



City Council Meeting Agenda

November 14, 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 PRESENTATION

Approval and Presentation - Recognition of City Commission and Committee Members

EMPLOYEE INTRODUCTION

(Postponed from the October 24, 2022, City Council meeting)

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. 9 1. **SUBJECT:** APPROVE COUNCIL MINUTES OF OCTOBER 24, 2022
- RECOMMENDATION:** That City Council approve City Council Minutes of October 24, 2022.
- P. 23 2. **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. 25 3. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE 2022 SEPTEMBER STORM EVENT
- 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 2022 September Storm Event, and direct staff as deemed appropriate.
- P. 31 4. **SUBJECT:** 2021 HOMELAND SECURITY GRANT ACCEPTANCE – POLICE DEPARTMENT
- RECOMMENDATION:** That City Council:

1. Approve the acceptance of the 2021 Homeland Security Grant award in the amount of \$19,441 for the acquisition and installation of removable traffic safety bollards to be installed in the Up-Town district: and
2. Approve an amendment to the Fiscal Year 2021-2022 Annual Budget for the 2021 Department of Homeland Security Grant, with an increase in each the grant revenue and the capital outlay expenditure budgets in the amount of \$19,441; and
3. Approve and authorize the acquisition and installation of removable bollards from Three Peaks Corporation Extrinsication in the amount of \$19,441.

P. 38 **5. SUBJECT: MONTHLY TREASURER’S REPORT: SEPTEMBER 2022**

RECOMMENDATION: That City Council receive and file the Monthly Treasurer’s Report for September 2022.

P. 117 **6. SUBJECT: CANCELLATION OF DECEMBER 26, 2022, CITY COUNCIL MEETING**

RECOMMENDATION: That City Council cancel its regularly scheduled meeting of December 26, 2022.

P. 118 **7. SUBJECT: FINAL PARCEL MAP 20588**

RECOMMENDATION: That City Council:

1. Approve Final Parcel Map No. 20588; and
2. Accept an Offer of Dedication for Public Roads, City Highways and Public Utility Purposes on a portion of 5th Street as delineated on Final Parcel Map No. 20588; and
3. Authorize the recordation of the map from Michaelson Family Trust of 2001.

P. 123 **8. SUBJECT: LAND LEASE EXTENSION WITH AMERICAN TOWER FOR A WIRELESS COMMUNICATION’S FACILITY AT FIRE STATION NO. 3**

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute an Extension to the Land Lease Agreement between the City of Yucaipa and American Tower (site formerly owned by Royal Street Communications) for the continued operation of a wireless communications facility at Fire Station No. 3.

P. 136 **9. SUBJECT: AMENDMENT NO. 2 - PROFESSIONAL ENGINEERING & LAND SURVEY SERVICES FOR VARIOUS PROJECTS**

RECOMMENDATION: That City Council Authorize the City Manager to execute Contract Amendment No. 2 to the Agreement with Yucaipa Valley Engineering for On-Call Professional Engineering and Land Survey Services for Various Projects in the amount of \$5,000 for additional land survey and engineering services for a revised contract total in the amount of \$244,000.

P. 139 10. **SUBJECT:** CASE NO. 21-202/GPA/CUP/ARC: A MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF A SPLIT-ZONED PARCEL (APN 0318-011-48), CURRENTLY DESIGNATED AS RS-20M (SINGLE RESIDENTIAL) (1.43 ACRES) AND CG (GENERAL COMMERCIAL) (4.5-ACRES), TO A SINGLE LAND USE DESIGNATION OF CG (GENERAL COMMERCIAL) TOTALING 5.93 ACRES, AND A CONDITIONAL USE PERMIT AND ARCHITECTURAL REVIEW TO PERMIT FOR THE CONSTRUCTION OF A SECURED-GATED SELF-STORAGE FACILITY SITUATED ON TWO (2) PARCELS TOTALING APPROXIMATELY 6.25 ACRES AND LOCATED ON THE WEST SIDE 11TH STREET, ON THE SOUTH SIDE OF YUCAIPA BOULEVARD, 500 FEET EAST OF 12TH STREET AND 470 FEET NORTH OF AVENUE D

RECOMMENDATION: That City Council waive further reading and adopt Ordinance No. 416, amending Ordinance No. 343, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa

P. 152 11. **SUBJECT:** AWARD OF CONTRACT – EL DORADO/FIVE WINDS RANCH PARK LAKE GRADING (PHASE 2) – PROJECT NO. 11180

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$265,568 with Three Peaks Corp. of Calimesa, CA for the El Dorado/Five Winds Ranch Park Lake Grading (Phase 2) – Project No. 11180; and
2. Approve the amount of \$39,000 for construction contract contingency and the amount of \$30,000 for construction contract administration, survey and inspection for a total construction budget in the amount of \$341,768; and
3. Authorize the City Manager, or his designee, to administer the terms of the contract; and
4. Approve the plans and specifications prepared for this project.

P. 157 12. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – ROTARY CLUB OF YUCAIPA 67TH ANNUAL CHRISTMAS PARADE

RECOMMENDATION: That City Council:

1. Approve the Special Event Permit Application submitted by the Rotary Club of Yucaipa to conduct the 67th Annual Yucaipa Christmas Parade, on Saturday, December 10, 2022; and
2. Review and approve the street closures identified in the agenda report; and
3. Approve a City co-sponsorship of the 67th Annual Yucaipa Christmas Parade.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

P. 179 13. **SUBJECT:** SERVICE WALK NOMINATIONS

RECOMMENDATION: That City Council:

1. Review and approve the proposed nomination and, if approved, the specific language to be placed on the plaque for Nominee Denise Allen for the “Service Walk”; and
2. Review and approve the proposed nomination and, if approved, the specific language to be placed on the plaque for Nominee Denise Work for the “Service Walk”; and
3. Review and approve the proposed nomination and, if approved, the specific language to be placed on the plaque for Nominee Tom Masner for the “Service Walk”.

P. 186 **14. SUBJECT: CONSIDERATION OF A LETTER OF INTEREST FOR THE CITY’S PARTICIPATION IN THE SAN BERNARDINO REGIONAL HOUSING TRUST**

RECOMMENDATION: That City Council receive a presentation from the San Bernardino Council of Governments (SBCOG) and consider the submittal of a Letter of Interest from the Mayor on behalf of the City Council for participation in the San Bernardino Regional Housing Trust.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 190 **15. SUBJECT: PURCHASE AND SALE AGREEMENT - EAGLE NEST 6, L.P. – .46-ACRE PARCEL NORTHEAST CORNER 5TH STREET AND COUNTY LINE ROAD (APN 0319-233-91)**

RECOMMENDATION: That City Council:

1. Approve the Purchase and Sale Agreement with Eagle Nest 6, L.P., for the sale of the City-owned property located at Northeast corner of 5th Street and County Line Road (APN 0319-233-91) in the amount of \$100,000; and
2. Approve a loan to Eagle Nest 6, L.P. in the amount of \$170,247 plus any deferred City development fees, to be repaid over time through residual receipts.
3. Approve the attached Density Bonus Agreement (DBA) for the Eagle Nest 6, L.P. for 6 senior apartment units; and
4. Authorize the City Manager, or his designee, to execute the necessary documents to complete the property sale process.

P. 241 **16. SUBJECT: 2022 AUTUMNFEST – EVENT WRAP-UP**

RECOMMENDATION: That City Council receive and file the 2022 Autumnfest Wrap-Up Report.

P. 245 **17. SUBJECT: GENERAL FUND FINANCIAL UPDATE FOR FISCAL YEAR 21-22 AND Q1 FY 22-23**

RECOMMENDATION: That City Council:

1. Receive the preliminary Fiscal Year (FY) 21-22 financial results; and

2. Approve a minor reorganization and amending the Fiscal Year 22-23 Annual Budget for Salary and benefits, as follows;
 1. Adopt Resolution No. 2022-57, amending Resolution No. 2022-37, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on November 19, 2022.
 - a. Eliminating the position of Information Systems Productions Supervisor, Salary Range 28 (\$72,982-\$91,145); and
 - b. Reallocating the position of Assistant City Manager/City Clerk, Salary Range 63 (\$173,202-\$216,306) to Assistant City Manager, Salary Range 63 (\$173,202-\$216,306) effective December 31, 2022; and
 - c. Reallocating the position of Deputy City Clerk/Information Systems Technician (Confidential), Salary Range 28 (\$72,982-\$91,145) to City Clerk/Deputy Rent Administrator, Salary Range 39 (\$95,759-\$119,590) effective December 31, 2022; and
 - d. Reallocating the position of Deputy Rent Administrator/Records Technician (Confidential), Salary Range 25 (\$67,771-\$84,637) to Deputy City Clerk/Records Technician (Confidential), Salary Range 28 (\$72,982-\$91,145); and
 2. Adopt Resolution No. 2022-56, amending Resolution No. 2022-36, amending the General Unit Employee Salary, Benefit and Classification Plan effective with the pay period beginning on November 19, 2022.
 - a. Adding one (1) additional position of Accounting Assistant, Salary Range 17 (\$53,775-\$67,158), allocating 50% to the General Fund and the other 50% to Fire and Paramedic Funds; and
 - b. Creating one (1) position of Network Support Specialist, Salary Range 21 (\$59,358-\$74,130); and
 3. Approving an increased budget in the General Fund of \$26,114 to fund the General Fund's share of the reorganization in FY 22-23 from prior year's net revenues; and
 4. Approving an increased budget in the following funds to fund non-General Fund departments for their share of the Accounting Assistant in FY 22-23:
 - a. \$12,595.24 for the respective share in the Fire Fund; and
 - b. \$12,595.23 for the respective share in the Paramedic Fund, and related transfer from the Fire Fund (which utilizes the Fire Fund Balance) to the Paramedic Fund for the same amount; and
3. Amend the FY22-23 Budget and Capital Improvement Program Budget by:
 - a. Reallocating the amount of \$46,493, less grants received, originally budgeted in the FY 21-22 budget for a 4 Wheel Drive Truck in General Fund monies to

Miscellaneous Capital Fund (Munis Fund 600, formerly Eden Fund 35) within FY 22-23 as the delivery was made in FY 22-23; and

- b. Approving a revision to the first page of the CIP section entitled “Proposed CIP Budget by Project” detailed FY 22-23 Revenues, Expenditures, Transfers In and Transfers Out with general revisions to revenue and interfund transfers per Attachment 1, and authorize any related corresponding budget revisions; and
4. Amend the FY 21-22 budget by:
 - a. Approving a \$1,850,000 capital funding transfer resulting from a portion of FY 21-22 adjusted General Fund Net Revenues from the General Fund to the City’s Capital Projects Fund (Fund 35) to fund future capital projects; and
 - b. Approving a reduction of the budgeted ARPA transfer due to General Fund savings in FY 21-22 that requires less ARPA funding in the amount of \$1,250,000 from a portion of FY 21-22 adjusted General Fund Net Revenues from the General Fund to the City’s American Rescue Plan Act (ARPA) Fund (Fund 57); and
 5. Amend the FY 22-23 budget by:
 - a. Approving a transfer of an initial \$1 million to fund the City’s future library construction from the City’s Capital Projects Fund (Fund 35) to the Public Facilities Fund (Fund 23); and
 - b. Approving a FY 22-23 budget adjustment within the Paramedic Fund to purchase a used ambulance, not to exceed \$75,000; and
 - c. Approving a FY 22-23 budget adjustment to purchase \$100,000 of paramedic gear within the Paramedic Fund; and
 - d. Approving a FY 22-23 transfer from the Fire Fund (which utilizes the Fire Fund Balance) to the Paramedic Fund in the amount of \$175,000 to fund the used ambulance and paramedic gear; and
 - e. Increase expenditures budget in the amount of \$100,000 in the Miscellaneous Capital Fund (Munis Fund 600 - formerly Eden Fund 35) using existing funds in this fund for the Jefferson Basin debris removal and other minor miscellaneous storm-related work; and
 6. Authorize future capital equipment purchases be made from available funds within the Miscellaneous Capital Fund (Fund 35), subject to required budgetary and procurement approvals.

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. 270 **18. SUBJECT:** ADOPTION OF THE 2022 CALIFORNIA BUILDING AND FIRE CODES

RECOMMENDATION: That the City Council conduct a public hearing and approve first reading, by title only, as read by staff, of Ordinance No. 417, adopting by reference, and amending the current editions of certain California Building and Fire Codes related to the regulation of construction, and repealing Ordinance No. 381 and all provisions in conflict therewith, and setting November 28, 2022, as the public hearing date for its adoption.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Legal Counsel – Existing Litigation [Gov’t Code §54956.9(d)(1)] – 1 item – San Bernardino County Superior Court Case No. CIVDS2014247 – Allyn Smith v. City of Yucaipa

ADJOURNMENT