

**AMENDED (Item 10)****City Council
Meeting Agenda****November 28, 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

IEEP Award Presentation – Wilson II Basin

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 COUNCIL MINUTES OF NOVEMBER 14, 2022
- RECOMMENDATION:** That City Council approve City Council Minutes of November 28, 2022.
- P. 17 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. 19 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. 21 4. **SUBJECT:** REVISIONS TO THE CITY-WIDE ADOPTED RECORDS RETENTION SCHEDULE
- RECOMMENDATION:** That City Council adopt Resolution No. 2022-62, rescinding Resolution No. 2009-66, and approving the revised City-wide Adopted Records Retention Schedule.

- P. 136 **5.** **SUBJECT:** RESOLUTION NO. 2022-61 TO SET A TIME AND PLACE TO CONDUCT A PUBLIC HEARING FOR THE ANNEXATION OF TRACT MAP NO. 17349 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “FFF”)

RECOMMENDATION: That City Council:

1. Approve Resolution No. 2022-61 to set a time and place to conduct a Public Hearing and Assessment Ballot proceedings at 6:00 p.m. on January 23, 2023 in compliance with Proposition 218, and to approve the annexation of Tract Map No. 17349 into the City of Yucaipa Landscaping and Lighting Maintenance District No. 1; and
2. Adopt the methodology for and enact the assessments therein.

- P. 143 **6.** **SUBJECT:** AWARD OF CONTRACT – EXTERIOR PAINTING OF VARIOUS CITY FACILITIES – PROJECT NO. 11179

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$182,000 with Color New Co. of Woodland Hills, CA for the Exterior Painting of Various City Facilities – Project No. 11179; and
2. Approve the amount of \$45,000 for contract contingency and the amount of \$9,000 for contract administration, inspection, and staff time for a total budget in the amount of \$236,000; and
3. Authorize the City Manager, or his designee, to administer the terms of the contract.

- P. 152 **7.** **SUBJECT:** ENHANCED INFRASTRUCTURE FINANCE DISTRICT RESOLUTION OF INTENTION

RECOMMENDATION: That City Council:

1. Adopt Resolution 2022-60, a Resolution declaring its intention to establish the Yucaipa Enhanced Infrastructure Financing District (EIFD) and establishing the Yucaipa EIFD Public Financing Authority (PFA); and
2. Approve the organization of the Public Financing Authority Board, which would consist of two Council Members, one additional Council Member that would serve as an alternate Board member, and one additional member of the public, direct staff to solicit candidates for the member at large and then return to Council for the formal appointments to the Board; and,
3. Find that the adoption of the Resolution of Intention and establishment of the Public Financing Authority are exempt from the California Environmental Quality Act (“CEQA”) as these actions do not constitute a “project” pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5), and that these actions are also exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

- P. 165 **8.** **SUBJECT:** AGREEMENT FOR FIRE PROTECTION AND PARAMEDIC SERVICES BETWEEN THE CITY OF YUCAIPA AND THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute an Agreement with the County of San Bernardino County Fire Protection District for the purpose of providing first alarm fire protection and advanced life support (ALS) paramedic services in the unincorporated area of Oak Glen; and
2. Approve and authorize the City Manager to execute and maintain an Assistance by Hire Agreement between CAL FIRE and the City of Yucaipa to extend CAL FIRE's LG-1 provision of services to the unincorporated area of Oak Glen.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

- P. 207 **9.** **SUBJECT:** CHANGE ORDER NO. 4 – DEBRIS REMOVAL/WILSON III BASIN PHASE 1C IMPROVEMENTS

RECOMMENDATION: That City Council:

1. Formally approve a Notification of Obligation and Payment (Funding Agreement) from the California Governor's Office of Emergency Services for the CDAA Grant Program (CDAA-2022-03, Cal OES ID: 071-87042; and
2. Amend the FY 2022/2023 Non-Capital Budget in the Miscellaneous Special Revenues Fund by adding Change Order No. 4 – Debris Removal/Wilson III Basin Phase 1C Improvements Project with a budget of \$812,382 comprised of \$623,456 in CDAA Grant Program Funding and the amount of \$188,926 in local match funds as follows:
 - a. Increase expenditures budget in the project in the amount of \$812,382 in the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
 - b. Increase revenues budget in the project in the amount of \$623,456 (CDAA grant) in the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
 - c. Authorize a transfer of \$188,926 to the project for the CDAA grant local match requirement from the Miscellaneous Capital Fund (Munis Fund 600 – formerly Eden Fund 35) to the Miscellaneous Special Revenue Fund (Munis Fund 225 – formerly Eden Fund 48); and
3. Approve and authorize the City Manager to execute Change Order No. 4 -Debris Removal/ Wilson III Basin Phase 1C Project with Borden Excavating Inc. (Borden) for

emergency work on a time and material basis in accordance with the terms of the CDAA Grant Program in the not to exceed amount of \$755,704; and

4. Find that the construction of the emergency work for the El Dorado Fire Debris Removal at Wilson III Basin Project is Exempt from CEQA pursuant to Section 21080(b)(3) of the Public Resources Code, and direct staff to file a notice of exemption.

P. 219 **10. SUBJECT: COMMUNITY SERVICES DEPARTMENT REORGANIZATION**

RECOMMENDATION: That City Council:

1. Approve the Reorganization of the Community Services Department and amend the Fiscal Year 2022-2023 budget by (**Recommended by the Finance Committee**):
 - a. Increasing the Annual Budget for Community Services Salary and Benefits in the amount of \$311,094; and
 - b. Increasing the Annual Budget for Community Services Revenues in the amount of \$226,500; and
 - c. Increase the Annual Budget for Sales Tax Revenues in the amount of \$74,593.76; and
2. Adopt Resolution No. 2022-63, amending Resolution No. 2022-57, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on December 3, 2022, by:
 - a. Creating one (1) position of Recreation Superintendent, Salary Range 41 (\$100,607-\$125,644); and
3. Adopt Resolution No. 2022-64, amending Resolution No. 2022-56, amending the General Unit Employee Salary, Benefit and Classification Plan effective with the pay period beginning on December 3, 2022, by:
 - a. Adding two (2) additional positions of Community Services Coordinator, Salary Range 20 (\$57,910-\$72,322); and
 - b. Creating three (3) positions of Community Services Specialist, Salary Range 10 (\$45,239-\$56,498).

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

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. 227 **11. SUBJECT:** ADOPTION OF URGENCY ORDINANCE NO. 418-U, EXTENDING ORDINANCE NO. 404-U, WHICH WAS PREVIOUSLY EXTENDED BY ORDINANCE NO. 405-U, AND ESTABLISHED INTERIM STANDARDS FOR THE IMPLEMENTATION OF SB9

RECOMMENDATION: That the City Council conduct a public hearing and approve Urgency Ordinance No. 418-U, which will extend Ordinance No. 404-U (previously extended as Ordinance No. 405-U), an urgency ordinance related to the regulation of urban lot splits and second dwelling units associated with the implementation of Senate Bill 9 (SB9) and making findings regarding the urgency thereof. (4/5 VOTES REQUIRED)

- P. 234 **12. SUBJECT:** ADOPTION OF THE 2022 CALIFORNIA BUILDING AND FIRE CODES

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

1. Approve second 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
2. Adopt Resolution No. 2022-58, setting forth findings for amendments to the 2022 California Codes relative to local conditions.

- P. 287 **13. SUBJECT:** ANNUAL ADJUSTMENT OF DEVELOPMENT IMPACT FEES

RECOMMENDATION: That the City Council continue the Public Hearing for Annual Adjustment of Development Impact Fees to the City Council meeting of December 12, 2022.

ANNOUNCEMENTS

ADJOURNMENT