

CITY OF



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

November 13, 2023

5:30 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 – 5:30 PM

A. 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 PRESENTATION

YAPS Dog of the Month

Presentation by Chancellor Diana Rodriguez of the San Bernardino Community College District

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.

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 CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY MINUTES OF OCTOBER 23, 2023

RECOMMENDATION: That the City Council approve the City Council/Successor Agency/Housing Authority Minutes of October 23, 2023, as presented.

2. **SUBJECT:** SECOND READING OF ORDINANCE NO. 429

RECOMMENDATION: That the City Council approve the second reading of Ordinance No. 429, an Ordinance of the City Council of the City of Yucaipa, California, Amending Chapter 4 (Land Use Modifications) of Division 5 (Overlay Districts) of Volume II (Development Code) of the Yucaipa Municipal Code Previously Added as Part of Ordinance No. 344 to Provide a Streamlined Review of the Mobilehome Park Conversion Standards Consistent with the City's Adopted 6th Housing Element

3. **SUBJECT:** SECOND READING OF ORDINANCE NO. 431

RECOMMENDATION: That the City Council approve the second reading of Ordinance No. 431, an Ordinance of the City Council of the City of Yucaipa, California, 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

4. **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.

5. **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.

6. **SUBJECT:** TREASURER'S REPORT

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

7. **SUBJECT:** AWARD OF CONTRACT - INSTALLATION OF ASPHALT SPEED HUMPS ON ADAMS STREET- PROJECT NO. 11199

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, NPG Corporation of Perris, CA for the Installation of Asphalt Speed Humps on Adams Street-Project No. 11199; and
2. Approve the amount of \$5,000 for construction contract contingency and the amount of \$4,000 for construction contract administration/inspection costs for a total construction budget in the amount of \$35,198; 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.

8. **SUBJECT:** REJECT BIDS – 2022-2023 AC BERM/CURB PROGRAM – PROJECT NO. 11195-2

RECOMMENDATION: That City Council:

1. Reject all bids for the 2022-2023 AC Berm/Curb Program – Project No. 11195-2; and
2. Direct staff to evaluate alternatives for completing the Program within the available budget.

9. **SUBJECT:** REJECT ALL BIDS – PHASE II-B YUCAIPA BOULEVARD ADA IMPROVEMENTS 2ND STREET TO 5TH STREET, – PROJECT NO. 10959-2

RECOMMENDATION: That City Council:

1. Reject all bids for Phase II-B Yucaipa Boulevard ADA Improvements 2nd Street to 5th Street, – Project No. 10959-2; and
2. Direct staff to rebid the Project and conduct additional outreach for construction bids.

10. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – EL DORADO/FIVE WINDS RANCH PARK LAKE GRADING – PROJECT NO. 11180

RECOMMENDATION: That City Council:

1. Accept the contract work completed by Three Peaks Corp. in the amount of \$287,175.64 for the El Dorado/Five Winds Ranch Park Lake Grading – Project No. 11180; and
2. Authorize the recordation of the Notice of Completion for the Project; and
3. Accept the as-built plans for the Project.

11. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK –LIVE OAK CANYON ROAD IMPROVEMENTS AT OUTER HIGHWAY SOUTH – PROJECT NO. 10981-2

RECOMMENDATION: That City Council:

1. Accept the contract work completed by Three Peaks Corp. in the amount of \$572,254.90 for the Live Oak Canyon Road Improvements at Outer Highway South – Project No. 10981-2; and
2. Authorize the recordation of the Notice of Completion for the Project; and
3. Accept the as-built plans for the Project.

12. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – ROTARY CLUB OF YUCAIPA 68TH ANNUAL CHRISTMAS PARADE

RECOMMENDATION: That the City Council:

1. Approve the Special Event Permit Application submitted by the Rotary Club of Yucaipa to conduct the 68th Annual Yucaipa Christmas Parade, on Saturday, December 9, 2023; and
2. Review and approve the street closures identified in the agenda report; and
3. Approve a City co-sponsorship of the 68th Annual Yucaipa Christmas Parade.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

13. **SUBJECT:** NEW STATE HOUSING LAW UPDATE

RECOMMENDATION: N/A

14. **SUBJECT:** ADOPTION OF RESOLUTION NO. 2023-46, APPROVING 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

RECOMMENDATION: That the City Council adopt Resolution No. 2023-46, Approving 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

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:** COMPREHENSIVE USER FEE SCHEDULE UPDATE

RECOMMENDATION: That the City Council conduct a Public Hearing and subsequently approve Resolution No. 2023-54, rescinding Resolution No. 2023-44, and adopting an update to the Comprehensive User Fee Schedule establishing an EMS User Fee and including 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.

16. **SUBJECT:** APPROVAL OF RESOLUTION NO. 2023-52, ADOPTING THE COUNTY OF SAN BERNARDINO'S SCHEDULE FOR PARKING AND LATE PAYMENT PENALTIES RELATING TO PARKING VIOLATIONS

RECOMMENDATION: That the City Council approve Resolution No. 2023-52, Adopting the County of San Bernardino's Schedule for Parking and Late Payment Penalties Relating to Parking Violations.

17. **SUBJECT:** ANNEXATION OF TRACT MAP NO. 14429 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE "EE")

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing, and subsequently adopt Resolution No. 2023-53, approving the annexation of Tract Map No. 14429 into the City of Yucaipa Landscaping and Lighting Maintenance District No. 1 (LLMD); and
2. Adopt the methodology for and enact the assessments therein.

18. **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. **(CONTINUED FROM OCTOBER 23, 2023)**

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. 435, which amends the City's Density Bonus Procedures to reflect current state law requirements; and
2. Find that the Ordinance is exempt from Environmental Review pursuant to CEQA Guidelines Section 15061(b)(3).

19. **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. **(CONTINUED FROM OCTOBER 23, 2023)**

RECOMMENDATION: That the City Council conduct a public hearing and consider the Planning Commission's recommendation to:

1. Adopt Resolution No. 2023-51 approving the proposed Specific Plan Amendment for the Uptown Business District Specific Plan; and
2. Adopt the Findings as contained in the Agenda Report; and
3. Find that the Specific Plan Amendment is exempt from additional 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 #10 identified in the Housing Element, and would not result in impacts not originally analyzed in the Addendum to the 2016 General Plan EIR; and
4. Direct Staff to file a Notice of Determination.

ANNOUNCEMENTS

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 11/09/2023, 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>		



Remove by 11/14/2023