



## City Council Meeting Agenda

February 13, 2023 – 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**

**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 SPECIAL CITY COUNCIL MINUTES OF JANUARY 23, 2023
- RECOMMENDATION:** That City Council approve Special City Council Minutes of January 23, 2023.
- P. 11 2. **SUBJECT:** APPROVE REGULAR CITY COUNCIL MINUTES OF JANUARY 23, 2023
- RECOMMENDATION:** That City Council approve Regular City Council Minutes of January 23, 2023.
- P. 20 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. 22 4. **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. 24 5. **SUBJECT:** SG OPAL INC (CASE NO. 21-026/CUP/DA); A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT FOR THE PHASED DEVELOPMENT OF A COMMERCIAL CENTER THAT INCLUDES A FUEL STATION WITH A 9,000 SQUARE FOOT BUILDING THAT INCLUDES A CONVENIENCE STORE, QUICK SERVICE RESTAURANT, AND OFFICE SPACE, FUEL CANOPY WITH 16 FUEL DISPENSERS AND AN EXPRESS CARWASH, AND A 66-ROOM HOTEL WITH A ROOFTOP BAR AND RESTAURANT; LOCATED AT 32788 OAK GLEN RD; APN: 0301-174-07
- RECOMMENDATION:** That City Council waive further reading and adopt Ordinance No. 419, approving a Development Agreement between the City of Yucaipa and SG Opal,

a California Corporation, to enable the development of a 66-room hotel, and fuel station/retail store project.

P. 71 **6.** **SUBJECT:** MONTHLY TREASURER’S REPORT: DECEMBER 2022

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

P. 150 **7.** **SUBJECT:** AWARD OF CONTRACTS – ON-CALL PROFESSIONAL TRANSPORTATION AND TRAFFIC ENGINEERING SERVICES

**RECOMMENDATION:** That City Council:

1. Award and authorize the Mayor to execute a contract, and the City Manager or his designee to administer the terms of the contract with Hartzog & Crabill of Tustin, California. in the not-to-exceed amount of \$175,000 for providing On-Call Professional Transportation and Traffic Engineering Services for FY2022/2023 and FY2023/2024; and
2. Award and authorize the Mayor to execute a contract, and the City Manager or his designee to administer the terms of the contract with Fehr & Peers of Riverside, California. in the not-to-exceed amount of \$100,000 for providing On-Call Professional Transportation and Traffic Engineering Services for FY2022/2023 and FY2023/2024; and
3. Award and authorize the Mayor to execute a contract, and the City Manager or his designee to administer the terms of the contract with Michael Baker International of Ontario, California. in the not-to-exceed amount of \$45,000 for providing On-Call Professional Transportation and Traffic Engineering Services for FY2022/2023 and FY2023/2024.

P. 276 **8.** **SUBJECT:** AWARD OF CONTRACTS – ON-CALL PROFESSIONAL ELECTRICAL ENGINEERING DESIGN SERVICES

**RECOMMENDATION:** That City Council:

1. Award and authorize the Mayor to execute a contract, and the City Manager or his designee to administer the terms of the contract with JCA Engineering of Yucaipa, California in the not-to-exceed amount of \$120,000 for providing On-Call Professional Electrical Engineering Design Services for FY2022/2023 and FY2023/2024; and
2. Award and authorize the Mayor to execute a contract, and the City Manager or his designee to administer the terms of the contract with Design West Engineering of San Bernardino, California in the not-to-exceed amount of \$60,000 for providing On-Call Professional Electrical Engineering Design Services for FY2022/2023 and FY2023/2024.

## MAYOR AND COUNCIL MEMBER BUSINESS (REPORTS)

P. 341 9. **SUBJECT:** APPOINTMENTS TO THE MOBILEHOME RENT REVIEW COMMISSION

**RECOMMENDATION:** That City Council consider the appointments of Brandy Gomez and Gilbert Villalpando to the Mobilehome Rent Review Commission.

P. 349 10. **SUBJECT:** APPOINTMENTS TO THE HEALTHY YUCAIPA COMMITTEE

**RECOMMENDATION:** That City Council consider the appointments of James Jetton and Hansen Wang to the Healthy Yucaipa Committee.

P. 356 11. **SUBJECT:** APPOINTMENT TO THE PARKS AND RECREATION COMMISSION

**RECOMMENDATION:** That City Council appoint a Student Member to the Parks and Recreation Commission.

## POSSIBLE ACTION ON PENDING LEGISLATION

### DEPARTMENT REPORTS

P. 357 12. **SUBJECT:** 2022 UPTOWN ICE RINK WRAP-UP

**RECOMMENDATION:** That City Council:

1. Receive and file the Wrap-up report for the 2022 Ice Rink; and
2. Provide direction to staff regarding the 2023 Ice Rink.

P. 361 13. **SUBJECT:** GENERAL FUND BUDGET ADJUSTMENT/SALARY SCHEDULE AMENDMENT

**RECOMMENDATION:** That City Council:

1. Approve an amendment to the Fiscal Year 2022-2023 Annual Budget for Salary and benefits; and
2. Adopt Resolution No. 2023-02, amending Resolution No. 2022-63, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on February 25, 2023.
  - a. Creating one (1) additional position of Assistant City Manager (Per Contract); and
  - b. Revising salary range for current Assistant City Manager position to “Per Contract”; and
  - c. Revising salary for City Manager position to “Per Contract”; and
  - d. Creating one (1) position of Director of General Services/City Clerk, Salary Range 57 (\$149,352-\$186,520); and

- e. Creating one (1) position of Director of Governmental Affairs/Public Information Officer, Salary Range 57 (\$149,352-\$186,520); and
- f. Reallocating the position of Public Information Officer/Grants Coordinator (Confidential), Salary Range 29 (\$74,807-\$93,423) to Management Analyst (Confidential), Salary Range 29 (\$74,807-\$93,423); and
- g. Reallocating the position of City Clerk/Deputy Rent Administrator, Salary Range 39 (\$95,759-\$119,590) to Deputy City Clerk/Deputy Rent Administrator/Records Technician (Confidential), Salary Range 39 (\$95,759-\$119,590); and
- h. Eliminating one (1) position of Deputy City Clerk/Records Technician (Confidential), Salary Range 28 (\$72,982-\$91,145).

P. 368 **14.** **SUBJECT:** ACCEPTANCE OF WORK – WILSON III BASIN PROJECT PHASE 1B IMPROVEMENTS – PROJECT NO. 10879

**RECOMMENDATION:** That City Council:

1. Accept the contract and extension work completed by LB3 Enterprises Inc. of Lakeside CA. in the revised amount of \$1,584,934.84 for the Wilson III Basin Phase 1B Improvements – Project No. 10879; and
2. Approve the final payment for the Project; and
3. Authorize the recordation of the revised Notice of Completion for the Project.

P. 375 **15.** **SUBJECT:** AWARD OF CONTRACT – DEMOLITION OF THEATRE STRUCTURE AT 33994 AVENUE E – PROJECT NO. 11150

**RECOMMENDATION:** That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$38,500 with NR Development, Inc. of Downey, CA for the Demolition of Theatre Structure at 33994 Avenue E – Project No. 11150; and
2. Approve the amount of \$7,500 for construction contract contingency and the amount of \$4,000 for construction contract administration, testing and inspection, for a total construction budget in the amount of \$50,000; and
3. Find that the construction of the Demolition of Theatre Structure at 33994 Avenue E – Project No. 11150 is Categorically Exempt pursuant to a Class 1 Categorical Exemption under CEQA Guidelines Section 15301 (I).
4. Direct staff to file a Notice of Exemption.

P. 382 **16.** **SUBJECT:** AWARD OF CONSTRUCTION CONTRACT - CITY YARD UNDERGROUND UTILITY INSTALLATION – PROJECT NO. 11182

**RECOMMENDATION:** That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$463,570.87 with MCC Equipment Rentals, Inc. of Yucaipa, California, for the City Yard Underground Utility Installation – Project No. 11182 (Utility Project); and
2. Authorize a contract contingency in the amount of \$46,000 and the amount of \$23,000 for construction contract administration, survey, testing and inspection for a total construction budget of \$532,570.87; and
3. Authorize the Acting City Manager, or his/her designee, to administer the terms of the contract; and
4. Approve the Plans and Specifications prepared for this Project; and
5. Approve and accept a utility easement in favor of the City on Wildwood Calvary Church (WCC) property to accommodate the construction and maintenance of utility service connections for the New City Yard; and
6. Approve and accept a drainage easement in favor of the City on WCC property for access and maintenance of the drainage facilities located on WCC property; and
7. Determine that the Utility Project is within the scope of the Environmental Impact Report prepared for the Oak Glen Creek Specific Plan Project.

P. 398 **17. SUBJECT: ON-CALL PROFESSIONAL ENVIRONMENTAL REVIEW SERVICES FOR PRIVATE DEVELOPMENT PROJECTS**

**RECOMMENDATION:** That City Council provide direction staff regarding the use of on-call consultants for Professional Environmental Review Services related to the entitlement of private land development projects.

P. 401 **18. SUBJECT: DEVELOPMENT OF A LOCAL ROADWAY SAFETY PLAN**

**RECOMMENDATION:** That City Council:

1. Accept the grant funding award in the amount of \$54,000 from the State of California Department of Transportation (Caltrans) for the development of a Local Roadway Safety Plan (LRSP); and
2. Authorize an amendment to the FY22/23 Annual Operating Budget to increase the revenue budget in the Miscellaneous Special Revenue Fund 225 by \$54,000; and
3. Authorize an amendment to the FY22/23 Annual Operating Budget to increase the expense budget in the Miscellaneous Special Revenue Fund 225 by \$60,000; and
4. Authorize a transfer in the amount of \$6,000 from the Pavement Management Program (PMP) Local Match for State/Federal Grant funds to the Miscellaneous Special Revenue Fund 225 to cover the grant's local match requirement; and
5. Award and authorize the Mayor to execute a contract in the amount of \$52,460 with KOA of Monterey Park, California, for the Preparation of a Local Roadway and Safety Plan; and

6. Authorize a contract contingency in the amount of \$4,040 and the amount of \$3,500 for design contract administration and permitting for a total budget of \$60,000 for this effort.

## **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.**

- P. 447 19. **SUBJECT:** PREMIUM LAND DEVELOPMENT. (CASE NO. 22-121/APP/GPA/LUCR): A MODIFIED PROJECT PROPOSAL FOLLOWING THE APPEAL OF CASE NO 21-085/GPA/LUCR THAT NOW CONSISTS OF A GENERAL PLAN AMENDMENT (ORDINANCE NO. 412) TO CHANGE THE LAND USE DISTRICT FROM RM-10M (MULTIPLE RESIDENTIAL) TO RM-24 (HIGH DENSITY MULTIPLE RESIDENTIAL) AND A LAND USE COMPLIANCE REVIEW TO PERMIT A PRIVATELY GATED 172-UNIT TWO-STORY MULTI-FAMILY APARTMENT PROJECT THAT INCLUDES AN AFFORDABILITY PROVISION THAT WILL BE EXECUTED THROUGH A DENSITY BONUS AGREEMENT ON FOUR PARCELS TOTALING 8.39 ACRES. – THE INITIAL PROJECT REVIEWED BY PLANNING COMMISSION AND CITY COUNCIL WAS FOR A PRIVATELY GATED 200-UNIT THREE-STORY MULTI-FAMILY APARTMENT PROJECT; LOCATED BETWEEN 3RD STREET TO THE WEST AND 2ND STREET TO THE EAST, 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 conduct a Public Hearing and consider the Planning Commission’s recommendation to:

1. Adopt Resolution No. 2022-41, approving the minor General Plan Amendment / Land Use District Change of a property from RM-10M (Multiple Residential, 10,000 square foot minimum lot size) to the land use designation of RM-24 (High Density Multiple Residential); and
2. Approve first reading, by the title only, as read by staff, of Ordinance No. 412, amending Ordinance No. 343, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa; and

3. Approve the Density Bonus Agreement Request and Land Use Compliance Review (Case No. 22-121), subject to the Conditions of Approval as contained in this Agenda Report; and
4. Adopt the Findings as contained in this Agenda Report; and
5. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, finding the mitigation measures and standard measures and procedures will reduce the potential level of environmental impact to less than significant; and
6. Direct staff to file a Notice of Determination; and,
7. Review, and if it is considered acceptable, approve the architectural design and conceptual landscaping for the proposed Project.

P. 655 **20. SUBJECT:** PRIORITIZATION OF FISCAL YEAR 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS/PROGRAMS

**RECOMMENDATION:** That City Council conduct a public hearing and prioritize eligible project proposals for submission to the San Bernardino County Board of Supervisors for Community Development Block Grant funding consideration.

**ANNOUNCEMENTS**

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9.

Thomas Christian v. Kim Clarke, Et. Al., SB Sup. Court Case No. CIVDS2009824

**ADJOURNMENT**

<b>AFFIDAVIT OF POSTING</b>		
State of California	}	
County of San Bernardino	} ss.	
City of Yucaipa	}	
<p>I, Kimberly Metzler, 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 2/08/2023. Said meeting to be held at 6 pm, 2/13/2023, at Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California. Said notice was posted on the Bulletin Board at the entrance to City Hall.</p>		
		Kimberly Metzler, City Clerk



Remove by: 2/14/2023