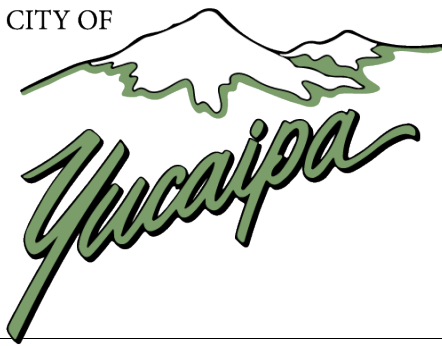


CITY OF



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

April 10, 2023 – 6:00 PM

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

The City Council serves as the Board for the Yucaipa Successor Agency and Commission for the Yucaipa Housing Authority.

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.

CEQA STATEMENT: 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.

MEMBERS OF THE CITY COUNCIL ALSO SIT AS THE BOARD FOR THE SUCCESSOR AGENCY AND COMMISSION FOR THE HOUSING AUTHORITY. THIS IS THE TIME AND PLACE FOR THE GENERAL PUBLIC TO ADDRESS THE CITY COUNCIL, SUCCESSOR AGENCY AND HOUSING AUTHORITY. 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 PRESENTATIONS

Child Abuse Prevention

Donate Life Month

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.

Members of the City Council also sit as the Board for the Successor Agency and Commission for the Housing Authority and may act on the consent calendar for those bodies as part of a single motion with the City Council consent calendar.

P. 7 **1. SUBJECT: APPROVE COUNCIL MINUTES OF MARCH 13, 2023 AND MARCH 27, 2023**

RECOMMENDATION: That the City Council approve City Council Minutes of March 13, 2023 & March 27, 2023.

P. 27 **2. SUBJECT: EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE 2022 SEPTEMBER STORM EVENT**

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

P. 29 **3.** **SUBJECT:** FISCAL YEAR 2023/2024 ANIMAL SERVICES CONTRACT AMENDMENT NO. 11

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Amendment No. 11 to the County of San Bernardino, Department of Public Health Contract, for the provision of animal care, control, sheltering and canvassing services for Fiscal Year 2023/2024 in an amount not to exceed \$542,077.

P. 34 **4.** **SUBJECT:** LEGISLATIVE ACTION: SENATE BILL 423; ASSEMBLY BILL 1708; ASSEMBLY BILL 742

RECOMMENDATION: That the City Council:

1. Oppose Senate Bill 423 by Senator Scott Weiner (D-San Francisco) which would extend a law that makes the approval of multifamily developments that meet certain criteria “ministerial” actions and authorize the Mayor to sign a letter of opposition; and
2. Support Assembly Bill 1708 by Assemblymember Al Muratsuchi (D-Torrance) to enhance penalties related to retail theft and authorize the Mayor to sign a letter of support; and
3. Oppose Assembly Bill 742 by Assemblymember Dr. Corey A. Jackson (D-Riverside) which would prohibit the use of K-9 units for arrest, apprehension, and crowd control, and authorize the Mayor to sign a letter of opposition.

P. 84 **5.** **SUBJECT:** RIGHT OF WAY ACQUISITION – COUNTY LINE ROAD MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE (MSRC) GRANT FUNDED PROJECT

RECOMMENDATION: That the City Council:

1. Approve a Purchase and Sale Agreement with Pacific Crystal Investment, LLC, (APNs 0319-235-40 & 0321-235-41) for the acquisition of a 633 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 \$18,800; 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 \$24,100 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. 120 **6.** **SUBJECT:** ADOPTION OF RESOLUTION NO. 2023-08, ORDERING THE SUMMARY VACATION OF PUBLIC RIGHT OF WAY

RECOMMENDATION: That the City Council:

1. Adopt Resolution No. 2023-08, approving and ordering the vacation of a portion of public right of way adjacent to Oak Glen Road; and
2. Determine that the vacation of a portion of right of way is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Class 1, Section 15301(c); and
3. Determine that the Project (Case No. 21-026) does not require any additional environmental review pursuant to Section 15162(a) of the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended.

P. 127 **7.** **SUBJECT:** SECOND READING OF ORDINANCE NO. 421

RECOMMENDATION: That the City Council Adopt Ordinance No. 421, Adding Chapter 2.06 to the Yucaipa Municipal Code related to Transparency and Ethics.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

DEPARTMENT REPORTS

P. 132 **8.** **SUBJECT:** FISCAL YEAR 2022-23 MID-YEAR GENERAL FUND BUDGET UPDATE

RECOMMENDATION: That the City Council:

1. Review the Fiscal Year (FY) 2022-23 Mid-Year General Fund Budget Report; and
2. Amend the Adopted FY 2022-23 General Fund Budget by increasing budgeted expenditures by \$387,729; and
3. Adopt Resolution No. 2023-11 amending Resolution No. 2023-02, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on April 22, 2023; and
4. Approve and authorize the City Manager, or his designee, to purchase equipment for the Police Department Facility Access Control System based on Chapter 3 of Section 6 of the City of Yucaipa Purchasing Policy (Cooperative or Piggyback Procurement).

P. 139 **9.** **SUBJECT:** INTRODUCTION AND FIRST READING OF ORDINANCE NO. 422, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA, AMENDING SECTIONS 15.20.050, 15.20.070, 15.20.085, 15.20.090, 15.20.100, 15.20.105, 15.20.110, 15.20.115, 15.20.116, 15.20.120, AND 15.20.130 OF CHAPTER 15.20 OF TITLE 15 OF THE YUCAIPA MUNICIPAL CODE RELATED TO THE MOBILEHOME PARK RENT STABILIZATION PROGRAM PERTAINING TO THE IMPLEMENTATION OF A HEARING OFFICER AND ELIMINATION OF THE APPEAL PROCESS

RECOMMENDATION: That the City Council waive full reading and introduce by title only Ordinance No. 422, amending Chapter 15.20 pertaining to the implementation of a Hearing Officer in place of the Mobilehome Rent Review Commission (MRRC) and the elimination of the appeal process.

P. 194 **10.** **SUBJECT:** INTRODUCTION AND FIRST READING OF ORDINANCE NO. 423 – AMENDING CHAPTER 5.22 RELATED TO MASSAGE ESTABLISHMENTS AND REPEALING CHAPTER 5.24

RECOMMENDATION That the City Council waive full reading and introduce by title only Ordinance No. 423, amending Chapter 5.22 related to massage establishments and repealing chapter 5.24.

P. 237 **11.** **SUBJECT:** INTRODUCTION AND FIRST READING OF ORDINANCE NO. 424 – AMENDING CHAPTER 12.06 RELATED TO OBSTRUCTION, CAMPING, AND AGGRESSIVE SOLICITATION ON PUBLIC PROPERTY

RECOMMENDATION: That the City Council waive full reading and introduce by title only Ordinance No. 424, amending Chapter 12.06 related to obstruction, camping, and aggressive solicitation on public property.

P. 252 **12.** **SUBJECT:** DISCUSSION AND POSSIBLE ADOPTION OF 2023 CITY COUNCIL GOALS

RECOMMENDATION: That the City Council adopt goals for the 2023 calendar year as presented.

STUDY SESSIONS

P. 254 **13.** **SUBJECT:** SERVICE STATIONS AND CARWASH FACILITIES

RECOMMENDATION: That the City Council conduct a study session regarding Service Stations and Carwash Facilities and provide direction to staff as appropriate.

ANNOUNCEMENTS

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - LIABILITY CLAIM - Pursuant to Section 54956.95

Claimant: Michael & Melody Murrietta

Agency claimed against: City of Yucaipa

A. CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION - Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9 (1) Item – Fallbrook Meadows Application Denial

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9. Thomas Christian v. Kim Clarke, Et. Al., SB Sup. Court Case No. CIVDS2009824

ADJOURNMENT

		AFFIDAVIT OF POSTING
State of California	}	
County of San Bernardino	} ss.	
City of Yucaipa	}	
<p>I, Ana V. Sauseda, City Clerk of the City of Yucaipa, California, do hereby declare that the foregoing agenda was posted on 04/06/2023, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:</p> <p style="text-align: center;">Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California City of Yucaipa website www.yucaipa.org</p> <p style="text-align: right;">Ana V. Sauseda, CMC City Clerk</p>		