

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

March 11, 2024

City Hall - City Council Chambers

34272 Yucaipa Blvd., Yucaipa, California

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. 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 – 4:30 PM

- A. CONFERENCE WITH LEGAL COUNSEL – PURSUANT TO GOVT. CODE SECTION 54957 – Public Employment; Annual Public Employee Performance Evaluation - City Manager
- B. 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

YAPS Dog of the 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.

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 26, 2024.

RECOMMENDATION: That the City Council approve the City Council/Successor Agency/Housing Authority minutes of February 26, 2024.

2. **SUBJECT:** SECOND READING OF ORDINANCE NO. 440

RECOMMENDATION: That the City Council approve the second 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.

3. **SUBJECT:** SECOND READING OF ORDINANCE NO. 442

RECOMMENDATION: That the City Council approve the second reading of Ordinance No. 442, an Ordinance of the City Council of the City of Yucaipa, California, rescinding ordinance number 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.

4. **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.

5. **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.

6. **SUBJECT:** MONTHLY TREASURER'S REPORT JANUARY 2024

RECOMMENDATION: That the City Council receive and file the Monthly Treasurer's Report for January 2024.

7. **SUBJECT:** ALTERNATIVE COMPLIANCE EXAMINATION ENGAGEMENT FOR FISCAL YEAR ENDED JUNE 30, 2023

RECOMMENDATION: That the City Council receive and file the Alternative Compliance Examination Engagement for Fiscal Year Ended June 30, 2023.

8. **SUBJECT:** AWARD OF CONTRACT – 13TH STREET SPORTS COMPLEX FACILITY PARKING LOT LIGHTING PHASE I – PROJECT NO. 11189

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, Quality Light and Electrical of Bloomington, CA, in the amount of \$58,805 for the 13th Street Sports Complex Facility Parking Lot Lighting Phase I – Project No. 11189 (Project); and

2. Approve the amounts of \$5,800 for construction contract contingency and \$3,000 for construction contract administration, staff time, and inspection, for a total construction budget in the amount of \$67,605; 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.

9. **SUBJECT:** RATIFICATION OF THE RESTRICTED GRANT AGREEMENT BETWEEN THE SAN MANUEL BAND OF MISSION INDIANS AND THE CITY OF YUCAIPA, COMMUNITY LIBRARY

RECOMMENDATION: That the City Council ratify the Restricted Grant Agreement Between the San Manuel Band of Mission Indians and the City of Yucaipa, Community Library signed by the City Manager accepting grant funding not-to-exceed \$1 million.

10. **SUBJECT:** RESOLUTION NO. 2024-05 DECLARING CITY OWNED PROPERTY [PORTION OF ASSESSOR'S PARCEL NUMBER 0303-181-28] AS EXEMPT SURPLUS LAND PURSUANT TO GOVERNMENT CODE SECTIONS 54221 (F)(1)(C) AND 54221 (F)(1)(D), FINDING THE DECLARATION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING RELATED ACTIONS

RECOMMENDATION: That the City Council:

1. Adopt Resolution No.2024-05 declaring, pursuant to Government Code Section 54221, that real property owned by the City [0.33-acre portion of Assessor's Parcel Number 0303-181-28] is exempt surplus land and not necessary for the City's use; and
2. Find that such declaration is exempt from environmental review pursuant to section 15062(b)(3) under the California Environmental Quality Act and direct staff to file a Notice of Exemption; and
3. Approve the related actions in the resolution.

11. **SUBJECT:** 2022 HOMELAND SECURITY GRANT ACCEPTANCE – POLICE & FIRE DEPARTMENT

RECOMMENDATION: That the City Council approve an amendment to the Fiscal Year 2023-24 budget for the 2022 Department of Homeland Security Grant, with an increase in the revenue and expenditure budgets in the amount of \$17,994 for the Police Department and \$15,675 for the Fire Department.

DISCUSSION ITEMS

12. **SUBJECT:** ADOPTION OF RESOLUTION OPPOSING INITIATIVE NO. 21-0042A1 AND JOINING THE “STOP THE TAXPAYER DECEPTION ACT” COALITION

RECOMMENDATION: That the City Council adopt Resolution No. 2024-06, Opposing Initiative No. 21-0042A1 and Joining the “Stop the Taxpayer Deception Act” Coalition.

13. **SUBJECT:** WILDWOOD CANYON ROAD ENGINEERING STUDY AND TRAFFIC ANALYSIS

RECOMMENDATION: That the City Council receive an update regarding a traffic analysis completed along Wildwood Canyon Road and provide direction to staff regarding optional traffic improvements.

14. **SUBJECT:** INTRODUCTION AND FIRST READING OF ORDINANCE NO. 444 REGARDING SIDEWALK VENDORS AND THE REGULATION OF FOOD TRUCKS

RECOMMENDATION: That the City Council approve the Introduction and First Reading of Ordinance No. 444, an Ordinance of the City Council of the City of Yucaipa, California, Repealing Title 5, Chapter 5.12 of the Yucaipa Municipal Code Concerning the Regulation of Peddlers, Hawkers, and Itinerant Vendors and Replacing it with a New Chapter 5.12 Concerning the Regulation of Sidewalk Vendors and Adding Chapter 5.13 Concerning the Regulation of Food Trucks.

15. **SUBJECT:** ADOPTION OF RESPONSE TO THE 2023 CIVIL GRAND JURY FINAL REPORT

RECOMMENDATION: That the City Council adopt the proposed response to the 2023 San Bernardino County Civil Grand Jury Final Report and direct that the response be filed with the Presiding Judge of the Superior Court and with the Clerk of the Board of Supervisors.

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 03/07/2024, 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.gov

Ana V. Sauseda, CMC
City Clerk



Remove by: 3/12/2024