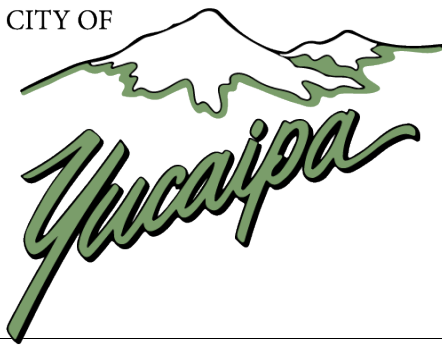


CITY OF



**City Council
Successor Agency
Housing Authority
Meeting Agenda**

January 23, 2023 – 6:00 PM

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

THE CITY OF YUCAIPA COMPLIES WITH THE AMERICANS WITH DISABILITIES ACT OF 1990. IF YOU 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

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 JANUARY 9, 2023

RECOMMENDATION: That City Council approve City Council Minutes of January 23, 2023.

P. 16 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. 18 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. 20 4. **SUBJECT:** CHANGE ORDER – 2ND STREET & 3RD STREET AT AVENUE E ROUNDABOUTS ELECTRICAL/LIGHTING & HARDSCAPE PROJECT– PROJECT NO. 11165

RECOMMENDATION: That City Council:

1. Amend the FY 2022/2023 Capital Improvement Program by:

- a. Creating the Uptown Bollard Installation Project; and
- b. Allocating the amount of \$19,441 in 2021 Homeland Security Grant (Police Department) funds to the Uptown Bollard Installation Project; and
- c. Allocating the amount of \$5,129 in Pavement Manage Program Local Match for State/Federal Grant funds to the Uptown Bollard Installation Project; and

2. Approve and authorize the City Manager to execute a Change Order to the contract with Three Peaks Corporation in the amount of \$80,608.10 and adding the Uptown Bollard Installation Project to the contract for the 2nd Street & 3rd Street at Avenue E Roundabouts Electrical/Lighting & Hardscape Project – Project No. 11165.

P. 25 **5. SUBJECT: FACILITY USE AGREEMENTS BETWEEN THE CITY OF YUCAIPA AND VARIOUS SPORTS ORGANIZATIONS**

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute Facility Use Agreements between the City of Yucaipa and the following sports organizations:

Yucaipa Valley Youth Soccer Organization
Yucaipa Pickleball Inc.
Yucaipa Valley American Little League
Yucaipa Valley National Little League
Yucaipa-Calimesa American Softball Association
Yucaipa Youth Basketball, Inc.
Yucaipa Junior All American Football and Cheer, Inc.
Spartans F.C.
Yucaipa Swim Team
Sand Canyon Water Polo Club Inc.

2. Authorize the City Manager or a designee to administer the terms of the Agreements.

P. 151 **6. SUBJECT: ORAL REPORT OF A SUMMARY OF COMPENSATION AND APPROVAL OF AN EMPLOYMENT AGREEMENT FOR CHRIS MANN AS CITY MANAGER, EFFECTIVE MARCH 1, 2023, AND SETTING COMPENSATION AND OTHER TERMS OF EMPLOYMENT**

RECOMMENDATION: That City Council receive an Oral Report of a Summary of Compensation and Approve an Employment Agreement for Chris Mann as City Manager, effective March 1, 2023, and Setting Compensation and Other Terms of Employment.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

P. 152 **7. SUBJECT: ENHANCED INFRASTRUCTURE FINANCE DISTRICT AMENDED RESOLUTION OF INTENTION AND APPOINTMENT OF AT-LARGE MEMBER**

RECOMMENDATION: That City Council:

1. Adopt the Amended and Reinstated 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) that provides for an updated boundary exhibit; and

2. Appoint a member of the public to serve on the Public Financing Authority Board or provide direction to staff, as appropriate; 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.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

- P. 173 **8. SUBJECT:** AWARD OF CONTRACT - PROVIDE ENGINEERING DESIGN AND FABRICATION SERVICES INCLUDING DELIVERY FOR YUCAIPA PICKLEBALL COURT COVER PROJECT– PROJECT NO. 11150

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$149,702.46 with Western Steel Buildings of Park City, Utah, for Engineering Design and Fabrication Services Including Delivery for Yucaipa Pickleball Court Cover Project– Project No. 11150; and
2. Authorize a contract contingency in the amount of \$15,000.00 and the amount of \$5,000.00 for design contract administration and permitting for a total budget of \$169,702.46 for the project.

- P. 209 **9. SUBJECT:** AT&T FIRSTNET AND NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK (NPSBN)

RECOMMENDATION: That City Council approve an Equipment/Service Purchase Agreement in the amount of \$35,000 per fiscal year, in a form approved by the City Attorney, with FirstNet/AT&T for the wireless service and equipment for the City of Yucaipa; and authorize and direct the City Manager to execute the Agreement on behalf of the City.

ADJOURN CITY COUNCIL AND CONVENE SUCCESSOR AGENCY

- P. 236 **SA 1. SUBJECT:** APPROVE SUCCESSOR AGENCY MINUTES OF DECEMBER 12, 2022

RECOMMENDATION: That the Successor Agency approve Successor Agency Minutes of December 12, 2022.

ADJOURN THE SUCCESSOR AGENCY AND CONVENE HOUSING AUTHORITY

- P. 238 **HA 1. SUBJECT:** APPROVE HOUSING AUTHORITY MINUTES OF DECEMBER 12, 2022

RECOMMENDATION: That the Housing Authority approve Housing Authority Minutes of December 12, 2022.

CONVENE JOINT CITY COUNCIL, SUCCESSOR AGENCY AND HOUSING AUTHORITY

- P. 240 **10. SUBJECT:** APPROVAL OF A LEGAL SERVICES AGREEMENT WITH COLE HUBER LLP

RECOMMENDATION: That City Council authorize the Mayor to execute the Legal Services Agreement with Cole Huber LLP.

ADJOURN THE SUCCESSOR AGENCY AND HOUSING AUTHORITY

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. 242 **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 (*CONTINUED FROM THE JANUARY 9, 2023, CITY COUNCIL MEETING*)

RECOMMENDATION: That the City Council continue the 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.

P. 671 **12.** **SUBJECT:** ANNEXATION OF TRACT MAP NO. 17349 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “FFF”)

RECOMMENDATION: That City Council:

1. Conduct a Public Hearing and subsequently adopt Resolution No. 2023-01, approving 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. 678 **13.** **SUBJECT:** ANNUAL ADJUSTMENT OF DEVELOPMENT IMPACT FEES (*CONTINUED FROM THE NOVEMBER 28, 2022, CITY COUNCIL MEETING*)

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 March 13, 2023.”

ANNOUNCEMENTS

ADJOURNMENT

AFFIDAVIT OF POSTING	
State of California	}
County of San Bernardino	} ss.
City of Yucaipa	}
<p>I, Kimberly 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 01/18/2023. Said meeting to be held at 6:00 pm, 01/23/2023 at Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California. Said notice was posted on the Bulletin Board at the entrance to City Hall.</p>	
Kimberly Metzler, City Clerk	



Remove By: 01/24/2023