



**City Council
Successor Agency
Housing Authority
Meeting Agenda**

May 8, 2023

5:00 PM – Closed Session

6:00 PM – Open Session

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

The City Council serves as the Board for the Yucaipa Successor Agency and Commission for the Yucaipa Housing Authority.

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.

CEQA STATEMENT: UNLESS STATED OTHERWISE ON THE AGENDA, EVERY ITEM ON THE AGENDA IS EXEMPT FROM CEQA GUIDELINES SECTIONS 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 AND/OR PUBLIC RESOURCE CODE SECTION 21065.

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.

MEMBERS OF THE CITY COUNCIL ALSO SIT AS THE BOARD FOR THE SUCCESSOR AGENCY AND COMMISSION FOR THE HOUSING AUTHORITY. THIS IS THE TIME AND PLACE FOR THE GENERAL PUBLIC TO ADDRESS THE CITY COUNCIL, SUCCESSOR AGENCY AND HOUSING AUTHORITY. 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>.

CLOSED SESSION – 5:00 PM

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to paragraph (1) of subdivision (d) of Section 54956.9 – Grotke v. City of Yucaipa, et al., San Bernardino Superior Court Case No. CIVSB2304893

- B. CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Government Code Section 54957.6
Agency Designated Representatives: City Manager
Represented Employees: Yucaipa City Employees Association & Unrepresented Management, Supervisory and Confidential Employees

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

SPECIAL PRESENTATION

Proclamation for National Bike Month

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.

Members of the City Council also sit as the Board for the Successor Agency and Commission for the Housing Authority and may act on the consent calendar for those bodies as part of a single motion with the City Council consent calendar.

P. 6 1. **SUBJECT:** APPROVE COUNCIL MINUTES OF APRIL 17, 2023 AND APRIL 24, 2023

RECOMMENDATION: That the City Council approve City Council Minutes of April 17, 2023 and April 24, 2023.

P. 19 2. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE 2022 SEPTEMBER STORM EVENT

RECOMMENDATION: That the City Council extend the declaration of a local emergency as a result of the 2022 September Storm Event.

P. 21 3. **SUBJECT:** MONTHLY TREASURER'S REPORT: MARCH 2023

RECOMMENDATION: That the City Council receive and file the Monthly Treasurer's Report for March 2023.

P. 44 4. **SUBJECT:** FISCAL YEAR 2022/2023 ACCOUNTABILITY REPORTS

RECOMMENDATION: That the City Council receive the Community Activity Grant Accountability Report and deem the program requirements complete for the Childhood Cancer Foundation of Southern California, Inc. – 2023 Spring Eggstravaganza, Gardenworksforkids – Construct an Autism Patio, The Liberty Lap – 2nd Anniversary of The Liberty Lap, Rotary Club of Yucaipa – 2022 Yucaipa Christmas Parade, The Well Outreach Center – Our Neighbors Clothing Closet, Yucaipa/Calimesa Family Assistance – Refurbish Countertop, Replace Sink, and Paint Cabinetry, and the Yucaipa Womans Club – On-going Maintenance of Clubhouse.

P. 73 5. **SUBJECT:** MICHAEL KHOURY (KHOURY DBA): A DENSITY BONUS AGREEMENT FOR CASE NO. 22-033/CUP/DBA/MNV/LUCR/ARC TO ALLOW A 100% INCREASE IN LAND DENSITY FOR A 24-UNIT, SENIOR HOUSING PROJECT LOCATED ON A VACANT PARCEL AT 13421 4TH STREET; APN: 0319-242-01

RECOMMENDATION: That the City Council approve the attached Density Bonus Agreement (DBA) for the Khoury Senior Housing Project (Case No. 22-033) which will set forth the reporting requirements and covenants that are necessary to ensure that the target senior units remain consistent with the original density bonus request associated with the approved entitlement.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

POSSIBLE ACTION ON PENDING LEGISLATION

P. 93 6. **SUBJECT:** LEGISLATIVE ACTION: OPPOSE SENATE BILL 94

RECOMMENDATION: That the City Council oppose Senate Bill 94 by Senator Dave Cortese (D-Santa Clara), which would allow certain individuals serving death sentences or life without parole the opportunity to petition their criminal sentencing for judicial review and potential resentencing, and authorize the Mayor to sign a letter of opposition.

DEPARTMENT REPORTS

P. 101 7. **SUBJECT:** UPDATE REGARDING THE CITY OF YUCAIPA APP

RECOMMENDATION: That the City Council receive and file this update regarding the City of Yucaipa App.

P. 104 8. **SUBJECT:** AWARD OF CONTRACTS – ON-CALL POTHOLE REPAIR AND ASPHALT PAVEMENT REPAIR/REPLACEMENT SERVICES

RECOMMENDATION: That the 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 B-81 Paving Inc. of Yucaipa, California in the not-to-exceed amount of \$110,000 for providing On-Call Pothole Repair and Asphalt Pavement Repair/Replacement Services for the remainder of FY2022/2023, FY2023/2024, and FY2024/2025; 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 Vance Corporation of Beaumont, California in the not-to-exceed amount of \$110,000 for On-Call Pothole Repair and Asphalt Pavement Repair/Replacement Services for the remainder of FY2022/2023, FY2023/2024, and FY2024/2025; 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 Hardy and Harper of Lake Forest, California in the not-to-exceed amount of \$110,000 for providing On-Call Pothole Repair and Asphalt Pavement Repair/Replacement Services for the remainder of FY2022/2023, FY2023/2024, and FY2024/2025.

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.

