



City Council Meeting Agenda

February 27, 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.

UNLESS STATED OTHERWISE ON THE AGENDA, EVERY ITEM ON THE AGENDA IS EXEMPT FROM CEQA GUIDELINES SECTIONS 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 AND/OR PUBLIC RESOURCE CODE SECTION 21065.

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. 6 1. **SUBJECT:** APPROVE THE SPECIAL CITY COUNCIL MINUTES OF JANUARY 30, 2023

RECOMMENDATION: That City Council approve the Special City Council Minutes of January 30, 2023.

- P. 10 2. **SUBJECT:** APPROVE THE REGULAR CITY COUNCIL MINUTES OF FEBRUARY 13, 2023

RECOMMENDATION: That City Council approve the Regular City Council Minutes of February 13, 2023.

- P. 25 3. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE 2022 SEPTEMBER STORM EVENT

RECOMMENDATION: That City Council extend the declaration of a local emergency as a result of the 2022 September Storm Event.

- P. 27 4. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK - PHASE 1 CONSTRUCTION OF THE DUNLAP BOULEVARD BRIDGE REMOVAL AND REPLACEMENT PROJECT AT WILSON CREEK CHANNEL – PROJECT NO. 11098

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by Wright Construction Engineering Corporation of San Marcos, CA. in the revised amount of \$1,134,109.20 for the Phase 1 Construction of the Dunlap Boulevard Bridge Removal and Replacement Project at Wilson Creek Channel – Project No. 11098; and
2. Approve the final payment for the Project; and

3. Authorize the recordation of the revised Notice of Completion for the Project.
4. Authorize a payment in the amount of \$58,690 to WHWC for the required relocation of domestic water infrastructure.

P. 33 **5. SUBJECT: ACCEPTANCE OF CONTRACT WORK - LEFT TURN PHASING TRAFFIC SIGNAL MODIFICATION AT VARIOUS LOCATIONS– PROJECT NO. 11142**

RECOMMENDATION: That City Council:

1. Accept the contract work completed by Alfaro Communications Construction, Inc. (Contractor) in the amount of \$518,808.66 for the Left Turn Phasing Traffic Signal Modification at Various Locations – Project No. 11142 (Project); and
2. Authorize the recordation of the Notice of Completion for the Project; and
3. Approve the final payment to the Contractor for the Project.

P. 38 **6. SUBJECT: MONTHLY TREASURER’S REPORT: JANUARY 2023**

RECOMMENDATION: That City Council receive and file the Monthly Treasurer’s Report for January 2023.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

P. 58 **7. SUBJECT: SENATE BILL 44 – ALEXANDRA’S LAW**

RECOMMENDATION: That City Council review and approve a letter of support for Senate Bill 44 (SB 44) – Alexandra’s Law by Senator Thomas J. Umberg (D – Orange County).

P. 79 **8. SUBJECT: ASSEMBLY BILL 335 – PROPOSITION 47 REPEAL**

RECOMMENDATION: That City Council review and approve a letter of support for Assembly Bill 335 by Assemblymember Juan Alanis (R – Modesto) to repeal Proposition 47.

DEPARTMENT REPORTS

P. 101 **9. SUBJECT: MEMORANDUM OF UNDERSTANDING FOR THE YUCAIPA GATEWAY CENTER PROJECT DEVELOPMENT AGREEMENT AMENDMENT – HADDAD (ACAA, LLP)**

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Memorandum of Understanding (MOU) regarding an amendment to the Development Agreement (Document No. 2015-0271338) between the City of Yucaipa and ACAA, a Limited Partnership related to the development of a commercial center at the southwest corner of Oak Glen Road and 14th Street.

P. 107 **10.** **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – SAN BERNARDINO COUNTY SHERIFF ACADEMY

RECOMMENDATION: That City Council:

1. Approve a Special Event Permit Application submitted by San Bernardino County Sheriff Academy (Class 230) to hold a cornhole charity event, on Friday March 3, 2023; and
2. Approve the use of two City owned portable flood lights and 36 barricades for the event; and
3. Waive the Special Event Permit Application Fee of \$200.

P. 117 **11.** **SUBJECT:** AWARD OF PROFESSIONAL SERVICES AGREEMENTS – ON-CALL PROFESSIONAL REAL ESTATE APPRAISAL SERVICES

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a Professional Services Agreement (PSA), and the City Manager or his designee to administer the terms of the PSA with Integra Realty Resources of Encino, California, in the not-to-exceed amount of \$190,000 for providing On-Call Professional Real Estate Appraisal Services for FY2022/2023 and FY2023/2024; and
2. Award and authorize the Mayor to execute a PSA and the City Manager or his designee to administer the terms of the PSA with Bender Rosenthal, Inc. of Pasadena, California, in the not-to-exceed amount of \$98,000 for providing On-Call Professional Real Estate Appraisal Services for FY2022/2023 and FY2023/2024.

P. 195 **12.** **SUBJECT:** FLOOD CORRIDOR PROGRAM – GRANT FUNDING AGREEMENT NO. 3 WITH THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES

RECOMMENDATION: That City Council:

1. Authorize the Mayor to execute an agreement with the State of California Department of Water Resources (DWR) for the Oak Glen Creek Open Space Acquisition Project through the Flood Corridor Program (Grant Program); and
2. Amend the FY2022/2023 Capital Improvement Program by adjusting the amount from \$337,358 to \$279,504.28 in grant funding from the Floodway/Flood Protection Corridor Grant Program for the Oak Glen Creek Open Space Acquisition Project.

P. 239 **13.** **SUBJECT:** 2023 YUCAIPA MUSIC AND ARTS FESTIVAL

RECOMMENDATION: That City Council:

1. Review and approve the 2023 Yucaipa Music and Arts Festival layout and associated street closures; and

2. Increase the Budget for Community Services Special Events by \$7,000; and
3. Find that the public interest will not be best served by a formal proposal process, waive the formal solicitation of proposals/qualifications in accordance with the City of Yucaipa Municipal Code Section 2.24.060 and Ordinance No. 42; and
4. Authorize the City Manager to award, execute and administer the terms of the contract and purchase order with Harbour Productions for entertainment and production in the not to exceed amount of \$54,598 for the 2023 Yucaipa Music and Arts Festival.

ANNOUNCEMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9

(1) Item – Fallbrook Meadows Application Denial

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 02/23/2023. Said meeting to be held at 6:00 pm, 02/27/2023 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

POSTED
02/23/2023

Remove By: 02/28/2023

