

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**

**May 13, 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](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.

**OPEN SESSION – 6:00 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**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 APRIL 22, 2024, THE SPECIAL CITY COUNCIL MEETING MINUTES OF APRIL 22, 2024.

**RECOMMENDATION:** That the City Council approve the City Council/Successor Agency/Housing Authority Minutes of April 22, 2024, the Special City Council Meeting Minutes of April 22, 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:** NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION

**RECOMMENDATION:** That the City Council:

1. Adopt Resolution No. 2024-10, calling for the holding of a General Municipal Election to be held on Tuesday, November 5, 2024, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities; and
  2. Adopt Resolution No. 2024-11, requesting the Board of Supervisors of the County of San Bernardino to consolidate a General Municipal Election to be held on November 5, 2024, with the Statewide General Election to be held on the date pursuant to § 10403 of the Elections Code; and
  3. Adopt Resolution No. 2024-12, adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, November 5, 2024.
5. **SUBJECT:** RESOLUTION NO. 2024-20, TO SET A TIME AND PLACE TO CONDUCT A PUBLIC HEARING TO ADOPT A REPORT OF DELINQUENT SOLID WASTE CHARGES AND DIRECTING THE CITY CLERK TO FILE SAID REPORT WITH THE COUNTY OF SAN BERNARDINO FOR INCLUSION OF SUCH CHARGES ON THE PROPERTY TAX ROLLS AS A SPECIAL ASSESSMENT

**RECOMMENDATION:** That the City Council adopt Resolution No. 2024-20, a Resolution of the City Council of the City of Yucaipa, California, to set a time and place to conduct a Public Hearing to adopt a report of delinquent solid waste charges and directing the City Clerk to file said report with the County of San Bernardino for inclusion of such charges on the property tax rolls as a special assessment.

6. **SUBJECT:** RESOLUTION NO. 2024-18 TO SET A TIME AND PLACE TO CONDUCT A PUBLIC HEARING FOR THE ANNEXATION OF TRACT MAP NO. 16268 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (ZONE “MM”)

**RECOMMENDATION:** That the City Council:

1. Adopt Resolution No. 2024-18 to set a time and place to conduct a Public Hearing and Assessment Ballot proceedings at 6:00 p.m. on July 22, 2024, in compliance with Proposition 218, and to approve the annexation of Tract Map No. 16268 into the City of Yucaipa Landscaping and Lighting Maintenance District No. 1 (Zone “MM”); and
2. Adopt the methodology for and enact the assessments therein.

7. **SUBJECT:** SUMMARY VACATION OF RIGHT-OF-WAY LOCATED AT THE NORTHEAST CORNER OF 3RD STREET AND COUNTY LINE ROAD

**RECOMMENDATION:** That the City Council:

1. Adopt Resolution No. 2024-15, vacating a portion of unnecessary public right-of-way located at the Northeast corner of 3<sup>rd</sup> Street and County Line Road; and
2. Approve the related actions included in the resolution; and
3. Authorize the City Manager, or his designee to execute the necessary documents to complete the right-of-way vacation process.

8. **SUBJECT:** SUMMARY VACATION OF RIGHT-OF-WAY LOCATED WITHIN APN 0321-101-22

**RECOMMENDATION:** That the City Council:

1. Adopt Resolution No. 2024-14, approving and ordering the summary vacation of a portion of public right-of-way located within APN 0321-101-22; and
2. Authorize the City Manager, or his designee to execute the necessary documents to complete the right-of-way vacation process; and
3. Determine that the vacation of a portion of right-of-way is categorically exempt from the requirement of the California Environmental Quality Act (CEQA), pursuant Class 1, Section 15301(c); and
4. Determine the summary vacation does not require any additional environmental review pursuant to Section 15162(a) of the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines, as amended.

9. **SUBJECT:** MONTHLY TREASURER’S REPORT MARCH 2024

**RECOMMENDATION:** That the City Council receive and file the Monthly Treasurer’s Report for March 2024.

10. **SUBJECT:** LEVY AFFILIATED HOLDINGS, LLC. (CASE NO. 24-042/DBA): AN AMENDED DENSITY BONUS AGREEMENT FOR THE DEVELOPMENT OF TWO (2) ASSOCIATED SENIOR HOUSING PROJECTS, WHICH TOTAL 62 TOTAL UNITS ACROSS TWO SITES

**RECOMMENDATION:** That the City Council authorize the City Manager to execute the attached amended Density Bonus Agreement (DBA) for the associated Levy Senior Housing Project (Case No. 21-084 and 094) 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 entitlements.

11. **SUBJECT:** ACCEPTANCE OF CONTRACT WORK – PAINTING OF VARIOUS CITY FACILITIES, PHASE II – PROJECT NO. 11196

**RECOMMENDATION:** That the City Council:

1. Accept the contract work completed by Innovation Painting Inc. in the amount \$104,400 for the Painting of Various City Facilities Project, Phase II – Project No. 11196 (Project); and
2. Authorize the recordation of the Notice of Completion for the Project.

12. **SUBJECT:** PERSONNEL POLICIES AND PROCEDURES MANUAL

**RECOMMENDATION:** That the City Council adopt the attached Personnel Policies and Procedures Manual (“Manual”).

13. **SUBJECT:** CONTRACT AMENDMENT NO. 1 – ON-CALL CODE ENFORCEMENT/PROPERTY ABATEMENT CONTRACT SERVICES FOR FY25

**RECOMMENDATION:** That the City Council:

1. Authorize the City Manager to execute Contract Amendment No. 1 with Servpro of Chino, California, increasing the amount of their contract by \$30,000 for a revised not-to-exceed amount of \$70,000 per year for On-Call Code Enforcement/Property Abatement Contract Services for FY25; and
2. Authorize the City Manager to execute Contract Amendment No. 1 with HCI Environmental and Engineering Services of Corona, California, increasing the amount of their contract by \$50,000 for a revised not-to-exceed amount of \$70,000 per year for On-Call Code Enforcement/Property Abatement Contract Services for FY25.

14. **SUBJECT:** AMENDMENT NO. 1 TO THE CONSERVATION SERVICES AGREEMENT WITH THE INLAND EMPIRE RESOURCE CONSERVATION DISTRICT

**RECOMMENDATION:** That the City Council approve and authorize the City Manager to execute contract Amendment No. 1 to the Conservation Services Agreement between the Inland Empire Resource Conservation District (IERCD) and the City of Yucaipa (City) in the amount of \$76,061, for oversight of environmental resource conservation values on 6.19 acres of land at El Dorado Ranch Park as mitigation for the required environmental impacts associated with the construction of several Capital Improvement Program (CIP) Projects.

15. **SUBJECT:** YUCAIPA EQUESTRIAN ARENA OVERNIGHT CAMPING

**RECOMMENDATION:** That the City Council waive the provisions of Yucaipa Municipal Code Section 12.06.030(A) and (D) regarding overnight camping at the Yucaipa Equestrian Arena (Arena) for the California State Horsemanship Association (CSHA).

16. **SUBJECT:** CONTRACT AMENDMENT NO. 1 - ON-CALL PROFESSIONAL ENVIRONMENTAL REVIEW SERVICES FOR PRIVATE DEVELOPMENT PROJECTS

**RECOMMENDATION:** That the City Council authorize the City Manager to execute Contract Amendment No. 1 with Ruth Villalobos & Associates, Inc., increasing their contract by \$150,000 for a revised total of \$225,000 for providing on-call Professional Environmental Review Services for Private Development Projects.

17. **SUBJECT:** FIRST EXTENSION AND AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF YUCAIPA AND THE COUNTY OF SAN BERNARDINO FOR POLICE FACILITY

**RECOMMENDATION:** That the City Council authorize the City Manager or his designee to administer the terms of the First Extension and Amendment to the Lease Agreement between the City of Yucaipa and County of San Bernardino for the premises *located at 34114 Yucaipa Blvd, Yucaipa, CA 92399.*

## **DISCUSSION ITEMS**

18. **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.

19. **SUBJECT:** YOUTH ADVISORY COMMITTEE APPOINTMENTS

**RECOMMENDATION:** That the City Council:

1. Review the attached Applications for the At-Large Memberships to the Youth Advisory Committee (YAC); and
2. Vote on the appointments of the nominated applicants.

20. **SUBJECT:** MOBILEHOME PARK 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 Mobilehome Park Committee; and
2. Vote on the appointment of the nominated applicant.

21. **SUBJECT:** ADOPTION OF RESOLUTION SUPPORTING INITIATIVE NO. 23-0017A1, KNOWN AS THE HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT

**RECOMMENDATION:** That the City Council adopt Resolution No. 2024-17, supporting Initiative No. 23-0017A1, known as the Homelessness, Drug Addiction, and Theft Reduction Act.

22. **SUBJECT:** RESOLUTION NO. 2024-16, ESTABLISHING THE 2024 LEGISLATIVE PLATFORM

**RECOMMENDATION:** That the City Council adopt Resolution No. 2024-16, establishing the 2024 Legislative Platform.

23. **SUBJECT:** FY 2024/25 SHERIFF'S SCHEDULE-A CONTRACT

**RECOMMENDATION:** That the City Council authorize the City Manager to execute an amendment to the Law Enforcement Services Contract between the City of Yucaipa and the San Bernardino County Sheriff's Department, for a total annual service contract in an amount not-to-exceed \$13,961,446, less the annual personnel credit in the amount of \$652,037, for a total net contract amount of not-to-exceed \$13,309,409 for FY 2024/25.

24. **SUBJECT:** SPECIAL EVENT PERMIT APPLICATION – UPTOWN FRIDAY NIGHTS

**RECOMMENDATION:** That the City Council approve a Special Event Permit Application (SEPA) submitted by the Yucaipa Valley Chamber of Commerce (Applicant) to conduct Uptown Friday Nights on Fridays from May 24, 2024, to September 20, 2024.

25. **SUBJECT:** EXCLUSIVE NEGOTIATION AGREEMENT WITH 4 STAR SOLAR, INC. FOR A PORTION OF PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 0299-321-86 AND 0299-321-85 LOCATED AT 32660 YUCAIPA BOULEVARD

**RECOMMENDATION:** That the City Council authorize the City Manager to approve the Exclusive Negotiation Agreement (ENA) with 4 Star Solar, Inc. to negotiate the potential purchase of City-owned property located at 32660 Yucaipa Boulevard, and authorize the City Manager to make any necessary non-substantive changes to the ENA and execute all documents described and required by the ENA.

26. **SUBJECT:** FY25 PROPOSED BUDGET SUMMARY

**RECOMMENDATION:** That the City Council:

1. That the City Council review the fiscal year 2024-25 draft budget (FY25 Proposed Budget) summary and provide direction to staff as appropriate; and
2. That the Successor Agency to the Yucaipa Redevelopment Agency review the FY25 Proposed Budget summary and provide direction to staff, as appropriate; and
3. That the Yucaipa Housing Authority review the FY25 Proposed Budget summary and provide direction to staff, as appropriate.

27. **SUBJECT:** FY24/25 DRAFT PAVEMENT MANAGEMENT PROGRAM

**RECOMMENDATION:** That the City Council:

1. Review and approve the FY24/25 Draft Pavement Management Program; and
2. Approve the recommended pavement maintenance and rehabilitation projects for FY24/25.



## **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.**

28. **SUBJECT:** CONSIDERATION OF ORDINANCE NO. 447, AMENDING CHAPTER 15 OF TITLE 15 OF THE MUNICIPAL CODE TO MODIFY REGULATIONS PERTAINING TO DEVELOPMENT IMPACT FEES

**RECOMMENDATION:** That the City Council:

1. Approve the introduction and first reading of Ordinance No. 447, an Ordinance of the City Council of the City of Yucaipa, California, amending Chapter 15 of Title 15 of the Municipal Code to modify regulations pertaining to Development Impact Fees; and
2. Find that the Ordinance is exempt from Environmental Review pursuant to CEQA Guidelines Section 15061(b)(3).

## **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	}	
 I, Ana V. Sauseda, City Clerk of the City of Yucaipa, California, do hereby declare that the foregoing agenda was posted on 05/09/2024, 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 <a href="http://www.yucaipa.gov">www.yucaipa.gov</a>		
		Ana V. Sauseda, MMC City Clerk



Remove By: 05/14/2024

A handwritten signature or set of initials in black ink, appearing to be a stylized 'A' or similar character.