

CITY OF



AMENDED

## City Council Meeting Agenda

**September 26, 2022 – 6:00 PM**

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

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**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](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.

**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**

**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. 7 1. **SUBJECT:** APPROVE REGULAR CITY COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2022
- RECOMMENDATION:** That City Council approve Regular City Council Meeting Minutes of September 12, 2022.
- P. 26 2. **SUBJECT:** APPROVE SPECIAL CITY COUNCIL MEETING MINUTES OF SEPTEMBER 20, 2022
- RECOMMENDATION:** That City Council approve Special City Council Meeting Minutes of September 20, 2022.
- P. 29 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. 31 4. **SUBJECT:** MONTHLY TREASURER’S REPORT: JUNE 2022
- RECOMMENDATION:** That the City Council receive and file the Monthly Treasurer’s Report for June 2022.
- P. 107 5. **SUBJECT:** MEASURE I FUNDING – CAPITAL PROJECT NEEDS ANALYSIS
- RECOMMENDATION:** That City Council adopt Resolution No. 2022-55, approving the Five Year Capital Project Needs Analysis (CPNA) for FY2023/2024 through FY2027/2028

P. 116 **6.** **SUBJECT:** CHANGE ORDER NO. 2 – NEW CITY YARD TENANT IMPROVEMENTS – PROJECT NO. 11167

**RECOMMENDATION:** That City Council approve Change Order No. 2 to the contract with Three Peaks Corporation for the New City Yard Tenant Improvements – Project No. 11167 in the additional amount of \$5,184.24 for a revised total contract in the amount of \$610,001.38.

P. 121 **7.** **SUBJECT:** ACCEPTANCE OF CONTRACT WORK - FIVE WINDS RANCH AMPHITHEATRE PROJECT NO. 11171

**RECOMMENDATION:** That City Council:

1. Accept the contract work completed by Urban Habitat in the amount of \$302,000 for the Five Winds Ranch Amphitheatre Project No. 11171; and
2. Authorize the recordation of the Notice of Completion for the Project; and
3. Find that the public interest is not best served by a formal bid process, waive the City's formal solicitation process, and authorize a payment to Three Peaks Construction Inc. in the amount of \$41,900 for work performed on Project No. 11171.

P. 125 **8.** **SUBJECT:** AWARD OF CONTRACT – DEMOLITION OF RESIDENTIAL STRUCTURE AT 35110 COUNTY LINE ROAD - PROJECT NO. 11113

**RECOMMENDATION:** That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$29,500 with LCR Earthworks & Engineering Corp. of Ontario, CA for the Demolition of Residential Structure at 35110 County Line Road (Project No. 11113); and
2. Approve the amount of \$7,300 for construction contract contingency and the amount of \$3,000 for construction contract administration, survey, testing and inspection, for a total construction budget in the amount of \$39,800, and authorize the City Engineer to execute contract change orders in an aggregate amount not to exceed \$7,300.

P. 131 **9.** **SUBJECT:** CASE NO. 22-063/GPA: CITY OF YUCAIPA GENERAL PLAN HOUSING ELEMENT UPDATE

**RECOMMENDATION:** That City Council waive further reading and adopt Ordinance No. 407, amending Ordinance No. 343, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa to include the change the land use designation for a property located at the southeast corner of Oak Glen Road and Avenue E.

P. 143 **10.** **SUBJECT:** CASE NO. 21-045/GPA/LUCR/MJV/DBA/ARC (RIVERWALK SENIOR DEVELOPMENT): A MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF A PROPERTY FROM RM-72C (MULTIPLE RESIDENTIAL) TO RM-24 (HIGH DENSITY MULTIPLE RESIDENTIAL), A DENSITY BONUS AGREEMENT (DBA) TO QUALIFY FOR A 25% INCREASE IN LAND DENSITY, A LAND USE COMPLIANCE REVIEW WITH ARCHITECTURAL REVIEW TO CONSTRUCT A 150-UNIT, THREE STORY, AGE-RESTRICTED

SENIOR HOUSING COMPLEX FOR INDIVIDUALS WHO ARE 55 YEARS AND OLDER, WITH TWO (2) MONUMENT SIGNS AT THE ENTRANCE OF THE 5-ACRE SITE, AND TWO (2) MAJOR VARIANCES TO ALLOW FOR A TOTAL OF EIGHTY (80) PERCENT OF THE 150-UNITS TO BE 1-BEDROOM IN LIEU OF THIRTY-FIVE (35) PERCENT, AND FOR ONE (1) BEDROOM UNITS TO PROVIDE SEVENTY-SIX (76) SQUARE FEET OF PRIVATE OPEN SPACE IN LIEU OF THE ONE HUNDRED FIFTY (150) SQUARE FEET REQUIRED FOR GROUND FLOOR UNITS AND THE ONE HUNDRED (100) SQUARE FEET REQUIRED FOR ABOVE GROUND UNITS, LOCATED AT 12836 3RD STREET, APN: 0319-112-03

**RECOMMENDATION:** That City Council waive further reading and adopt Ordinance No. 411, amending Ordinance No. 343, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa

**MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)**

P. 166 **11. SUBJECT: HEALTHY YUCAIPA COMMITTEE – THREE RUN SERIES**

**RECOMMENDATION:** That City Council:

1. Approve a series of three 5K runs to be hosted by the Healthy Yucaipa Committee during FY 2022/2023; and
2. Authorize the use of \$10,000 in funding from the Non-Department Contingency Budget for the Healthy Yucaipa Committee to host three 5K runs in the FY 2022/2023; and
  - a. Authorize a budget adjustment in the amount of \$30,000 to increase expenses in the special events division of the Community Services Department to host three 5K runs during the FY 2022/2023; and
  - b. Authorize a budget adjustment to increase revenues in the special events division of the Community Services Department in the amount of \$20,000.

P. 168 **12. SUBJECT: YOUTH ADVISORY COMMITTEE REAPPOINTMENT**

**RECOMMENDATION:** That City Council extend the appointment of Aden Benson, Brenna Lane, Chase Miller, Mallory Miller, Adelin Tulcan, and Maxwell Ubilus to the Youth Advisory Committee for an additional two-year term from September 26, 2022, to September 1, 2024.

**POSSIBLE ACTION ON PENDING LEGISLATION**

**DEPARTMENT REPORTS**

P. 169 **13. SUBJECT: FINANCIAL STATEMENT AUDITOR SERVICES SELECTION**

**RECOMMENDATION:** That the City Council authorizes the City Manager to enter into a contract for financial statement audit services with Van Lant & Fankhanel, LLP for three fiscal years from Fiscal Year 21-22 through Fiscal Year 23-24 for an amount not-to-exceed \$103,550 with two (2) optional one (1) year renewals (based on the Finance Committee's recommendation).

P. 210 14. **SUBJECT:** 2022 MAKE A DIFFERENCE DAY EVENT PROJECT

**RECOMMENDATION:** That City Council:

1. Review and approve the Five Winds/El Dorado Ranch Park Planting and Equestrian Improvement Project as the City of Yucaipa's sponsored project for the 2022 Make a Difference Day Event; and
2. Authorize the use of \$20,000 in funding from the Five Winds/El Dorado Ranch Park Project Budget in the FY2022/2023 Capital Improvement Program for the proposed Five Winds/El Dorado Ranch Park Planting and Equestrian Improvement Project.

P. 214 15. **SUBJECT:** WILDWOOD CANYON ROAD AND INTERSTATE 10 FREEWAY INTERCHANGE PROJECT UPDATE

**RECOMMENDATION:** That City Council receive and file a report regarding the Wildwood Canyon Road and Interstate 10 Freeway Interchange Project Update.

P. 224 16. **SUBJECT:** PURCHASING ORDINANCE, POLICIES AND PROCEDURES

**RECOMMENDATION:** That City Council:

1. Approve first reading, by title only, as read by staff, of Ordinance No. 414, amending portions of Title 2 of the Yucaipa Municipal Code, Chapter 2.24 (Purchasing System); and
2. Adopt Resolution No. 2022-50 electing to opt out of Uniform Public Construction Cost Accounting Procedures; and
3. Approve first reading, by title only, as read by staff, of Ordinance No. 415 rescinding Ordinance No. 208 related to the Uniform Public Construction Cost Accounting Act.

P. 279 17. **SUBJECT:** FINAL PARCEL MAP 20125

**RECOMMENDATION:** That City Council:

1. Approve Final Parcel Map No. 20125 contingent upon the execution of the map by the County Auditor/Assessor; and
2. Accept an Easement for Public Roads, City Highways and Public Utility Purposes on Avenue E, Yucaipa Boulevard and 18th Street as delineated on Final Parcel Map No. 20125; and
3. Authorize the recordation of the map from VantageOne Real Estate

### **PUBLIC HEARING**

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. 282 18. **SUBJECT:** PREMIUM LAND DEVELOPMENT. CASE NO 22-121/APP, AN APPEAL OF THE PLANNING COMMISSION’S RECOMMENDATION FOR DENIAL OF CASE NO. 21-085/GPA/LUCR/DBA: A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DISTRICT FROM RM-10M (MULTIPLE RESIDENTIAL) TO RM-24 (HIGH DENSITY MULTIPLE RESIDENTIAL) AN AFFORDABILITY PROVISION THAT WILL BE EXECUTED THROUGH A DENSITY BONUS AGREEMENT AND A LAND USE COMPLIANCE REVIEW TO PERMIT A PRIVATELY GATED 200-UNIT MULTI-FAMILY APARTMENT PROJECT ON FOUR PARCELS TOTALING 8.39 ACRES WITH A DENSITY BONUS AGREEMENT TO COVENANT TEN (10) PERCENT OF THE UNITS AS LOW-INCOME AFFORDABLE; TO BE LOCATED BETWEEN 3RD STREET TO THE WEST, AND 2ND STREET TO THE EAST, AT APPROXIMATELY 375 FEET NORTH OF COUNTY LINE ROAD. A LOT MERGER WILL ALSO BE PROCESSED TO CONSOLIDATE ALL FOUR PARCELS INTO A SINGLE LOT. APNS 0319-253-28, -29, -30, -84

**RECOMMENDATION:** That City Council move to continue the Public Hearing for Case No. 22-121/APP to the City Council meeting of October 24, 2022.

**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**