

CITY OF



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

September 25, 2023

5:00 PM – Closed Session

6:00 PM – Open Session

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 STREAM/RECORDING OF CITY COUNCIL MEETINGS:

Members of the public may watch city council meetings live at: <https://yucaipa.org/live>.

CLOSED SESSION – 5:00 PM

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – (Paragraph (1) of subdivision (d) of Section 54956.9) Yucaipa Preservation Society v. City of Yucaipa, et al. San Bernardino Superior Court Case No. CIVSB2308052

- B. CONFERENCE WITH LEGAL COUNSEL - CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 032110101
Agency negotiator: City Manager
Negotiating parties: Mike Kooyman
Under negotiation: Price and Terms of Payment

- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – (Paragraph (1) of subdivision (d) of Section 54956.9) Southern California Edison v. California State Board of Equalization et al. Orange County Superior Court Case No. 30-2022-01258109-CU-MC-CJC

OPEN SESSION – 6:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CLOSED SESSION REPORT

CHANGES TO THE AGENDA

PUBLIC SAFETY UPDATE

- Police
- Fire
- Code Enforcement

CITY MANAGER REPORT

Verbal report on community meeting held September 19, 2023, regarding the potential purchase of the Serrano Estates property.

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.

1. **SUBJECT:** APPROVE THE CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY MINUTES OF AUGUST 24, 2023, AUGUST 28, 2023, SEPTEMBER 5, 2023, AND SEPTEMBER 11, 2023

RECOMMENDATION: That the City Council approve the City Council/Successor Agency/Housing Authority Minutes of August 24, 2023, August 28, 2023, September 5, 2023 & September 11, 2023.

2. **SUBJECT:** SECOND READING OF ORDINANCE NO. 434

RECOMMENDATION: That the City Council approve the second reading of Ordinance No. 434, an Ordinance of the City Council of the City of Yucaipa, California, amending section 8.16.032 of the Yucaipa Municipal Code related to vacant structures.

3. **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.

4. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO TROPICAL STORM HILARY; ADOPTION OF RESOLUTION NO. 2023-49, DECLARING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE IMMEDIATE EXPENDITURE OF PUBLIC MONEY TO SAFEGUARD LIFE, HEALTH AND PROPERTY, PURSUANT TO SECTION 2.24.130(1) OF THE YUCAIPA MUNICIPAL CODE

RECOMMENDATION: That the City Council:

1. Review the need to continue the local emergency, thereby recognizing the continued existence of perilous conditions as a result of the 2023 Tropical Storm Hilary, and direct staff as deemed appropriate; and
2. Adopt Resolution 2023-49 authorizing the emergency spending related to Tropical Storm Hilary.

5. **SUBJECT:** YUCAIPA FIRE DEPARTMENT RADIO REPLACEMENT PURCHASE AUTHORIZATION

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute the purchase of mobile and portable radios to replace antiquated and incompatible equipment for Yucaipa Fire Department in the amount of \$295,536.44.

6. **SUBJECT:** MONTHLY TREASURER’S REPORT: AUGUST 2023

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

7. **SUBJECT:** FISCAL YEAR 2022-23 BUDGET REVIEW

RECOMMENDATION: That the City Council:

1. Receive the preliminary Fiscal Year 2022-2023 (FY23) General Fund budgetary results; and
2. Amend the FY23 Annual Budget by the amounts indicated in Attachment 1.

8. **SUBJECT:** FISCAL YEAR 2023-24 BUDGET ADJUSTMENT REPORT – SEPTEMBER 2023

RECOMMENDATION: That the City Council amend the Fiscal Year 2023-24 (FY24) Annual Budget by the amounts indicated in Attachment 1.

9. **SUBJECT:** COMMUNITY FACILITIES DISTRICT NO. 98-1 OF THE CITY OF YUCAIPA (CHAPMAN HEIGHTS) 2023 SPECIAL TAX REFUNDING BONDS

RECOMMENDATION: That the City Council acting as the legislative body of Community Facilities District 98-1 (Chapman Heights) adopt Resolution No. 2023-48 authorizing the issuance of special tax refunding bonds.

10. **SUBJECT:** AWARD OF CONTRACT – CITY YARD PAVING AND HARDSCAPE PROJECT – PROJECT NO. 11190

RECOMMENDATION: That the City Council:

1. Award and authorize the City Manager to execute a contract, and the City Manager or his designee administer the terms of the contract to the lowest responsive bidder, Three Peaks Corporation of Calimesa, CA in the amount of \$488,433 for the City Yard Paving & Hardscape Project - Project No. 11190; and
2. Approve the amounts of \$97,000 for construction contract contingency and the amount of \$25,000 for construction contract administration, staff time, testing and inspection, for a total construction budget in the amount of \$610,433; and
3. Authorize the City Manager or his designee to administer the distribution of the contract contingency; and
4. Approve the plans and specifications prepared for this Project.

11. **SUBJECT:** AWARD OF AGREEMENT – CITYWIDE ENGINEERING AND TRAFFIC SURVEY FOR SPEED LIMITS

RECOMMENDATION: That the City Council award and authorize the City Manager to execute the agreement and the City Manager or his designee to administer the terms of the agreement with Minagar & Associates, Inc. of Laguna Hills, CA in the not-to-exceed amount of \$46,961 to conduct a Citywide Engineering and Traffic Survey for Speed Limits.

12. **SUBJECT:** AWARD OF CONTRACT – PAINTING OF VARIOUS CITY FACILITIES PROJECT, PHASE II – PROJECT NO. 11196

RECOMMENDATION: That the City Council:

1. Award and authorize the City Manager to execute a contract, and the City Manager or his designee to administer the terms of the contract to the lowest responsible bidder, Innovation Painting Inc. of Ontario, CA in the amount \$90,000 for the Painting of Various City Facilities Project, Phase II – Project No. 11196 (Project); and
2. Approve the amount of \$18,000 for construction contract contingency and the amount of \$4,500 for construction contract administration, staff time, and inspection for a total construction budget in the amount of \$112,500.

13. **SUBJECT:** AWARD OF AGREEMENT - THE DESIGN AND DEVELOPMENT OF ELECTRIC VEHICLE (EV) CHARGING STATIONS AT CITY-OWNED FACILITIES LOCATED IN THE CITY OF YUCAIPA

RECOMMENDATION: That the City Council award and authorize the City Manager to execute an agreement, and the City Manager or his designee to administer the terms of the agreement with OBE Power of Miami, Florida for the Design and Development of Electric Vehicle (EV) Charging Stations at City-Owned Facilities Located in the City of Yucaipa.

14. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – COUNTY LINE ROAD MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE (MSRC) GRANT PROJECT – PROJECT NO. 11118

RECOMMENDATION: That the City Council:

1. Accept the contract work completed by Three Peaks Corp. in the amount of \$460,284 County Line Road Mobile Source Air Pollution Reduction Review Committee (MSRC) Grant Funded Project – Project No. 11118 (Project); and
2. Authorize the recordation of the Notice of Completion for the Project; and
3. Accept the as-built plans for the Project.

15. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – COMMUNITY CENTER FLOORING IMPROVEMENTS PROJECT – PROJECT NO. 11192

RECOMMENDATION: That the City Council:

1. Accept the contract work completed by New Image Interior Flooring in the amount of \$39,606 for the Community Center Flooring Improvements Project – Project No. 11192 (Project); and
2. Authorize the recordation of the Notice of Completion for the Project.

16. **SUBJECT:** OFFERS OF DEDICATION FROM YUCAIPA VALLEY WATER DISTRICT

RECOMMENDATION: That the City Council:

1. Accept an Offer of Dedication for Public Road and Utility Purposes from Yucaipa Valley Water District on APN 0319-151-01; and
2. Accept an Offer of Dedication for Public Road and Utility Purposes from Yucaipa Valley Water District on APN 0319-121-38, 39, & 63; and
3. Authorize the City Manager, or his designee, to execute the necessary documents to complete the offer of dedication process.

17. **SUBJECT:** RESOLUTION NO. 2023-45 TO SET A TIME AND PLACE TO CONDUCT A PUBLIC HEARING FOR THE ANNEXATION OF TRACT MAP NO. 14429 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “EE”)

RECOMMENDATION: That the City Council:

1. Adopt Resolution No. 2023-45 to set a time and place to conduct a Public Hearing and Assessment Ballot proceedings at 6:00 p.m. on November 13, 2023, in compliance with Proposition 218, and to approve the annexation of Tract Map No. 14429 into the City of Yucaipa Landscaping and Lighting Maintenance District No. 1 (Zone “EE”); and
2. Adopt the methodology for and enact the assessments therein.

18. **SUBJECT:** RESOLUTION NO. 2023-47 – ESTABLISHING THE ADMINISTRATIVE RULES AND 2024 ANNUAL REGISTRATION FEE FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE YUCAIPA MOBILEHOME RENT STABILIZATION ORDINANCE

RECOMMENDATION: That the City Council adopt Resolution No. 2023-47, rescinding Resolution No. 2023-36, establishing the Administrative Rules for the Implementation of the Yucaipa Mobilehome Rent Stabilization Ordinance and establishing the 2024 Annual Registration Fee for the Enforcement of the Ordinance.

19. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – ST. FRANCES XAVIER CABRINI FALL FESTIVAL

RECOMMENDATION: That the City Council approve a Special Event Permit Application submitted by St. Frances Xavier Cabrini to conduct a Fall Festival on Saturday October 7, 2023.

20. **SUBJECT:** MEMORANDUM OF UNDERSTANDING - S.T.A.R.S. PROGRAM

RECOMMENDATION: That the 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.

21. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – WILSON III BASIN PHASE 1C IMPROVEMENTS PROJECT– PROJECT NO. 10879

RECOMMENDATION: That the City Council:

1. Accept the contract work completed by Borden Excavating Inc. in the amount of \$5,448,537 for the Wilson III Basin Phase 1C Improvements Project – Project No. 10879 (Project); and
2. Authorize the recordation of the Notice of Completion for the Project; and
3. Accept As-Built Plans for the Project.

22. **SUBJECT:** CONTRACT AMENDMENTS – ON-CALL EMERGENCY CONSTRUCTION/MAINTENANCE SERVICES

RECOMMENDATION: That the City Council:

1. Approve and authorize the City Manager to execute Contract Amendment No. 1 with MCC Equipment Rentals, Inc. of Yucaipa, California in the not-to-exceed amount of \$60,000 for On-Call Emergency Construction and Maintenance Services; and
2. Approve and authorize the City Manager to execute Contract Amendment No. 1 with Three Peaks Corporation of Calimesa, California in the not-to-exceed amount of \$85,000 for On-Call Emergency Construction and Maintenance Services; and

3. Approve and authorize the City Manager to execute Contract Amendment No. 1 with Jeremy Harris Construction, Inc. of Riverside, California in the not-to-exceed amount of \$4,460,000 for On-Call Emergency Construction and Maintenance Services; and
4. Authorize an amendment to the FY24 Budget of \$4,605,000 for capital in the Engineering Division of the General Fund.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

DEPARTMENT REPORTS

23. **SUBJECT:** RESOLUTION NO. 2023-38 - APPROVAL AND ADOPTION OF THE LOCAL ROADWAY SAFETY PLAN FOR THE CITY OF YUCAIPA

RECOMMENDATION: That the City Council Adopt Resolution No. 2023-38 approving and adopting the Local Roadway Safety Plan (LRSP) for the City of Yucaipa.

24. **SUBJECT:** NEIGHBORHOOD TRAFFIC CALMING PROGRAM RECOMMENDATIONS – PHASE 14

RECOMMENDATION: That the City Council review and approve the Neighborhood Traffic Calming Program recommendations for Phase 14, as presented.

25. **SUBJECT:** RESOLUTION 2023-50, ADOPTING THE HOMELESS STRATEGIC PLAN

RECOMMENDATION: That the City Council:

1. Review and approve the 2023-Homeless Strategic Plan; and
2. Amend the FY24 General Fund Annual Budget for the Homeless Strategic Plan vehicle outfitting, staff overtime and general supplies in the amount of \$20,000.

26. **SUBJECT:** ADOPTION OF RESOLUTION NO. 2023-46, APPROVING THE FOLLOWING GENERAL RULES AND PROCEDURES FOR THE CONDUCT OF COMMISSIONS AND COMMITTEES IN THE CITY OF YUCAIPA AND RE-ESTABLISHING CITY COUNCIL COMMITTEES, COMMITTEE FUNCTIONS, AND SETTING COMMITTEE MEETING DATES AND TIMES; AND INTRODUCTION AND FIRST READING OF ORDINANCE NO. 436, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA, AMENDING THE YUCAIPA MUNICIPAL CODE TO REPEAL CHAPTER 2.12 – PARK AND RECREATION COMMISSION

RECOMMENDATION: That the City Council:

1. Adopt Resolution No. 2023-46, Approving the Following General Rules and Procedures for the Conduct of the Boards, Commissions, and Committees in the City of Yucaipa and Re-Establishing City Council Committees, Committee Functions, and Setting Committee Meeting Dates and Times; and

2. Waive Full Reading and Introduce by Title Only Ordinance No. 436, an Ordinance of the City Council of the City of Yucaipa, California, Amending the Yucaipa Municipal Code to Repeal Chapter 2.12 – Park and Recreation Commission.

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.

27. **SUBJECT:** CITY OF YUCAIPA (CASE NO. 22-165/DCA/ORD): CONSIDERATION OF ORDINANCE NO. NO. 429, PROPOSING AMENDMENTS TO STREAMLINE THE REVIEW PROCESS INITIALLY DEVELOPED AS PART OF ORDINANCE NO. 344, WHICH AMENDED CHAPTER 4 (LAND USE MODIFICATIONS) OF DIVISION 5 (OVERLAY DISTRICTS) OF VOLUME II (DEVELOPMENT CODE) OF THE YUCAIPA MUNICIPAL CODE ESTABLISHING MOBILEHOME PARK CONVERSION STANDARDS, TO COMPLY WITH THE CITY’S HOUSING ELEMENT

RECOMMENDATION: That the City Council conduct a Public Hearing, and consider the Planning Commission’s recommendation to:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 429 amending Division 4 of the Yucaipa Development Code to streamline the review process initially developed as part of Ordinance No. 344, to achieve compliance with Program #8 of the City’s Housing Element; and
2. Find that the Ordinance is exempt from Environmental Review as an Addendum to the 2016 Yucaipa General Plan Environmental Impact Report that had been prepared for the 6th Cycle Housing Element Update (2021-2029) in accordance with Section 15164 of the CEQA Guidelines, and identified that the conditions outlined in Section 15162 of the Guidelines that call for preparation of a subsequent or supplemental EIR were not met; further the adoption of the Ordinance is consistent with Program #8 identified in the Housing Element, and would not result in impacts not originally analyzed in the Addendum to the 2016 General Plan EIR.

28. **SUBJECT:** CITY OF YUCAIPA (CASE NO. 23-103/DCA/ORD): CONSIDERATION OF ORDINANCE NO. 432, AUTHORIZING THE PROCESSING OF LOT MERGER APPLICATIONS FOR PROJECTS THAT SPAN MULTIPLE CONTIGUOUS PARCELS, THROUGH AN AMENDMENT TO DEVELOPMENT CODE SECTION 83.040701 OF CHAPTER 4 (DIVISION OF LAND PROCEDURES) OF DIVISION 3 (PROCEDURES) OF THE YUCAIPA DEVELOPMENT CODE, TO COMPLY WITH THE CITY’S HOUSING ELEMENT

RECOMMENDATION: That the City Council conduct a Public Hearing, and consider the Planning Commission’s recommendation to:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 432 amending Division 4 of the Yucaipa Development Code to authorize the processing of Lot Merger applications for projects that span multiple contiguous parcels, to achieve compliance with Program #21 of the City’s Housing Element; and
2. Find that the Ordinance is exempt from Environmental Review as an Addendum to the 2016 Yucaipa General Plan Environmental Impact Report that had been prepared for the 6th Cycle Housing Element Update (2021-2029) in accordance with Section 15164 of the CEQA Guidelines, and identified that the conditions outlined in Section 15162 of the Guidelines that call for preparation of a subsequent or supplemental EIR were not met; further the adoption of the Ordinance is consistent with Program #21 identified in the Housing Element, and would not result in impacts not originally analyzed in the Addendum to the 2016 General Plan EIR.

29. **SUBJECT:** COMPREHENSIVE USER FEE SCHEDULE UPDATE FOR FISCAL YEAR (FY) 2024

RECOMMENDATION: That the City Council conduct a Public Hearing and subsequently approve Resolution No. 2023-44, rescinding Resolution No. 2022-25, and adopting an update to the Comprehensive User Fee Schedule and amending fees and charges for services rendered in relation to Community Development, Building and Safety, Fire Prevention and Planning, Business License Administration, Yard Sale Permits, False Alarms, Construction and Demolition Recycling, and various other general or administrative City services, and making related determinations pursuant to the California Environmental Quality Act.

ANNOUNCEMENTS

ADJOURNMENT

AFFIDAVIT OF POSTING

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

I, Ana V. Sauseda, City Clerk of the City of Yucaipa, California, do hereby declare that the foregoing agenda was posted on 09/22/2023, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:

Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California
City of Yucaipa website www.yucaipa.org

Ana V. Sauseda, CMC
City Clerk