



City Council Meeting Agenda

May 23, 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

Live Oak Canyon Firewise Community

Approval and Presentation of a Proclamation Proclaiming the Month of May as Ehlers-Danlos Syndromes and Hypermobility Spectrum Disorders Awareness Month

EMPLOYEE INTRODUCTION

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. 8 1. **SUBJECT:** APPROVE COUNCIL MINUTES OF MAY 9, 2022
- RECOMMENDATION:** That City Council approve City Council Minutes of May 9, 2022.
- P. 13 2. **SUBJECT:** AMENDMENT TO YUCAIPA MUNICIPAL CODE SECTION 12.04.040 (HOURS OF OPERATION)
- RECOMMENDATION:** That City Council waive further reading and adopt Ordinance No. 406, amending Section 12.04.040 of Chapter 12.04 of Title 12 of the Yucaipa Municipal Code regarding hours of operation, and find Ordinance No. 406 exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15378 and 15061(b)(3).
- P. 17 3. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK - INSTALLATION OF PLAYGROUND EQUIPMENT FOR FLAG HILL VETERANS MEMORIAL PARK – PROJECT NO. 11163
- RECOMMENDATION:** That City Council:
1. Accept the contract work completed by Three Peaks Corporation of Calimesa, California for the Installation of Playground Equipment for Flag Hill Veterans Memorial Park – Project No. 11163 in the amount of \$41,520; and
 2. Approve the final payment for the Project; and

3. Authorize the recordation of the Notice of Completion

P. 20 4. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK - NEW CITY YARD INSTALL/ERECT CITY FURNISHED STORAGE COVER - PROJECT NO. 11161

RECOMMENDATION: That City Council:

1. Accept the contract work completed by Three Peaks Corporation of Calimesa, California for the New City Yard Install/Erect City Furnished Storage Cover - Project No. 11161 in the amount of \$73,000; and
2. Approve the final payment for the Project; and
3. Authorize the recordation of the Notice of Completion

P. 25 5. **SUBJECT:** NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION

RECOMMENDATION: That City Council adopt Resolution No. 2022-19, calling for and giving notice of the holding of the general municipal election to be held on November 8, 2022, requesting San Bernardino County to consolidate the General Municipal Election with the Statewide Election, and establishing regulations for candidate statements.

P. 31 6. **SUBJECT:** RESOLUTION OF INTENTION TO CERTIFY SOLID WASTE DELINQUENT ACCOUNT LIEN LIST

RECOMMENDATION: That City Council adopt Resolution No. 2022-22, a Resolution of Intention to set the time and place for a Public Hearing on June 27, 2022, at 6:00 p.m. in the City Council Chambers, relative to forwarding amounts remaining unpaid on the Solid Waste Lien List to the County of San Bernardino for addition to the 2022-2023 property tax rolls as special assessments.

P. 35 7. **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:

1. 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; and
2. Find that the continuation of the local proclamation until the next City Council meeting is necessary; and
3. Waive the municipal code requirement (YMC 8.36.160) to review the local emergency every fourteen (14) days, for this period alone.

P. 37 8. **SUBJECT:** FISCAL YEAR 2021/22 COMMUNITY ACTIVITY GRANT ACCOUNTABILITY REPORTS

RECOMMENDATION: That City Council receive the Community Activity Grant

Accountability Reports and deem the program requirements complete for Al-Anon Family Group – Weekly Meetings, Family Service Association of Redlands – Yucaipa Outreach, Gardenworksforkids – Outdoor Covered Patio, Smiles for Seniors Foundation – Assist Low-Income Seniors, Valley Elementary – Leadership Day, Cali-Caipa Nooners Lions Club – Veterans Day Ceremony, Yucaipa High School – YHS Baseball Team Trip to NHSI, and the Yucaipa Rotary Club – Weekly Business Meetings.

- P. 124 **9.** **SUBJECT:** 101 CENTRAL PACIFIC PROPERTIES–FARSAKH DEVELOPMENT (FARSAKH DBA): A DENSITY BONUS AGREEMENT FOR (CASE NO. 18-090/CUP/DBA/MJV/LUCR/ARC/TTM 20236) TO PERMIT A 13-UNIT SENIOR HOUSING CONDOMINIUM PROJECT ON A VACANT PARCEL LOCATED AT 12255 3RD STREET; APN: 0319-351-05

RECOMMENDATION: That the City Council approve the attached Density Bonus Agreement (DBA) for the Farsakh Senior Housing Condominium Project which will set forth the reporting requirements and covenants that are necessary to ensure that the target senior units associated with Case No. 18-090/CUP/DBA/MJV/ LUCR/ARC TTM 20236 remain available as intended by the original density bonus request that was associated with the approved entitlement.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

- P. 143 **10.** **SUBJECT:** APPOINTMENT TO THE HEALTHY YUCAIPA COMMITTEE

RECOMMENDATION: That Mayor Avila appoints one member to the Healthy Yucaipa Committee.

POSSIBLE ACTION ON PENDING LEGISLATION

- P. 151 **11.** **SUBJECT:** CALIFORNIA’S INTERNET CRIMES AGAINST CHILDREN TASK FORCE PROGRAM (ICAC)

RECOMMENDATION: That City Council:

1. Review and approve a letter of support for the County of San Bernadino, Office of the District Attorney’s letter of request to Governor Gavin Newsom regarding the possible defunding of California’s Internet Crimes Against Children Task Force Program (ICAC); and
2. Review and approve a letter of support urging our State Representatives to amend the proposed 2022-23 State Budget to include three years of funding for the ICAC program.

- P. 158 **12.** **SUBJECT:** ASSEMBLY BILL 2011 (WICKS) – AFFORDABLE HOUSING AND HIGH ROAD JOBS ACT OF 2022

RECOMMENDATION: That City Council review and approve a letter of opposition for Assembly Bill 2011 (Wicks), the Affordable Housing and High Road Jobs Act of 2022, which creates a ministerial, streamlined approval process for 100 percent affordable housing in commercially zoned areas and for mixed-income housing along commercial corridors.

DEPARTMENT REPORTS

- P. 181 **13.** **SUBJECT:** CHANGE ORDER NO. 1 – SCHERER COMMUNITY CENTER – NUTRITION CENTER FLOORING IMPROVEMENT – PROJECT NO. 11164

RECOMMENDATION: That City Council:

1. Approve Change Order No. 1 in the amount of \$9,549.90 to the contract with New Image Commercial Flooring for the Scherer Community Center – Nutrition Center Flooring Improvement – Project No. 11164 for a revised total contract amount of \$26,632.82; and
2. Amend the FY2021/2022 Capital Improvement Program by adding the amount of \$15,000 in additional Community Development Block Grant (CDBG) funds to the project for a total of \$55,000 in CDBG funds.

- P. 185 **14.** **SUBJECT:** PURCHASE OF TRAFFIC SIGNAL POLES FOR THE OAK GLEN ROAD/LIVE OAK CANYON ROAD WIDENING PROJECT, COLORADO STREET TO OUTER HWY-10 SOUTH

RECOMMENDATION: That City Council award and authorize the City Manager to execute a purchase order/contract with McCain of Vista, CA for the purchase of traffic signal poles and associated equipment in the amount of \$88,658.23 (including tax) for the Oak Glen Road/Live Oak Canyon Road Widening Project, Colorado Street to Outer Hwy-10 South.

- P. 189 **15.** **SUBJECT:** DRAFT CAPITAL IMPROVEMENT PROGRAM

RECOMMENDATION: That the City Council review the Draft Seven Year Capital Improvement Program (Draft CIP) for fiscal years 2022/2023 through 2028/2029 and direct staff as appropriate.

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.

SUBJECT: YUCAIPA DISPOSAL 2021 ANNUAL REPORT, SOLID WASTE RATE ADJUSTMENT, ANNUAL SINGLE-FAMILY RESIDENTIAL PROPERTY TAX ROLL BILLING FOR FISCAL YEAR 2022-23, AND HOUSEHOLD HAZARDOUS WASTE COLLECTION AGREEMENT

RECOMMENDATION: That City Council conduct a public hearing and subsequently:

1. Direct staff to notify the County of San Bernardino in writing Yucaipa's intent to terminate its participation in the Comprehensive Disposal Site Diversion Program **(Recommended by Solid Waste Committee)**; and
2. Consider the following options regarding the Household Hazardous Waste Collection Contract and provide direction as appropriate:
 - a. (Option 1) Approve and authorize the Mayor to execute a contract with the San Bernardino County Fire Protection District to operate and manage the collection and disposal of household hazardous waste and hold one Household Hazardous Waste/E-waste Collection Event per year in Yucaipa from July 1, 2022 to June 30, 2027 for a total contract amount of \$428,528.45; or
 - b. (Option 2) Approve and authorize the Mayor to execute a contract with the San Bernardino County Fire Protection District to operate and manage the collection and disposal of household hazardous waste from July 1, 2022 to June 30, 2027 for a total contract amount of \$262,115.17 **(Recommended by a member of the Solid Waste Committee)**; and
3. Receive the 2021 Solid Waste Annual Report from Yucaipa Disposal; and
4. Determine the Residential Rate Adjustments, which includes Food Waste and Recycling, to be implemented July 1, 2022, which will modify the rates by either:
 - a. (Option 1) Implementing all standard increases; however, the rates are remixed to apply the same percentage increase of 6.2% on all three-barrel services resulting in a 15-gallon rate increase of \$1.07 (from \$17.14 to \$18.21), 30-gallon rate increase of \$1.42 (from \$22.74 to \$24.16) and a 60-gallon rate increase of \$1.92 (from \$30.79 to \$32.71) (Recommended by Solid Waste Committee); or
 - b. (Option 2) Implementing all standard increases; however, the rate subsidy to the 15 and 30-gallon rates are reduced resulting in a 15-gallon rate increase of \$1.74 (from \$17.14 to \$18.88), 30-gallon rate increase of \$1.61 (from \$22.74 to \$24.35) and a 60-gallon rate increase of \$1.82 (from \$30.79 to \$32.61); or
 - c. (Option 3) Implementing all standard increases; however, the rates are remixed to apply the same monetary increase on all three-barrel services resulting in a 15-gallon rate increase of \$1.77 (from \$17.14 to \$18.91), 30-gallon rate increase of \$1.77 (from \$22.74 to \$24.51) and a 60-gallon rate increase of \$1.77 (from \$30.79 to \$32.56); and
5. Approve the proposed Commercial Refuse Rate Adjustment, which includes Food Waste and Recycling **(Recommended by Solid Waste Committee)**; and

6. Adopt Resolution No. 2022-18, requesting the County of San Bernardino to place collection of costs for single-family residential solid waste, green waste, and recycling services for Fiscal Year 2022-2023 on the County of San Bernardino property tax roll pursuant to Chapter 8.28 of the Yucaipa Municipal Code.

P. 324 **17. SUBJECT:** CONSIDERATION OF A DEVELOPMENT CODE AMENDMENT (ORDINANCE NO. 350) INITIATED BY THE CITY AMENDING VOLUME II (DEVELOPMENT CODE) OF THE YUCAIPA MUNICIPAL CODE TO AMEND CHAPTER 4 (LAND USE MODIFICATIONS) OF DIVISION 5 (OVERLAY DISTRICTS) TO ESTABLISH A COLLEGE VILLAGE OVERLAY DISTRICT AND TO ADOPT OVERLAY DISTRICT GUIDELINES CONSISTENT WITH THE GENERAL PLAN AS UPDATED IN 2016.

RECOMMENDATION: That the City Council conduct a Public Hearing and:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 350 initiated by the City to amend Chapter 4 (Land Use Modifications) of Division 5 (Overlay Districts) to establish a College Village Overlay District and to adopt Overlay District Guidelines consistent with the General Plan as updated in 2016; and
2. Adopt the Findings as contained in the Agenda Report; and
3. Find that the adoption of the ordinance and the adoption of the College Village Overlay District Guidelines are within the scope of the General Plan Environmental Impact Report (EIR) pursuant to Section 15183 of the CEQA Guidelines in that the General Plan and General Plan EIR analyzed the impacts associated with the potential land uses and ultimate development contemplated by the College Village; and
4. Direct Staff to file a Notice of Determination subsequent to adoption of the Ordinance.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: 12475 5th Street, APN No. 319-012-20 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: Ruben & Maria Villegas - Under Negotiation: Price and Terms of Payment

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: APN No. 0301-221-06 - City Negotiator: Ray Casey, City Manager - Negotiating Parties: TLC Properties - Under Negotiation: Price and Terms of Payment

ADJOURNMENT

AFFIDAVIT OF POSTING

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

I, Tammy Vaughan, Deputy City Clerk of the City of Yucaipa, hereby declare under penalty of perjury that the Notice and Agenda of a Regular City Council Meeting as called by the City Council of the City of Yucaipa was provided and posted on 05/19/2022. Said meeting to be held at 6 pm, 05/23/2022 at Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California. Said notice was posted on the Bulletin Board at the entrance to City Hall.

Tammy Vaughan, Deputy City Clerk



Remove By: 05/24/2022