

CITY OF



*Justin Beaver, Mayor*  
*Chris Venable, Mayor Pro Tem*  
*Bobby Duncan, Councilmember*  
*Matt Garner, Councilmember*  
*Jon Thorp, Councilmember*

*Chris Mann, City Manager*  
*Steven Graham, City Attorney*  
*Ana V. Sauseda, City Clerk*

## AGENDA

### City Council

Successor Agency · Housing Authority

February 26, 2024

City Hall - City Council Chambers

34272 Yucaipa Blvd., Yucaipa, California

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

**Public Comment** will be called at the time and place noted on the Agenda below 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. Public Comment will be conducted in accordance with the Rules of Procedure adopted pursuant to Resolution No. 2023-07. There is a three-minute time limit for speaking and time may not be ceded to another speaker.

#### **Public Comment Via Mail or Email**

Items 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.gov](mailto:publiccomment@yucaipa.gov). 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.gov/agendas-minutes/>. Individuals should be aware that comments provided, including personal information, may be disclosable pursuant to the California Public Records Act.

#### **Live stream/recording of City Council meetings:**

Members of the public may watch city council meetings live at: <https://yucaipa.gov/live>.

#### **Possible Live Stream Disruptions:**

While the City of Yucaipa strives for uninterrupted streaming, technical issues may occasionally occur. We ask for your understanding and patience should there be any disruptions during the live

broadcast. We will work diligently to resolve any issues promptly, however, please be advised that the City Council meeting may continue in person while such issues are resolved. Every attempt will be made for the meeting to be recorded and made available for viewing after its conclusion.

**CLOSED SESSION – 5:00 PM**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9)  
Ana Sauseda v. George Sardeson, et al  
San Bernardino Superior Court Case No. CIVSB2310343

**OPEN SESSION – 6:00 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CLOSED SESSION REPORT**

**CHANGES TO THE AGENDA**

**SPECIAL PRESENTATION**

- Yucapture Yucaipa Photo Contest

**PUBLIC SAFETY UPDATE**

- Police
- Fire
- Code Enforcement

**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.

1. **SUBJECT:** APPROVE THE CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY MINUTES OF FEBRUARY 12, 2024.

**RECOMMENDATION:** That the City Council approve the City Council/Successor Agency/Housing Authority Minutes of February 12, 2024.

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.

3. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO TROPICAL STORM HILARY

**RECOMMENDATION:** That the City Council extend the declaration of a local emergency as a result of Tropical Storm Hilary.

4. **SUBJECT:** AWARD OF CONSTRUCTION CONTRACT - TRAFFIC SIGNAL INSTALLATION FOR THE OAK GLEN ROAD/LIVE OAK CANYON ROAD WIDENING PROJECT, COLORADO STREET TO OUTER HWY-10 SOUTH

**RECOMMENDATION:** That the City Council:

1. Award and authorize the City Manager to execute a contract, and the City Manager or his designee administer the terms of the contract to the lowest responsive bidder, Belco Elecnor of Chino, CA, in the amount of \$314,888 for the Traffic Signal at Oak Glen Road and Colorado Street – Project No. 11089-3 (Project); and
  2. Approve the amounts of \$30,000 for construction contract contingency and \$23,000 for construction contract administration, staff time, and inspection, for a total construction budget in the amount of \$367,888; and
  3. Authorize the City Manager or his designee to administer the distribution of the contract contingency; and
  4. Approve the plans and specifications prepared for this Project.
5. **SUBJECT:** AWARD OF CONSTRUCTION CONTRACT – AVENUE E & 15TH STREET SIDEWALKS PROJECT, PHASE 2

**RECOMMENDATION:** That the City Council:

1. Amend the FY 2023-24 Capital Improvement Program by approving the amounts of \$270,735 for the 15th Street Sidewalks ATP Project – Project No. 11184, \$27,000 for construction contract contingency and \$21,000 for construction contract administration, staff time, and inspection, for a total construction budget in the amount of \$318,735; and
2. Accept State Active Transportation Grant award in the amount of \$320,000; and

3. Award and authorize the City Manager to execute a contract, and the City Manager or his designee administer the terms of the contract to the lowest responsive bidder, Three Peaks of Calimesa, CA, in the amount of \$270,735 for the 15th Street Sidewalks ATP Project – Project No. 11184 (Project); and
4. Approve the plans and specifications prepared for this Project.

## **DISCUSSION ITEMS**

### **6. SUBJECT: YOUTH ADVISORY COMMITTEE APPOINTMENT**

**RECOMMENDATION:** That the City Council:

1. Review the attached Application for the At-Large Membership to the Youth Advisory Committee (YAC); and
2. Vote on the appointment of the nominated applicant.

### **7. SUBJECT: TRAILS AND OPEN SPACE COMMITTEE APPOINTMENT**

**RECOMMENDATION:** That the City Council:

1. Review the attached Citizen Service Applications and nominate one applicant for the At-Large Membership to the Trails and Open Space Committee; and
2. Vote on the appointment of the nominated applicant.

### **8. SUBJECT: ADOPTION OF ORDINANCE RELATED TO CAMPAIGN CONTRIBUTION LIMITS**

**RECOMMENDATION:** That the City Council:

1. Approve the Introduction and First Reading of Ordinance No. 440, an Ordinance of the City Council of the City of Yucaipa, California, Adding Section 1.08.070 to the Yucaipa Municipal Code Establishing No Campaign Contribution Limits; or
2. Approve the Introduction and First Reading of Ordinance No. 443, an Ordinance of the City Council of the City of Yucaipa, California, Adding Section 1.08.070 to the Yucaipa Municipal Code Related to Campaign Contribution Limits.

### **9. SUBJECT: FISCAL YEAR 2023-24 MID-YEAR BUDGET UPDATE**

**RECOMMENDATION:** That the City Council:

1. Review the Fiscal Year 2023-24 Mid-Year Budget Update; and
2. Amend the Adopted FY 2023-24 General Fund Budget by increasing budgeted expenditures by \$1,557,600; and increasing budgeted revenues and transfer-ins by \$1,169,000; and
3. Amend the Adopted FY 2023-24 Fire Fund Budget by increasing budgeted expenditures by \$109,000; and

4. Amend the Adopted Capital Improvement Plan by increasing budgeted expenditures by \$1,135,000 and increasing budgeted revenues by \$635,000, as well as corresponding technical transfers; and
5. Approve the procurements with Best Contracting Services, Inc. (senior center roof) and RDO Equipment Company (Chipper) in accordance with the City's Purchasing Policy; and
6. Approve the procurements with Sunstate Equipment Rental (skip loader rental), Quinn Equipment (skip loader purchase), Johnson Equipment (Battalion Chief truck) and Express Events (STARS programming) and dispense with competitive bid procedures for each as per Section 2.24.060 of the City of Yucaipa Municipal Code.

10. **SUBJECT:** FISCAL YEAR 2024-25 BUDGET PREPARATION

**RECOMMENDATION:** That the City Council receive an update on the budget preparation for Fiscal Year 2024-25.

**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.**

11. **SUBJECT:** GATEWAY COMMERCIAL PLAZA (CASE NO. 23-094/CUP/ARC/DA); A CONDITIONAL USE PERMIT AND ARCHITECTURAL REVIEW FOR THE FINAL PHASE OF THE YUCAIPA GATEWAY PROJECT THAT INCLUDES THE DEVELOPMENT OF A 1,500 SQUARE FOOT DRIVE-THROUGH COFFEE SHOP AND A 2,492 SQUARE FOOT DRIVE-THROUGH RESTAURANT ON APPROXIMATELY 1.95 ACRES, THE CONTINUATION OF THE YUCAIPA GATEWAY PROJECT LOCATED AT THE SOUTHWEST CORNER OF OAK GLEN ROAD AND 14TH STREET. THE APPLICANT ALSO PROPOSES AN AMENDED DEVELOPMENT AGREEMENT WITH THE CITY TO REFLECT THE CURRENT PROJECT AND UPDATES. APN: 0301-182-11 AND 12, AND 0301-183-18, 19, 20 AND 21

**RECOMMENDATION:** That the City Council conduct a public hearing and consider the Planning Commission's recommendation to:

1. Approve Conditional Use Permit No. 23-094, and if acceptable, the Architectural Design and conceptual landscaping, subject to the Conditions of Approval as contained in the Agenda Report; and
2. Adopt the Findings as contained in the Agenda Report; and
3. Approve the introduction and first reading of Ordinance No. 442, an Ordinance of the City Council of the City of Yucaipa, California, rescinding Ordinance No. 335 and adopting an Amended Development Agreement between the City of Yucaipa and ACAA, a Limited Liability Partnership, to enable the continued development of a unified commercial center at the southwest corner of Oak Glen Road and 14th Street, with the new agreement memorializing changes to the site design and utility improvement responsibility and the amended development agreement as part of the proposed project; and
4. Determine that the Project does not require any additional environmental review pursuant to Section 15162(a) of the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended; and
5. Direct Staff to file a Notice of Determination.

**COUNCILMEMBER REPORTS**

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Notice Regarding Americans with Disability Act**

The City of Yucaipa complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please call the City Clerk’s Department at (909) 797-2489, during normal business hours, at least 48-hours prior to the meeting. Notification 48 hours prior to the meeting will enable the city to make reasonable accommodations to ensure accessibility to this 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.

**NOTICE REGARDING CHALLENGES TO DECISIONS**

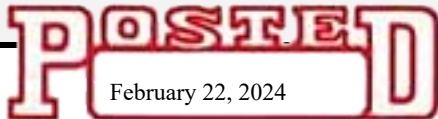
Pursuant to all applicable laws and regulations, if you would like to challenge the decision of the City Council on an item appearing on this Agenda, you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this Agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

**AFFIDAVIT OF POSTING**

State of California }  
County of San Bernardino } ss.  
City of Yucaipa }

I, Ana V. Sauseda, City Clerk of the City of Yucaipa, California, do hereby declare that the foregoing agenda was posted on 02/22/2024, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:  
Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California  
City of Yucaipa website [www.yucaipa.org](http://www.yucaipa.org)

Ana V. Sauseda, CMC  
City Clerk



Remove by: February 27, 2024