

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**

**April 22, 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

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant Exposure to Litigation (1 Case) – Pursuant to Section 54956.9(d)(2)

**OPEN SESSION – 6:00 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CLOSED SESSION REPORT**

**CHANGES TO THE AGENDA**

**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 APRIL 8, 2024, THE SPECIAL CITY COUNCIL MEETING MINUTES OF APRIL 8, 2024, AND THE SPECIAL CITY COUNCIL MEETING MINUTES OF MARCH 27, 2024.

**RECOMMENDATION:** That the City Council approve the City Council/Successor Agency/Housing Authority Minutes of April 8, 2024, the Special City Council Meeting Minutes of April 8, 2024, and the Special City Council Meeting Minutes of March 27, 2024.

2. **SUBJECT:** SECOND READING OF ORDINANCE NO. 441

**RECOMMENDATION:** That the City Council approve the second reading of Ordinance No. 441, an Ordinance of the City Council of the City of Yucaipa, California, Adopting the Wine Country Specific Plan.

3. **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.

4. **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.

5. **SUBJECT:** MONTHLY REPORT ON YUCAIPA APP USAGE AND RESPONSE – MARCH, 2024

**RECOMMENDATION:** That the City Council receive and file a report of the user activity on the Yucaipa App and staff response times for the month of March, 2024.

6. **SUBJECT:** EDIBLE FOOD RECOVERY PROGRAM ACTIVITIES

**RECOMMENDATION:** That the City Council authorize the City Manager to execute a Memorandum of Understanding (MOU) agreement with San Bernardino County Department of Public Health Environmental Health Services (EHS) for edible food recovery activities terminating on December 31, 2025.

7. **SUBJECT:** PURCHASE OF EQUIPMENT WITH CALRECYCLE GRANT FUNDS

**RECOMMENDATION:** That the City Council:

1. Authorize an amendment to the FY24 Annual Budget to increase the expense and revenue budgets in the amount of \$147,896 for the awarded grant funds from CalRecycle; and
2. Authorize the City Manager to execute a purchase contract with Inland Kubota Inc, for the acquisition of one (1) new Kubota M6060HDC Tractor w/Hydraulic Shuttle and Cab in the amount of \$56,772 and one (1) new Kubota M6060HD Tractor w/Hydraulic Shuttle and ROPS in the amount of \$45,838; and
3. Find that the public interest will not be best served by a formal proposal process, waive the formal solicitation of proposals/qualifications and execute a purchase contract with Traffic Management Products, Inc., for the purchase of two (2) SA2020-WVTM-B Wanco Mini Matrix Message Board with Hand-Operated Winch in the amount of \$42,642.

8. **SUBJECT:** ADDITIONAL CLEARGOV, INC. PROCUREMENT

**RECOMMENDATION:** That the City Council:

1. Authorize the additional procurement with ClearGov, Inc. for ClearPlans; and
2. Approve the evergreen pricing agreements with ClearGov, Inc. for all ClearGov, Inc. products (Digital Budget Book, Capital Budgeting, Transparency, and ClearPlans) through the end of Fiscal Year 2029, and authorize City staff to execute additional related agreements; and
3. Dispense with competitive bid procedures as per Section 2.24.060.A of the City of Yucaipa Municipal Code.

9. **SUBJECT:** TROPICAL STORM HILARY STATUS AND BUDGET ADJUSTMENT REPORT

**RECOMMENDATION:** That the City Council approve a FY24 budget cost reduction of \$1.1 million and a FY24 budget revenue increase of \$2.9 million related to the emergency cleanup effort of Tropical Storm Hilary.

10. **SUBJECT:** RESOLUTION NO. 2024-08 APPROVING AN ORGANIZATIONAL CONFLICT OF INTEREST POLICY APPLICABLE TO ANY FUTURE PROGRESSIVE DESIGN-BUILD OR DESIGN-BUILD PROJECTS

**RECOMMENDATION:** That the City Council adopt Resolution No. 2024-08 approving an organizational Conflict of Interest Policy for Design-Build or Progressive Design-Build Projects.

11. **SUBJECT:** CONTRACT AMENDMENT – ON-CALL POTHOLE REPAIR AND ASPHALT PAVEMENT REPAIR/REPLACEMENT SERVICES

**RECOMMENDATION:** That the City Council approve and authorize the City Manager to execute a Contract Amendment with B-81 Paving Inc. of Yucaipa increasing the amount of their contract by \$30,000 for a revised total of \$80,000 to provide On-Call Pothole Repair and Asphalt Pavement Repair/Replacement Services for the remainder of FY2023/2024.

### **DISCUSSION ITEMS**

12. **SUBJECT:** CONSTRUCTION UPDATE - COUNTY LINE ROAD CORRIDOR IMPROVEMENT PROJECT

**RECOMMENDATION:** That the City Council receive an update regarding the construction of the County Line Road Corridor Improvement Project.

13. **SUBJECT:** MOBILEHOME PARK COMMITTEE APPOINTMENTS

**RECOMMENDATION:** That the City Council:

1. Review the attached Citizen Service Applications and nominate seven applicants for the At-Large Membership to the Mobilehome Park Committee; and
2. Vote on the appointment of the nominated applicants.

14. **SUBJECT:** ADOPTION OF URGENCY ORDINANCE NO. 466-U ESTABLISHING A TEMPORARY MORATORIUM FOR THE INSTALLATION OF MOBILE HOMES GREATER THAN TWENTY YEARS OLD IN THE CITY'S 42 EXISTING MOBILE HOME PARKS

**RECOMMENDATION:** That the City Council adopt an Urgency Ordinance of the City Council of the City of Yucaipa, California, adopting an Interim Measure Imposing a Moratorium on the Installation, Modification, or Review and Approval of Applications for Mobile Home Set-Down Permits for Mobile Homes Over Twenty Years Old within all Mobilehome Parks Existing in the City.

### **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.**

**15. SUBJECT: USER FEE SCHEDULE UPDATE – LANDSCAPING FEES**

**RECOMMENDATION**: That the City Council conduct a Public Hearing and subsequently approve Resolution No. 2024-07, rescinding Resolution No. 2023-54, and adopting an update to the Comprehensive User Fee Schedule clarifying the landscape fees and other general city services and making related determinations pursuant to the California Environmental Quality Act.

**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.

### **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS (Levine Act – Government Code section 84308)**

Pursuant to Government Code section 84308, members of the City Council and Planning Commission are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid contracts, labor contracts, or personal employment contracts with City employees), franchises, discretionary land use permits and other entitlements if the Councilmember or Planning Commissioner received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the City's decision on the agenda item since January 1, 2023. Any applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a City Councilmember or Planning Commissioner member since January 1, 2023, are required to disclose that fact for the official record of the subject agenda item and any such City Councilmember or Planning Commissioner shall not make, participate in making, or in any way attempt to use their official position to influence the subject agenda item. Disclosures must include the amount of the campaign contribution and identify the recipient City Councilmember or Planning Commissioner and may be made either in writing to the City Clerk prior to the subject hearing or by verbal disclosure at the time of the hearing.

**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.

<b>AFFIDAVIT OF POSTING</b>	
State of California	}
County of San Bernardino	} ss.
City of Yucaipa	}
<p>I, Ana V. Sauseda, City Clerk of the City of Yucaipa, California, do hereby declare that the foregoing agenda was posted on 04/18/2024, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:</p> <p style="text-align: center;">Yucaipa City Hall, 34272 Yucaipa Boulevard, Yucaipa, California City of Yucaipa website <a href="http://www.yucaipa.org">www.yucaipa.org</a></p> <p style="text-align: right;">Ana V. Sauseda, MMC City Clerk</p>	

