

CITY OF



**City Council
and Housing Authority
Meeting Agenda**

August 8, 2022 – 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

SPECIAL PRESENTATIONS

Certificate of Recognition (Yucaipa Police Department)

Frontier Communications

First Net

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. 11 1. **SUBJECT:** APPROVE SPECIAL MEETING CITY COUNCIL MINUTES OF JULY 11, 2022

RECOMMENDATION: That City Council approve Special Meeting City Council Minutes of July 11, 2022.

P. 22 2. **SUBJECT:** APPROVE REGULAR MEETING CITY COUNCIL MINUTES OF JULY 11, 2022

RECOMMENDATION: That City Council approve Regular Meeting City Council Minutes of July 11, 2022.

P. 32 3. **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. 34 4. **SUBJECT:** AWARD OF CONTRACTS – 2020/2021 & 2021/2022 MICRO-SURFACING-PROJECT NO. 11154, 2021/2022 STREET PATCHING PROGRAM-PROJECT NO. 11155 AND 2021/2022 CRACK SEALING PROGRAM-PROJECT NO. 11156

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract and authorize the City Manager or his designee to administer the terms of the contract to the lowest responsible bidder, All American Asphalt in the amount of \$282,045 for the 2020/2021 & 2021/2022 Micro-Surfacing Program; and
2. Authorize the amounts of \$20,677 for construction contract contingency and \$7,000 for construction contract administration, staff time and inspection, for a total 2020/2021 & 2021/2022 Micro-Surfacing Program construction budget in the amount of \$309,722; and
3. Award and authorize the Mayor to execute a contract and authorize the City Manager or his designee to administer the terms of the contract to the lowest responsible bidder Vance Corporation in the amount of \$199,643 for the 2021/2022 Street Patching Program; and
4. Authorize the amounts of \$20,000 for construction contract contingency and \$2,000 for construction contract administration, staff time and inspection, for a total 2021/2022 Street Patching Program construction budget in the amount of \$221,643; and
5. Award and authorize the Mayor to execute a contract, and authorize the City Manager or his designee to administer the terms of the contract to the lowest responsible bidder, American Asphalt South. in the amount of \$92,070 for the 2021/2022 Crack Sealing Program; and
6. Authorize the amounts of \$5,430 for construction contract contingency and \$2,500 for construction contract administration, staff time and inspection, for a total 2021/2022 Crack Sealing Program construction budget in the amount of \$100,000; and
7. Approve the plans and specifications prepared for these programs.

P. 45 **5. SUBJECT:** AWARD OF CONTRACT – HVAC OPERATIONS AND MAINTENANCE SERVICES AT VARIOUS CITY-OWNED PUBLIC FACILITIES IN THE CITY OF YUCAIPA

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute a contract, and the City Manager, or his designee to administer the terms of the contract, in the annual amount of \$33,968 with Allison Mechanical Inc., of Redlands, CA, for HVAC Operations and Maintenance Services at Various City-Owned Public Facilities for FY2022/2023; and
2. Approve and authorize the Mayor to execute a contract, and the City Manager, or his designee to administer the terms of the contract, in the annual amount of \$15,000 with Allison Mechanical Inc., of Redlands, CA, for on-call HVAC service and repairs as deemed necessary and authorized by the City as outlined in the HVAC Operations and Maintenance Services at Various City-Owned Public Facilities (Program) specifications for FY2022/2023.

P. 65 **6. SUBJECT:** ACCEPTANCE OF CONTRACT WORK – CDBG 4TH STREET DRAINAGE AND SIDEWALK IMPROVEMENTS PROJECT – PROJECT NO. 11095

RECOMMENDATION: That City Council:

1. Accept the contract and extension work completed by I.E. General Engineering, Inc. of

Beaumont, CA, in the amount of \$177,902.00 for the CDBG 4th Street Drainage and Sidewalk Improvements Project – Project No. 11095; and

2. Approve the final payment for the Project; and
3. Authorize the recordation of the Notice of Completion for the Project.

P. 69 7. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – UPTOWN PARKING LOT TRASH ENCLOSURE COVERS – PROJECT NO. 11046-1

RECOMMENDATION: That City Council:

1. Accept the contract work completed by 4D Surface Management, Inc. of Yucaipa, CA for the Uptown Parking Lot Trash Enclosure Covers – Project No. 11046-1; and
2. Approve the final payment for the project; and
3. Authorize the recordation of the Notice of Completion.

P. 73 8. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK - NEW CITY YARD PROJECT UNLOAD, ASSEMBLE, & INSTALL/ERECT CITY FURNISHED STEEL BUILDINGS AND INSTALL CONCRETE FOOTINGS/FOUNDATION - PROJECT NO. 11147

RECOMMENDATION: That City Council:

1. Accept the contract work completed by Three Peaks Corporation of Calimesa, California for the New City Yard Project Unload, Assemble, & Install/Erect City Furnished Steel Buildings and Install Concrete Footings/Foundation - Project No. 11147 (Project) in the amount of \$511,504.36; and
2. Approve the final payment for the Project; and
3. Authorize the recordation of the Notice of Completion

P. 78 9. **SUBJECT:** FINAL PARCEL MAP 19837

RECOMMENDATION: That City Council:

1. Approve Final Parcel Map No. 19837; and
2. Authorize the recordation of the map from Elite Premier Investment, Inc.

P. 80 10. **SUBJECT:** RESOLUTION APPROVING THE MASTER AGREEMENT BETWEEN THE CITY OF YUCAIPA AND THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION

RECOMMENDATION: That City Council Adopt Resolution No. 2022-29 approving the Administering Agency-State Agreement for Federally-Funded projects with the State of California Department of Transportation (Caltrans) and the City of Yucaipa and authorizing the Mayor to execute said Agreement, and authorizing the City Manager or the City Engineer

to execute subsequent Program Supplemental Agreements to the Master Agreement, Fund Exchange Agreements and/or Fund Transfer Agreements for Federal-Funded projects.

P. 83 **11. SUBJECT: MEMORANDUM OF UNDERSTANDING - S.T.A.R.S. PROGRAM**

RECOMMENDATION: That City Council approve and authorize the City Manager to execute a Memorandum of Understanding (MOU) with Yucaipa-Calimesa Joint Unified School District (YCJUSD) for Expanded Learning Opportunities Program (ELO-P) consistent with AB 130 ELO-P.

P. 91 **12. SUBJECT: MONTHLY TREASURER'S REPORT: MARCH 2022**

RECOMMENDATION: That the City Council receive and file the Monthly Treasurer's Report for March 2022.

P. 155 **13. SUBJECT: AUTHORIZING THE USE OF ELECTRONIC SIGNATURES**

RECOMMENDATION: That City Council:

1. Approve Resolution No. 2022-45, a resolution authorizing the use of electronic signature on City documents including agreements, resolutions, and ordinances and establish the City of Yucaipa Policy and Procedures for Electronic Signatures; and
2. Find that it is within the City's best interest to waive the formal bid procedures, per Yucaipa Municipal Code Section 2.24.060, for the procurement of electronic signature software; and
3. Authorize the City Manager or his designee to execute an agreement with Docusign, Inc. for the purchase of electronic signature software for the use and acceptance of electronic signatures through a secure platform for a total amount not-to exceed \$5,000/annually.

P. 164 **14. SUBJECT: BIENNIAL REVIEW OF CITY'S CONFLICT OF INTEREST CODE**

RECOMMENDATION: That City Council:

1. Receive and file the 2022 Local Agency Biennial Notice for the City of Yucaipa and the Successor Agency to the Yucaipa Redevelopment Agency; and
2. Review the proposed amendments to the City's Conflict of Interest Code; and
3. Adopt Resolution No. 2022-44, amending the City's Conflict of Interest Code and rescinding Resolution No. 2020-57.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

P. 172 **15. SUBJECT: FISCAL YEAR 2022/2023 COMMUNITY ACTIVITY GRANT IN-KIND GRANT REQUESTS**

RECOMMENDATION: That City Council:

1. Review and consider the FY 2022/2023 Community Activity Grant Application submitted by The Liberty Lap requesting \$736.25 for in-kind support to waive the rental fees for the

Yucaipa Community Center Amphitheater and Shelter #2 to celebrate the 2nd Anniversary of the Liberty Lap; and

2. Review and consider the FY 2022/2023 Community Activity Grant Application submitted by Yucaipa Chamber of Commerce requesting \$1,773.62 for in-kind support to waive rental fees for the Yucaipa Community Center Banquet Room and the Scherer Senior Center Banquet Room to host a variety of events throughout the year.

P. 190 **16.** **SUBJECT:** CASA BLANCA HOUSE ADVISORY COMMITTEE

RECOMMENDATION: That City Council appoint Kandie Cansler (Representative from the Yucaipa Valley Historical Society), Andrea Geyer (At-large), Jonathan Weldy (Property Owner), and the selected City Council Member to the Casa Blanca House Advisory Committee.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 197 **17.** **SUBJECT:** ANNUAL INVESTMENT POLICY UPDATE

RECOMMENDATION: That City Council:

1. Adopt Resolution No. 2022-46 – Annual Investment Policy Update; and
2. Delegate its investment authority to the City Treasurer for a one year period.

P. 217 **18.** **SUBJECT:** BIENNIAL REVIEW OF MOBILEHOME RENT STABILIZATION ORDINANCE AND RESOLUTION

RECOMMENDATION: That City Council:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 413, amending Sections 15.20.010, 15.20.020, 15.20.030, 15.20.050, 15.20.060, 15.20.073, 15.20.080, and 15.20.140 of Chapter 15.20 of Title 15 of the Yucaipa Municipal Code (“YMC”) Regarding the Mobilehome Rent Stabilization Program and the 2021-2022 Biennial Review; and
2. Adopt Resolution No. 2022-43, amending Resolution No. 2011-52, Sections 2.0001, 2.0003, 2.0004, 2.0005 and 3.0001 of the Administrative Rules for the Implementation of the Yucaipa Mobilehome Rent Stabilization Ordinance.

P. 252 **19.** **SUBJECT:** FIRST EXTENSION AND CONTRACT AMENDMENTS – ON-CALL PROFESSIONAL ENVIRONMENTAL REVIEW SERVICES FOR VARIOUS PUBLIC AND PRIVATE DEVELOPMENT PROJECTS

RECOMMENDATION: That City Council:

1. Review and formally direct staff to utilize on-call consultants for Professional Environmental Review Services for the entitlement of private land development projects, and if approved;
2. Award and authorize the Mayor to execute the First Extension and Contract Amendment and

the City Manager or his designee to administer the terms of the contract with Dudek in the not-to-exceed amount of \$200,000 for providing on-call Professional Environmental Review Services for Various Public and Private Development Projects for FY2022/2023 and FY2023/2024; and

3. Award and authorize the Mayor to execute the First Extension and Contract Amendment and the City Manager or his designee to administer the terms of the contract with Placeworks, Inc. in the not-to-exceed amount of \$100,000 for providing on-call Professional Environmental Review Services for Various Public and Private Development Projects for FY2022/2023 and FY2023/2024; and
4. Award and authorize the Mayor to execute the First Extension and Contract Amendment and the City Manager or his designee to administer the terms of the contract with Rincon Consultants in the not-to-exceed amount of \$75,000 for providing on-call Professional Environmental Review Services for Various Public and Private Development Projects for FY2022/2023 and FY2023/2024; and
5. Award and authorize the Mayor to execute the First Extension and Contract Amendment and the City Manager or his designee to administer the terms of the contract with CASC in the not-to-exceed amount of \$75,000 for providing on-call Professional Environmental Review Services for Various Public and Private Development Projects for FY2022/2023 and FY2023/2024.

P. 330 **20.** **SUBJECT:** 2022 YUCAIPA MUSIC AND ARTS FESTIVAL WRAP-UP

RECOMMENDATION: That City Council receive and file the 2022 Yucaipa Music and Arts Festival Wrap-up Report.

P. 334 **21.** **SUBJECT:** AWARD OF CONTRACT – WILSON III BASIN PHASE 1C IMPROVEMENTS – PROJECT NO. 10879

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount \$6,095,000 with Borden Excavating Inc. of Calimesa CA. for the Wilson III Basin Phase 1C Improvements – Project No. 10879; and
2. Approve and authorize the City Manager to execute Contract Change Order No. 1 in the deductive amount of \$1,420,000 with Borden Excavating Inc., such that the new contract amount will be \$4,675,000; and
3. Approve the amounts of \$400,000 for construction contract contingency, \$75,000 for construction contract administration, \$200,000 for inspection, surveying, materials testing and staff time for a total construction budget in the amount of \$5,350,000; and
4. Authorize the City Manager, or his designee, to administer the terms of the contract; and
5. Approve the Plans and Specifications prepared for this project.

P. 342 **22.** **SUBJECT:** YUCAIPA FREEWAY CORRIDOR SPECIFIC PLAN UPDATE

RECOMMENDATION: That City Council:

1. Approve and authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with PlaceWorks, of Santa Ana, in the increased amount of \$290,205 for a total amount of \$655,024 and approve the amount of \$36,000 for contract contingency for a total budget in the amount of \$691,024 to provide professional services for the preparation of the Freeway Corridor Specific Plan Update Subsequent Environmental Impact Report; and
2. Amend the Fiscal Year 2022-2023 Annual Operating budget to authorize a budget transfer of \$248,413 in the form of a loan to the Yucaipa Freeway Corridor Specific Plan Project in the Capital Project Fund (Fund 35), from the FY2021/2022 Budget Surplus (Net Revenues) where future development fee revenue related to this project will be received and repay the loan; and
3. Amend the Fiscal Year 2022-2023 Capital Improvement Program Budget in the Capital Projects Fund (Fund 35) to increase expenditures in the Yucaipa Freeway Corridor Specific Plan Project by \$748,413; and,
4. Authorize the City Manager or his designee to administer the terms of the Agreement.

ADJOURN CITY COUNCIL AND CONVENE HOUSING AUTHORITY

P. 346 **HA 1.** **SUBJECT:** APPROVE HOUSING AUTHORITY MINUTES OF JUNE 27, 2022

RECOMMENDATION: That the Housing Authority approve Housing Authority Minutes of June 27, 2022

CONVENE JOINT CITY COUNCIL AND HOUSING AUTHORITY

P. 350 **23.** **SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA DECLARING A CITY-OWNED PARCEL LOCATED AT OAK GLEN AND AVENUE E IN THE CITY OF YUCAIPA TO BE EXEMPT SURPLUS LAND PURSUANT TO THE GOVERNMENT CODE SECTIONS 54221(B)(1) AND 5422(F)(1)(A), FINDING THE DECLARATION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, TAKING RELATED ACTIONS AND, APPROVE THE EXCLUSIVE NEGOTIATING AGREEMENT - EAGLE 55 YUCAIPA – 8.52-ACRE PARCEL SOUTHEAST CORNER OAK GLEN AND AVENUE E (APN 0318-061-26)

RECOMMENDATION:

That City Council:

1. Adopt Resolution No.2022-24 declaring, pursuant to Government Code Section 54221 that real property owned by the City located at Oak Glen and Avenue E is exempt surplus land and not necessary for the City's use; and
2. Find that such declaration is exempt from environmental review under the California Environmental Quality Act; and

3. Approve the related actions included in the resolution; and
4. Approve the Exclusive Negotiating Agreement with Eagle Yucaipa 55, LLC to negotiate the potential purchase of City-owned property located at the southeast corner of Oak Glen Road and Avenue E and authorize the City Manager to execute all related documents and make any necessary non-substantive changes.

That Yucaipa Housing Authority:

1. Approve the Exclusive Negotiating Agreement with Eagle Yucaipa 55, LLC to negotiate the potential purchase of City-owned property located at the southeast corner of Oak Glen Road and Avenue E and authorize the City Manager to execute all related documents and make any necessary non-substantive changes.

ADJOURN THE 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. 379 **24.** **SUBJECT:** CASE NO. 22-063/GPA: CITY OF YUCAIPA GENERAL PLAN HOUSING ELEMENT UPDATE (***CONTINUED FROM THE 7/11/2022 CITY COUNCIL MEETING***)

RECOMMENDATION: That City Council move to continue the Public Hearing for Case No. 22-063/GPA to the City Council meeting of August 22, 2022.

- P. 380 **25.** **SUBJECT:** ADOPTION OF RESOLUTION NO. 2022-12 RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF A FULL-FEE SIMPLE INTEREST FROM THE PROPERTY IDENTIFIED AS SAN BERNARDINO COUNTY ASSESSOR'S PARCEL NUMBER 0319-012-20-0000 FOR THE AVENUE E ROUNDABOUT INTERSECTIONS PROJECT, PHASE II

RECOMMENDATION: That City Council:

1. Open and conduct a public hearing to consider the adoption of Resolution No. 2022-12 Resolution of Necessity, declaring certain real property interests necessary for public purposes and authorizing the acquisition thereof, in connection with the Avenue E Roundabout Intersections Project, Phase II (“Project”) in the City, receive from City staff the evidence stated and referred to in this Agenda Report (“Report”), take testimony from any person wishing to be heard on issues A, B, C, and D below with respect to the proposed Resolution of Necessity, and consider all evidence to determine whether to adopt the proposed Resolution of Necessity; and
2. If the City Council finds, based upon the evidence contained and referred to in this Report, the testimony and comments received at the hearing, and all written testimony submitted to the City Council, that the evidence warrants the necessary findings with respect to the proposed Resolution of Necessity, then City staff recommends that the City Council, in the exercise of its discretion, adopt the above-referenced Resolution of Necessity, with the Resolution of Necessity requiring a 4/5ths vote of the entire City Council; and
3. If the City Council approves the Resolution of Necessity, then City staff recommends that the City Council authorize the City Attorney’s office and City staff to take all necessary steps to acquire the real property interests identified in the Resolution of Necessity and to take all necessary steps to deposit with the State Treasurer’s Office the probable compensation required by law for issuance of an Order for Pre-Judgment Possession; and
4. Authorize the City Manager to execute all necessary documents.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation - Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: one case

ADJOURNMENT

AFFIDAVIT OF POSTING	
State of California	}
County of San Bernardino	} ss.
City of Yucaipa	}
<p>I, Kimberly Everts, Deputy Rent Administrator/Records Technician of the City of Yucaipa, hereby declare under penalty of perjury that the Notice and Agenda of a Regular City Council and Housing Authority Meeting as called by the City Council and Housing Authority of the City of Yucaipa was provided and posted on 8/4/2022. Said meeting to be held at 6:00 p.m., on 8/11/2022, in the Yucaipa City Council Chambers, 34272 Yucaipa Boulevard, Yucaipa, California. Said notice was posted on the Bulletin Board at the entrance to City Hall.</p>	
<p>Kimberly Everts, Deputy Rent Administrator/Records Technician</p>	



A handwritten signature in black ink, appearing to be "Kimberly Everts".