 0301-174-07

**RECOMMENDATION:** That the City Council conduct a public hearing and consider the Planning Commission’s recommendation to:

1. Approve Conditional Use Permit No. 21-026 subject to the Conditions of Approval as contained in the Agenda Report; and
2. Adopt the Findings as contained in the Agenda Report; and
3. Approve Ordinance No. 419 and the Development Agreement as part of the proposed Project; and
4. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, finding the mitigation measures and standard measures and procedures will reduce the potential level of environmental impact to less than significant; and,
5. Direct Staff to file a Notice of Determination.

**ANNOUNCEMENTS**

**CLOSED SESSION**

PUBLIC EMPLOYMENT PURSUANT TO GOVERNMENT CODE § 54957 – Performance Evaluation, Dismissal, Appointment. Title of position: City Manager  
 PUBLIC EMPLOYMENT PURSUANT TO GOVERNMENT CODE § 54957 – Performance Evaluation, Dismissal, Appointment. Title of position: City Attorney

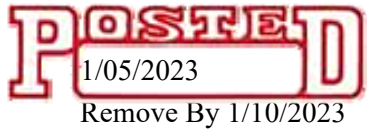
**ADJOURNMENT**

**AFFIDAVIT OF POSTING**

State of California                    }  
County of San Bernardino            } ss.  
City of Yucaipa                        }

I, Kimberly J Metzler, City Clerk of the City of Yucaipa, hereby declare under penalty of perjury that the Notice and Agenda of a Regular City Council Meeting as called by the City Council of the City of Yucaipa was provided and posted on 1/05/2023. Said meeting to be held at 6 pm, 1/09/2023, at Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California. Said notice was posted on the Bulletin Board at the entrance to City Hall.

Kimberly J Metzler, City Clerk



A handwritten signature in black ink, appearing to be "K Metzler", written in a cursive style.