

CITY OF



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

**October 23, 2023**

**5:00 PM – Closed Session**

**6:00 PM – Open Session**

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

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**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](mailto: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.

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**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 - ANTICIPATED LITIGATION Significant Exposure Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9 Number of Cases (2)
- 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

**OPEN SESSION – 6:00 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CLOSED SESSION REPORT**

**CHANGES TO THE AGENDA**

**SPECIAL PRESENTATIONS**

CERT

**PUBLIC SAFETY UPDATE**

- Sheriff
- Fire
- Code Enforcement

**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, SEPTEMBER 25, 2023, AND OCTOBER 9, 2023, AS PRESENTED

**RECOMMENDATION:** That the City Council approve the City Council/Successor Agency/Housing Authority minutes of August 24, 2023, September 25, 2023, and October 9, 2023, as presented.

2. **SUBJECT:** SECOND READING OF ORDINANCE NO. 432

**RECOMMENDATION:** That the City Council approve the second reading of Ordinance No. 432, an Ordinance of the City Council of the City of Yucaipa, California, Amending Development Code Section 83.040701 of Chapter 4 (Division of Land Procedures) of Division 3 (Procedures) of the Yucaipa Development Code Related to Authorizing the Processing of Lot Merger Applications for Projects that Span Multiple Contiguous Parcels

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

**RECOMMENDATION:** That the City Council extend the declaration of a local emergency as a result of Tropical Storm Hilary.

5. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – FISCAL YEAR 2023/2024 CONCRETE PROGRAM PHASE I – PROJECT NO. 11194

**RECOMMENDATION:** That the City Council:

1. Accept the contract work completed by Three Peaks Corp. in the amount of \$95,187 for the 2022-2023 Concrete Program – Project No. 11194; and
2. Authorize the recordation of the Notice of Completion for the Program.

6. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – DESIGN AND DEVELOPMENT OF THE WILDWOOD SINGLE TRACK MOUNTAIN BIKE TRAIL – PHASE III – PROJECT NO. 11103

**RECOMMENDATION:** That the City Council:

1. Accept the contract work completed by Bellfree Contractors in the amount of \$81,882 for the Design and Development of the Wildwood Single Track Mountain Bike Trail – Phase III – Project No. 11103 (Project); and
2. Authorize the recordation of the Notice of Completion for the Project.

7. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – AVENUE E STREET IMPROVEMENTS, DUNLAP BOULEVARD TO YUCAIPA BOULEVARD PROJECT – PROJECT NO. 11185

**RECOMMENDATION:** That the City Council:

1. Accept the contract work completed by Three Peaks Corp. in the amount of \$342,762.95 for the Avenue E Street Improvements, Dunlap Boulevard to Yucaipa Boulevard Project – Project No. 11185; and
2. Authorize the recordation of the Notice of Completion for the Project; and
3. Accept the as-built plans for the Project.

8. **SUBJECT:** CONTRACT AMENDMENT NO. 2 WITH ALLISON MECHANICAL, INC. FOR HVAC OPERATIONS AND MAINTENANCE SERVICES AT VARIOUS CITY-OWNED PUBLIC FACILITIES

**RECOMMENDATION:** That the City Council authorize the City Manager to execute Contract Amendment No. 2 with Allison Mechanical, Inc. for HVAC Operations and Maintenance Services at Various City-Owned Public Facilities (Program) in the amount of \$45,000 for HVAC system repairs at City facilities for a revised contract total in the amount of \$115,531 for FY24.

9. **SUBJECT:** CAL FIRE WILDLAND PROTECTION REIMBURSEMENT AGREEMENT FOR FY 23/24

**RECOMMENDATION:** That the City Council:

1. Approve a Wildland Protection Agreement between the City of Yucaipa and CAL FIRE; and
2. Authorize the City Manager to execute the agreement and act as the representative for the City of Yucaipa.

10. **SUBJECT:** INFRASTRUCTURE CONSTRUCTION AND COORDINATION AGREEMENT WITH THE YUCAIPA VALLEY WATER DISTRICT REGARDING PAVEMENT REHABILITATION

**RECOMMENDATION:** That the City Council:

1. Approve and authorize the City Manager to execute an Infrastructure Construction and Coordination Agreement with the Yucaipa Valley Water District in the amount of \$131,940 for the pavement rehabilitation road improvement project on Goldstone Street and Peach Tree Circle; and
2. Amend the FY2023/2024 Capital Improvement Program by adding the amount of \$91,940 in funding from the Yucaipa Valley Water District.

11. **SUBJECT:** CHANGE ORDER NO. 1 - 7TH STREET PICKLEBALL COURTS – CONCRETE FOOTINGS AND STEEL STRUCTURE/COVER INSTALLATION PROJECT – PROJECT NO. 11150-2

**RECOMMENDATION:** That the City Council approve and authorize the City Manager to execute Change Order No. 1 to the contract with Three Peaks Corporation in the amount of \$21,291.92 for the 7th Street Pickleball Courts – Concrete Footings and Steel Structure/Cover Installation Project – Project No. 11150-2, for a revised contract amount of \$177,141.92.

12. **SUBJECT:** APPROVAL OF PURCHASE – RUBBER SURFACING AT YUCAIPA COMMUNITY PARK

**RECOMMENDATION:** That the City Council:

1. 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 approve the purchase of the Rubber Surfacing at the Yucaipa Community Park Playground; and
2. Approve and authorize the City Manager to execute a purchase order with ORTOC Inc. for the purchase and installation of Rubber Surfacing for the Yucaipa Community Park playground, in the amount of \$123,600.

**MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)**

13. **SUBJECT:** YOUTH ADVISORY COMMITTEE APPOINTMENTS

**RECOMMENDATION:** That the City Council:

1. Appoint Marissa Ulibarri to the Youth Advisory Committee for a two-year term from October 23, 2023, to September 1, 2025; and
2. Extend the appointment of Gesenia Ramirez to the Youth Advisory Committee for an additional two-year term from October 23, 2023, to September 1, 2025.

## DEPARTMENT REPORTS

14. **SUBJECT:** FUNDING AGREEMENT WITH INLAND EMPIRE RESOURCE CONSERVATION DISTRICT

**RECOMMENDATION:** That the City Council:

1. Approve and authorize the City Manager to execute a funding agreement with the Inland Empire Resource Conservation District; and
2. Accept \$100,000 in grant funding from the Regional Forest and Fire Capacity Program for the purchase of a Heavy Duty Wood Chipper; and
3. Approve budget adjustments to the Fire Department budget for the grant funding and equipment purchase.

## 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.**

15. **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 **(CONTINUED FROM SEPTEMBER 25, 2023)**

**RECOMMENDATION:** That the City Council 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.

16. **SUBJECT:** CITY OF YUCAIPA (CASE NO. 23-119/DCA): ORDINANCE NO. 431, AMENDING DIVISION 4, DIVISION 7, AND DIVISION 8 OF THE YUCAIPA DEVELOPMENT CODE TO REGULATE DEVELOPMENT OF TWO UNIT RESIDENTIAL DEVELOPMENT OR URBAN LOT SPLITS FOR SINGLE FAMILY-DESIGNATED LOTS IN ACCORDANCE WITH SENATE BILL 9

**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. 431 that will regulate the development of Two Unit Residential Development or Urban Lot Splits for Single Family-designated Lots in accordance with Senate Bill 9; and
2. Find that Ordinance No. 431 is exempt from Environmental Review as state law includes a provision that explicitly states that an ordinance to implement Senate Bill 9 (California Government Code Section 65852.21) shall not be considered a project under the California Environmental Quality Act (CEQA) and, therefore, is not subject to environmental review. Further, future projects completed under SB9 would be a ministerial action and exempt from CEQA, and under the "General Rule" (Section 15061(b)(3)), SB9 preempts any City regulations that are not in place.

17. **SUBJECT:** CITY OF YUCAIPA (CASE NO. 22-168/DCA); CONSIDERATION OF ORDINANCE NO. 435, AMENDING ARTICLE 7 OF CHAPTER 1 OF DIVISION 3 OF THE YUCAIPA DEVELOPMENT CODE REGARDS THE CITY'S DENSITY BONUS PROCEDURES TO MEET CURRENT STATE LAW

**RECOMMENDATION:** That the City Council continue the Public Hearing for Case No. 22-168/DCA to the City Council meeting of November 13, 2023.

18. **SUBJECT:** UPTOWN BUSINESS DISTRICT SPECIFIC PLAN (CASE NO. 22-164/SPA): A SPECIFIC PLAN AMENDMENT TO THE UPTOWN BUSINESS DISTRICT SPECIFIC PLAN TO STREAMLINE THE REVIEW PROCEDURES AND MAKE NECESSARY UPDATES TO THE PLAN BASED ON THE CURRENT CONDITIONS. THE STREAMLINED PROVISIONS WOULD OMIT THE DEVELOPMENT OPPORTUNITY RESERVE (DOR) PROCESS FOR ACHIEVING THE PERMISSIBLE 24 DU/AC DENSITY FOR RESIDENTIAL AND MIXED-USE PROJECTS AND ALLOW THEIR PROJECT APPROVALS THROUGH THE CITY'S LAND USE COMPLIANCE REVIEW PROCEDURES, CONSISTENT WITH THE CITY'S ADOPTED HOUSING ELEMENT AND GENERAL PLAN POLICIES

**RECOMMENDATION:** That the City Council continue the Public Hearing for Case No. 22-164/SPA to the City Council meeting of November 13, 2023.

**ANNOUNCEMENTS**

**ADJOURNMENT**

		<b>AFFIDAVIT OF POSTING</b>
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 10/19/2023, 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 <a href="http://www.yucaipa.org">www.yucaipa.org</a></p> <p style="text-align: right;">Ana V. Sauseda, CMC City Clerk</p>		