

CITY OF



AMENDED

City Council Meeting Agenda

October 11, 2021 – 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.

ANY PUBLIC WRITINGS DISTRIBUTED BY THE CITY TO AT LEAST A MAJORITY OF THE COUNCILMEMBERS REGARDING ANY ITEM ON THIS REGULAR MEETING AGENDA WILL BE MADE AVAILABLE AT THE PUBLIC RECEPTION COUNTER AT CITY HALL, LOCATED AT 34272 YUCAIPA BOULEVARD, 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.

PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER N-25-20 AND N-29-20, MEMBERS OF THE YUCAIPA CITY COUNCIL OR STAFF MAY PARTICIPATE IN THIS MEETING VIA TELECONFERENCE. IN THE INTEREST OF PUBLIC HEALTH AND SAFETY AND TO PREVENT AND MITIGATE THE EFFECTS OF THE COVID-19 PANDEMIC, MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING IN PERSON AT THE CITY HALL COUNCIL CHAMBERS, 34272 YUCAIPA BOULEVARD, YUCAIPA, CA 92399, MAINTAINING A 6-FOOT DISTANCE FROM OTHERS. WEARING A FACE COVERING IS REQUIRED.

DUE TO THE ESSENTIAL NATURE OF CITY COUNCIL MEETINGS IN CONDUCTING OFFICIAL CITY BUSINESS, THE CITY COUNCIL MEETING WILL TAKE PLACE WITH THE FOLLOWING ALTERNATE OPPORTUNITIES FOR PUBLIC PARTICIPATION:

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

APPROVAL OF AGENDA

That City Council approve the Agenda and taking the Public Hearing Agenda Item No. 1 at 6:10 PM.

SPECIAL PRESENTATION

Certificate of Recognition – Mark Taylor

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. 7 1. **SUBJECT:** 6:10 P.M. TIME CERTAIN - Public Hearing No. 1: Consideration of City Council election district boundaries to include discussion regarding the redistricting process, review of permissible criteria to be considered to redraw City Council election district boundaries, and to receive public input on Communities of Interest and potential district boundaries

RECOMMENDATION: That City Council conduct a Public Hearing and:

1. Receive a report on the redistricting process and permissible criteria to be considered to redraw City Council election district boundaries; and
2. Receive public input regarding the potential composition of City Council district boundaries.

EMPLOYEE INTRODUCTION

PUBLIC COMMENT

CONSENT AGENDA

(ITEM NOS. 2 THROUGH 9)

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. 10 **2. SUBJECT: APPROVE COUNCIL MINUTES OF SEPTEMBER 27, 2021**
- RECOMMENDATION:** That City Council approve City Council Minutes of September 27, 2021.
- P. 17 **3. SUBJECT: MAINTENANCE AGREEMENT FOR THE WILSON III BASIN PROJECT WITH SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT**
- RECOMMENDATION:** That City Council:
1. Approve and authorize the Mayor to execute a Maintenance Agreement (Agreement) with the San Bernardino County Flood Control District (District) for the Operation and Maintenance of the Wilson III Basin Project; and
 2. Authorize the City Manager or his designee to administer the terms of the Agreement.
- P. 36 **4. SUBJECT: INFRASTRUCTURE CONSTRUCTION AND COORDINATION AGREEMENT WITH THE YUCAIPA VALLEY WATER DISTRICT REGARDING PAVEMENT REHABILITATION ROAD IMPROVEMENTS**
- RECOMMENDATION:** That City Council:
1. Approve and authorize the City Manager to execute and administer an Infrastructure Construction and Coordination Agreement with the Yucaipa Valley Water District in the amount of \$135,420 for the pavement rehabilitation road improvement project on Leith Way, Bella Vista Drive, and Lincoln Drive; and
 2. Amend the FY2021-2022 Capital Improvement Program by adding the amount of \$135,420 in funding from the Yucaipa Valley Water District to the 2020-2021 &

2021-2022 Street Rehabilitation Program – Project No. 11152.

- P. 41 5. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – ROTARY CLUB OF YUCAIPA 66TH ANNUAL CHRISTMAS PARADE

RECOMMENDATION: That City Council:

1. Approve the Special Event Permit Application submitted by the Rotary Club of Yucaipa to conduct the 66th Annual Yucaipa Christmas Parade, on Saturday, December 11, 2021; and
2. Review and approve the street closures identified in the agenda report; and
3. Approve a City co-sponsorship of the 66th Annual Yucaipa Christmas Parade.

- P. 50 6. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE COVID-19 PANDEMIC AND THE EL DORADO FIRE

RECOMMENDATION: That City Council review the need to continue the local emergencies, thereby recognizing the continued existence of perilous conditions as a result of the COVID-19 pandemic and the El Dorado Fire, and direct staff as deemed appropriate.

- P. 53 7. **SUBJECT:** AWARD OF CONTRACT – INSTALLATION OF PLAYGROUND EQUIPMENT FOR FLAG HILL VETERANS MEMORIAL PARK – PROJECT NO. 11163

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute a contract in the amount of \$41,520 with Three Peaks Corporation of Calimesa CA. for the Installation of Playground Equipment for Flag Hill Veterans Memorial Park – Project No. 11163; and
2. Approve the amount of \$ 2,075 for construction contract contingency and the amount of \$1,500 for construction contract administration/inspection costs for a total construction budget in the amount of \$45,095; and
3. Approve the Plans and Specifications prepared for this project.

- P. 57 8. **SUBJECT:** RIGHT-OF-WAY ACQUISITION, AVENUE E INTERSECTIONS IMPROVEMENT PROJECT, PHASE II, PROJECT NO. 10788

RECOMMENDATION: That City Council:

1. Approve a Purchase and Sale Agreement with Southeastern California Conference of Seventh Day Adventist, a California non-profit Corporation, (APN 0319-101-63) for the acquisition of a 506 square foot permanent easement for right of way purposes and the construction of the Avenue E Intersections Improvement Project for an amount not to exceed \$4,100; and
2. Approve an expenditure up to the amount of \$3,000 for closing costs associated with the proposed purchase and sale agreement and the amount of \$2,300 for right of way acquisition coordination/staff time for a total cost in the amount of \$9,400

for the acquisition of the permanent right-of-way easement; and

3. Authorize the City Manager, or his designee, to execute the necessary documents to complete the acquisition process.

P. 95 **9. SUBJECT: DESIGNATION OF STREET RIGHT OF WAY - AVENUE E AND 5TH STREET INTERSECTION**

RECOMMENDATION: That City Council adopt Resolution No. 2021-66 designating a portion of City-owned property as street right of way at the intersection of Avenue E and 5th Street and authorize the City Clerk to record the resolution.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

P. 100 **10. SUBJECT: 2021 MEMBERSHIP ON COUNCIL COMMITTEES, REGIONAL ORGANIZATIONS AND AD-HOC COMMITTEES**

RECOMMENDATION: That City Council consider adding an alternate committee member to the Public Safety Ad-Hoc Committee.

POSSIBLE ACTION ON PENDING LEGISLATION

DEPARTMENT REPORTS

P. 103 **11. SUBJECT: FIVE WINDS RANCH – KICK THE DUST UP FEST**

RECOMMENDATION: That City Council approve a two-day festival to be held on Friday and Saturday, March 25 and 26, 2022, in order to celebrate the grand reopening of the Five Winds Ranch.

P. 105 **12. SUBJECT: DESIGNATION OF STREET RIGHT OF WAY FOR COUNTY LINE ROAD**

RECOMMENDATION: That City Council:

1. Adopt Resolution No. 2021-67 designating a portion of City-owned property as street right of way at the intersection of County Line Road and 5th Street and authorize the City Clerk to record the resolution; and
2. Adopt Resolution No. 2021-68 designating a portion of City-owned property as street right of way at the intersection of County Line Road and 3rd Street and authorize the City Clerk to record the resolution; and
3. Adopt Resolution No. 2021-69 designating a portion of City-owned property as street right of way at the intersection of County Line Road and California Street and authorize the City Clerk to record the resolution.

PUBLIC HEARING

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- A. Open Public Hearing

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P. 121 **13. SUBJECT: ANNUAL ADJUSTMENT OF DEVELOPMENT IMPACT FEES**

RECOMMENDATION: That the City Council conduct a public hearing and adopt Resolution No. 2021-64, rescinding Resolution No. 2020-65, and amending Resolution No. 93-39, establishing a schedule of revised Development Impact Fees, and direct staff as appropriate in preparation for the 2021 annual update of the Development Impact Fees.

ANNOUNCEMENTS

CLOSED SESSION

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: APN No. 319-371-10, 34509 Avenue E - City Negotiator: Ray Casey, City Manager – Negotiating Parties: June Del Campo - Under Negotiation: Price and Terms of Payment

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: Portion of APN No. 0303-253-38 - City Negotiator: Ray Casey, City Manager – Negotiating Parties: City of Yucaipa - Under Negotiation: Disposition of Property

Conference with Real Property Negotiator [Govt. Code §54956.8] Property: APN No. 0301-201-35, 32032 Live Oak Canyon Road - City Negotiator: Ray Casey, City Manager – Negotiating Parties: Robinson Ranch Properties - Under Negotiation: Price and terms of Payment

ADJOURNMENT