

City of Yucaipa
City Council Minutes
Regular Meeting of January 10, 2022

A Regular meeting of the City Council of the City of Yucaipa, California was called to order in the Council Chambers, 34272 Yucaipa Boulevard, Yucaipa, California, on January 10, 2022 at 6:00 PM.

PRESENT: David Avila, Mayor
Justin Beaver, Mayor Pro Tem
Greg Bogh, Councilmember
Bobby Duncan, Councilmember
Jon Thorp, Councilmember
Ray Casey, City Manager
Jennifer Crawford, Assistant City Manager/City Clerk
David Snow, City Attorney (Via Teleconference)

ABSENT: None

CONVENE CITY COUNCIL

The meeting was opened with the Pledge of Allegiance led by Captain Williams.

SPECIAL PRESENTATION

Lieutenant Warrick introduced San Gorgonio Search and Rescue and commended the team of volunteers for their commitment to serving their community and beyond.

Mayor Pro Tem Beaver, Councilmember Thorp, and Mayor Avila thanked San Gorgonio Search and Rescue for their dedicated service.

Councilmember Bogh presented San Gorgonio Search and Rescue with a Certificate of Recognition recognizing their invaluable service to the community, county, and the state of California. Council approved the following action:

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED 5-0, TO APPROVE THE CERTIFICATE OF RECOGNITION RECOGNIZING SAN GORGONIO SEARCH AND RESCUE.

Lieutenant Warrick presented a Certificate of Recognition to San Gorgonio Search and Rescue on behalf of Assemblyman Chad Mayes' Office.

PUBLIC COMMENT

Richard Frost, Yucaipa, stated that it's difficult to know whether the buses are in service during the Christmas Parade and that it would be helpful if more information was made available to those that rely on the public transportation service.

Chris Shepard, Yucaipa, stated there is a known drug house in his neighborhood and despite numerous calls for service, continues to be an ongoing issue. Mr. Shepard provided Council with a record of the calls for service and copies of the deputy reports and requested City support to have the individuals arrested.

Mayor Pro Tem Beaver requested that the issue be added to the Public Safety Committee Agenda.

CONSENT AGENDA

Mayor Avila asked if there were any Consent Agenda items to be removed for discussion. No items were removed for discussion.

1. **SUBJECT:** APPROVE COUNCIL MINUTES OF DECEMBER 13, 2021

RECOMMENDATION: That City Council approve City Council Minutes of December 13, 2021.

2. **SUBJECT:** APPROVE SPECIAL MEETING COUNCIL MINUTES OF DECEMBER 15, 2021

RECOMMENDATION: That City Council approve Special Meeting City Council Minutes of December 15, 2021.

3. **SUBJECT:** FIRST READING OF ORDINANCE NO. 403 REGARDING ADDING MANDATORY ORGANIC WASTE DISPOSAL REDUCTION REQUIREMENTS TO THE YUCAIPA MUNICIPAL CODE

RECOMMENDATION: That City Council waive further reading and adopt Ordinance No 403, adding Chapter 8.29 (Mandatory Organic Waste Disposal Reduction) to Title 8 (Health and Safety) of the Yucaipa Municipal Code and making a determination of exemption under CEQA.

4. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO 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 El Dorado Fire, and direct staff as deemed appropriate.

5. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE COVID-19 PANDEMIC

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

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED 5-0, TO APPROVE CONSENT AGENDA ITEMS NO. 1 AND 3 THROUGH 5.

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED 3-0-0-2 (COUNCILMEMBERS BEAVER AND DUNCAN ABSTAINED), TO APPROVE CONSENT AGENDA ITEM NO. 2.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

Councilmember Duncan reported that the Uptown Ice-Skating Rink was a success.

City Manager Casey thanked staff for all of their outstanding efforts during the holiday.

Mayor Avila echoed City Manager Casey's sentiment.

6. SUBJECT: APPOINTMENT TO THE TRAILS AND OPEN SPACE COMMITTEE

RECOMMENDATION: That Mayor Pro Tem Beaver appoint one (1) member to the Trails and Open Space Committee.

After Council discussion, the following Motion was made:

ACTION: MOTION BY MAYOR PRO TEM BEAVER, SECOND BY COUNCILMEMBER DUNCAN, CARRIED 5-0, TO APPOINT PATRICK SMITH TO THE TRAILS AND OPEN SPACE COMMITTEE.

POSSIBLE ACTION ON PENDING LEGISLATION

None.

DEPARTMENT REPORTS

7. SUBJECT: YOUTH SOCCER ORGANIZATION, SPARTANS F.C., YUCAIPA VALLEY AMERICAN LITTLE LEAGUE, YUCAIPA-CALIMESA AMATEUR SOFTBALL ASSOCIATION, YUCAIPA YOUTH BASKETBALL, INC., YUCAIPA JUNIOR ALL AMERICAN FOOTBALL AND CHEER, INC., YUCAIPA SWIM TEAM, AND SAND CANYON WATER POLO CLUB

RECOMMENDATION: That the City Council:

1. Approve and authorize the City Manager to execute Facility Use Agreements between the City of Yucaipa and Yucaipa Valley Youth Soccer Organization, Spartans F.C., Yucaipa Valley American Little League, Yucaipa-Calimesa Amateur Softball Association, Yucaipa Youth Basketball, Inc., Yucaipa Junior All American Football and Cheer, Inc., Yucaipa Swim Team, and Sand Canyon Water Polo Club (Organizations), for use of facilities; and

2. Authorize the City Manager or his designee to administer the terms of the Agreements.

DISCUSSION: Community Services Supervisor Nick Johnson presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER DUNCAN, SECOND BY MAYOR PRO TEM BEAVER, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION AS AMENDED TO INCLUDE THE AGREEMENT FOR YUCAIPA VALLEY NATIONAL LITTLE LEAGUE.

City Attorney Snow stated the need to exercise an abundance of caution pertaining to Agenda Item No. 7 (the inclusion of Yucaipa Valley National Little League's Agreement) and informed the Council that staff will agendaize the item to a future City Council meeting for formal approval.

8. **SUBJECT: FIVE WINDS RANCH – KICK THE DUST UP FEST - AMENDED**

RECOMMENDATION: That City Council:

1. Waive the provisions of Yucaipa Municipal Code Section 12.06.030(A) and (D) regarding overnight camping for the duration of the event; and
2. Find that the public interest will not be best served by a formal proposal process, waive the formal solicitation of proposals/qualifications in accordance with the City of Yucaipa Municipal Code Section 2.24.060 and Ordinance No. 42; and
3. Award and authorize the City Manager to execute and administer the terms of the contract and purchase order with Harbour Productions for entertainment and production in the not to exceed amount of \$150,000 for the Kick the Dust Up Fest; and
4. Authorize the City Manager to execute a *an amended* contract with Jake's Bistro and Brew for beer garden services for the Kick the Dust Up Fest.

DISCUSSION: Assistant City Manager Crawford presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY MAYOR PRO TEM BEAVER, SECOND BY COUNCILMEMBER BOGH, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION AS AMENDED.

9. **SUBJECT:** RESOLUTION NO. 2022-03 - YUCAIPA SUBBASIN GROUNDWATER SUSTAINABILITY PLAN

RECOMMENDATION: That City Council adopt Resolution No. 2022-03 authorizing the adoption of the Yucaipa Subbasin Groundwater Sustainability Plan and direct the Yucaipa Groundwater Sustainability Agency to file the YSGSP with the California Department of Water Resources no later than January 31, 2022.

DISCUSSION: Director of Development Services/City Engineer Preciado presented the Agenda Report.

Steven Stuart, Senior Hydrogeologist with Dudek, provided a summary of the YSGSP for the Yucaipa Groundwater Sub-Basin. Mr. Stuart highlighted groundwater sustainability, sustainable yield indicators, and management criteria. Finally, Mr. Stuart presented past, current, and future water budget analysis and the overall Groundwater Sustainability Plan for the Yucaipa Basin..

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION AS AMENDED.

10. **SUBJECT:** EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE DECEMBER 2021 STORM EVENT

RECOMMENDATION: That City Council review the need to continue the local emergency, thereby recognizing the continued existence of perilous conditions as a result of the December 2021 Storm Event, and direct staff as deemed appropriate.

DISCUSSION: City Manager Casey and Assistant City Engineer Kern presented the Agenda Report.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY COUNCILMEMBER THORP, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

11. **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 Delbert Kerber and Debora Cervantes, (APN 0318-143-12) for the acquisition of a 15,000 square foot property (full property acquisition) for partial right of way purposes and the construction of

the Avenue E Intersections Improvement Project for an amount not to exceed \$436,024; and

2. Approve an expenditure up to the amount of \$6,000 for closing costs associated with the proposed purchase and sale agreement, the amount of \$4,600 for coordination/staff time, and up to \$22,500 for Relocation Expenses, for a total cost in the amount of \$469,124 for the acquisition of the property; and
3. Authorize the City Manager, or his designee, to execute the necessary documents to complete the acquisition process.

DISCUSSION: Director of Development Services/City Engineer Preciado presented the Agenda Report.

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

PUBLIC HEARINGS

12. **SUBJECT:** RESOLUTION ORDERING VACATION OF A PORTION OF PUBLIC RIGHT OF WAY LOCATED AT THE NORTHEAST CORNER OF COUNTY LINE ROAD AND 5TH STREET

RECOMMENDATION: That City Council:

1. Conduct a public hearing and subsequently adopt the findings of fact, as set forth in the Staff Report as to why a portion of County Line Road and 5th Street is no longer necessary for public street purposes; and
2. Adopt Resolution number 2022-01 approving the vacation of portion of public right of way located at the northeast corner of County Line Road and 5th Street.

DISCUSSION: Mayor Avila opened the Public Hearing Item No. 12. Assistant City Engineer Kern presented the Agenda Report.

Public Comment

None

Mayor Avila closed the Public Hearing.

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

13. **SUBJECT:** RESOLUTION ORDERING VACATION OF A PORTION OF A DRAINAGE EASEMENT WITHIN APN 1242-541-15

RECOMMENDATION: That City Council:

1. Conduct a public hearing and subsequently adopt the findings of fact, as set forth in the Staff Report as to why a portion of a public drainage easement located within APN 1242-541-15 is no longer necessary for drainage purposes; and
2. Adopt Resolution number 2022-02 approving the vacation of portion of a public drainage easement located within APN 1242-541-15

DISCUSSION: Mayor Avila opened the Public Hearing Item No. 13. Director of Development Services/City Engineer Preciado presented the Agenda Report.

Public Comment

None

Mayor Avila closed the Public Hearing.

ACTION: MOTION BY COUNCILMEMBER DUNCAN, SECOND BY MAYOR PRO TEM BEAVER, CARRIED 5-0, TO APPROVE STAFF RECOMMENDATION.

ANNOUNCEMENTS

Mayor Avila announced that he visited Kluddes Smokehouse + Saloon last weekend and recommended that everyone also pay them a visit.

Mayor Pro Tem Beaver announced that the City's social media presence during the emergencies last year was impressive.

City Attorney Snow stated the need to exercise an abundance of caution pertaining to Agenda Item No. 7 (the inclusion of Yucaipa Valley National Little League's Agreement) and informed the Council that staff will agendize the item to a future City Council meeting for formal approval.

City Attorney Snow announced the Closed Session item.

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(4)] 1 item

ADJOURNMENT

The meeting adjourned. The next regularly scheduled meeting will be January 24, 2022, at 6:00 PM.

ATTEST



JENNIFER CRAWFORD
CITY CLERK



DAVID AVILA, MAYOR