

City of Yucaipa
City Council Minutes
Regular Meeting of January 24, 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 24, 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

ABSENT: None

CONVENE CITY COUNCIL

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

APPROVAL OF AGENDA

City Manager Casey requested that the Council consider adding an Urgency Item to the Agenda and reported that the City received information relative to the Five Winds Ranch Kick the Dust Up Fest after the posting of the Agenda and that there is a need for the Council to take action on this item before the next Council meeting.

ACTION: MOTION BY MAYOR PRO TEM BEAVER, SECOND BY COUNCILMEMBER BOGH, CARRIED, 5-0, TO ADD AN URGENCY ITEM TO THE AGENDA RELATING TO THE FIVE WINDS RANCH KICK THE DUST UP FEST AS THE FIRST DEPARTMENT REPORT.

That City Council approve the Agenda and taking the Public Hearing Agenda Item No. 1 at 6:03 PM.

ACTION: MOTION BY MAYOR PRO TEM BEAVER, SECOND BY COUNCILMEMBER DUNCAN, CARRIED, 5-0, TO APPROVE THE AGENDA AND TAKING THE PUBLIC HEARING AGENDA ITEM NO. 1 AT 6:03 PM.

PUBLIC HEARING

1. **SUBJECT: 6:03 P.M. TIME CERTAIN - PUBLIC HEARING NO. 3: PUBLIC HEARING TO RECEIVE INPUT FROM THE COMMUNITY REGARDING THE CITY COUNCIL ELECTION DISTRICT BOUNDARIES DRAFT MAP**

RECOMMENDATION: That City Council conduct the third Redistricting Public Hearing and:

1. Receive a report from the City's Consultant, National Demographics Corporation (NDC) on the City Council election district boundaries draft map and demographic analysis; and
2. Receive input from the community on the draft map and the election district boundaries; and
3. Direct staff to return to Council at the February 28, 2022, Council meeting with an Ordinance that includes the draft map and demographics for first reading.

DISCUSSION: Mayor Avila opened the Public Hearing Item No. 1. Assistant City Manager Crawford presented the Agenda Report and introduced Jeff Simonetti, National Demographics Corporation (NDC).

Mr. Simonetti provided an overview of what was presented at the second public hearing that took place on November 8, 2021 and reiterated that the population deviation (using the 2020 Census Bureau data in the existing City Council districts) is 8.66%, which is under the threshold of 10%. Mr. Simonetti stated that this third public hearing is to present the potential draft map of the existing districts and to hear questions or comments from the public as well as the City Council.

Public Comment

None

Mayor Avila closed the Public Hearing.

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 AND TO DIRECT STAFF TO RETURN TO COUNCIL AT THE FEBRUARY 28, 2022, COUNCIL MEETING WITH AN ORDINANCE THAT INCLUDES THE DRAFT MAP AND DEMOGRAPHICS FOR FIRST READING.

EMPLOYEE INTRODUCTION

Captain Williams introduced Deputy Sheriff (Quality of Life Deputy) Antonio Alcalá.

Deputy Alcalá thanked the City Council for the opportunity to serve as the Quality of Life Deputy and stated that he has a vested interest in the City and hopes that he can make it better for the citizens.

PUBLIC COMMENT

David Durón, Yucaipa, spoke regarding the Casa Blanca project and stated the reasons why he believes that the concept of homes and boutique mini vineyards is not viable. Mr. Durón provided Council with copies of the USDA National Agricultural Statistics Service, Pacific Regional Office Grape Crush Report for the 2020 crop and cited grape tonnages and prices contained in the report. Mr. Durón suggested that wine tasting rooms should be in the Uptown area of Yucaipa and expressed his concerns with how the open space will be constructed.

After discussion, it was Council consensus to wait for the final report as part of the review process.

CONSENT AGENDA

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

2. **SUBJECT:** APPROVE COUNCIL MINUTES OF JANUARY 10, 2022

RECOMMENDATION: That City Council approve City Council Minutes of January 10, 2022.

3. **SUBJECT:** MONTHLY TREASURER'S REPORT: NOVEMBER 2021

RECOMMENDATION: That City Council receive and file the Monthly Treasurer's Report for November 2021.

4. **SUBJECT:** CALRECYCLE GRANT PROGRAMS APPLICATION AUTHORIZATION AND SENATE BILL 1383 LOCAL ASSISTANCE GRANT PROGRAM

RECOMMENDATION: That City Council adopt Resolution No. 2022-04 authorizing the submittal of applications for all grant programs offered by the California Department of Resources Recycling and Recovery ("CalRecycle") and authorize the City Manager or his/her designee to execute all documents on its behalf.

5. **SUBJECT:** 2020/2021 & 2021/2022 STREET REHABILITATION PROGRAMS-PROJECT NO. 11152

RECOMMENDATION: That City Council authorize the additional amount of \$100,000 for a total revised amount of \$638,000 for construction contract contingency to the contract with Match Corporation of Highland, CA for the 2020/2021 & 2021/2022 Street Rehabilitation Programs- Project No. 11152.

6. **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.

7. **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.

8. **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.

9. **SUBJECT:** OFFER OF DEDICATION, AVENUE E INTERSECTIONS AND SIDEWALK IMPROVEMENT PROJECT, BRYANT STREET TO 5TH STREET PROJECT - PROJECT NO. 10788, PHASE II

RECOMMENDATION: That City Council:

1. Accept an Offer of Dedication from Yucaipa Valley Presbyterian Church, (APN 0319-031-77) for the acquisition of a 120 square foot easement for right of way purposes for the Avenue E Intersections Project; and
2. Approve an expenditure up to the amount of \$2,300 for right of way acquisition coordination/staff time for the acquisition of a permanent right-of-way easement; and
3. Authorize the City Manager, or his designee, to execute and record the necessary documents to complete the acquisition process.

10. **SUBJECT:** MITIGATED NEGATIVE DECLARATION FOR THE UPPER WILDWOOD CREEK BASIN GROUNDWATER RECHARGE AND WATER MANAGEMENT PROJECT - PROJECT NO. 11021

RECOMMENDATION: That City Council:

1. Adopt the Mitigated Negative Declaration for the Upper Wildwood Creek Basin Groundwater Recharge and Water Management Project - Project No. 11021; and
2. Direct staff to file a Notice of Determination; and
3. Award and authorize the Mayor to execute a Professional Services Contract with Dudek of Encinitas CA, in the not-to-exceed amount of \$30,740 for Professional Services to support the regulatory agency permit application process for the Upper Wildwood Creek Basin Groundwater Recharge and Water Management Project - Project No. 11021; and

4. Approve a contract contingency amount of \$2,000 and the amount of \$1,500 for staff time, contract administration and project coordination for a total Professional Services cost in the amount of \$34,240 for the project; and
5. Authorize the City Manager or his designee to administer the terms of the contract; and
6. Find that the public interest will not be best served by a formal proposal process, waive the formal solicitation of proposals/qualifications, and award the Professional Services contract to Dudek.

11. SUBJECT: FACILITY USE AGREEMENT BETWEEN THE CITY OF YUCAIPA AND YUCAIPA VALLEY NATIONAL LITTLE LEAGUE

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute a Facility Use Agreement between the City of Yucaipa and Yucaipa Valley National Little League (YVNLL); and
2. Authorize the City Manager or his designee to administer the terms of the Agreement.

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY COUNCILMEMBER DUNCAN, CARRIED, 5-0, TO APPROVE CONSENT AGENDA ITEMS NO. 2 THROUGH 11.

MAYOR AND COUNCILMEMBER BUSINESS (REPORTS)

12. SUBJECT: YOUTH ADVISORY COMMITTEE APPOINTMENTS

RECOMMENDATION: That City Council appoint Ava Halamicek and Peyton Barger to the Youth Advisory Committee.

DISCUSSION: Community Services Supervisor Martinez presented the Agenda Report and introduced Youth Advisory Committee (YAC) applicants Ava Halamicek and Peyton Barger.

Ava Halamicek introduced herself to the City Council and stated that she believes she can be a positive and outgoing person and will work hard with the YAC members to create a beneficial environment for all. Ms. Halamicek stated that she looks forward to her future with the YAC and the goals she will reach.

Peyton Barger introduced himself to the City Council and thanked the City Council for their consideration. Mr. Barger stated that he is honored that his peers selected him to be a part of the YAC and that he would like to bring creative contributions to the YAC and to the teens in Yucaipa.

After Council discussion, the following Motion was made:

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED, 5-0, TO APPOINT AVA HALAMICEK AND PEYTON BARGER TO THE YOUTH ADVISORY COMMITTEE.

13. **SUBJECT:** FISCAL YEAR 2021/2022 COMMUNITY ACTIVITY GRANT IN-KIND GRANT REQUEST AND SPECIAL EVENT PERMIT APPLICATION - REDLANDS BIKE CLASSIC

RECOMMENDATION: That City Council:

1. Approve the Special Event Permit Application submitted by the Redlands Bicycle Classic Inc. to conduct the Yucaipa Circuit Professional Bicycle Stage Race on Thursday, April 21, 2022; and
2. Approve the Redlands Bicycle Classic Inc. request for co-sponsorship of the Yucaipa Circuit Race; and
3. Authorize the use of the City logo for promotional items; and
4. Authorize rolling and temporary street and lane closures; and
5. Review and consider the Fiscal Year 2021/2022 Community Activity Grant Application submitted by the Redlands Bike Classic Inc. for in-kind support to hold a large-scale special event that meets the established guidelines; and
6. Determine that the Redlands Bicycle Classic, Inc. should be exempt from the Grant Guideline that requires the organization to be located in Yucaipa if their Community Activity Grant is awarded.

DISCUSSION: Director of Community Services Wolfe presented the Agenda Report.

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

POSSIBLE ACTION ON PENDING LEGISLATION

City Manager Casey spoke regarding AB 1400, noting that this is a single-payer approach to health care in the state of California and that others that have current health care programs that they want to stay with may be affected.

Councilmember Thorpe added that AB 1400 is another attempt by the state to possibly take away our choices.

DEPARTMENT REPORTS

URGENCY ITEM

SUBJECT: FIVE WINDS RANCH – KICK THE DUST UP FEST UPDATE

RECOMMENDATION: That City Council approve a change in date for the Kick the Dust Up Event from March 25, 2022, and March 26, 2022, to June 24, 2022, and June 25, 2022.

DISCUSSION: Director of Community Services Wolfe 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.

14. **SUBJECT:** 2021 WINTERFEST WRAP-UP

RECOMMENDATION: That City Council:

1. Receive and file the wrap-up report for the 2021 Winterfest; and
2. Approve a budget adjustment in the amount of \$5,726 from additional Winterfest revenues to accommodate Ice Rink expenditures.

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

ACTION: MOTION BY COUNCILMEMBER BOGH, SECOND BY MAYOR PRO TEM BEAVER, CARRIED, 5-0, TO RECEIVE AND FILE THE REPORT AND TO APPROVE STAFF RECOMMENDATION NO. 2.

15. **SUBJECT:** AGREEMENT FOR LED STREET LIGHT CONVERSION - SOUTHERN CALIFORNIA EDISON

RECOMMENDATION: That City Council approve and authorize the City Manager or his designee to execute and administer an agreement with Southern California Edison for the LS-1 Option E, Energy Efficiency-Light Emitting Diode Fixture Replacement Program for street lights within the public right of way.

DISCUSSION: Public Works Analyst Gutjahr presented the Agenda Report.

After Council discussion, the following Motion was made:

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

16. **SUBJECT:** FISCAL YEAR 2021-22 MID-YEAR GENERAL FUND BUDGET REPORT (AMENDED)

RECOMMENDATION: That City Council review the Fiscal Year (FY) 2021-22 Mid-Year General Fund Budget Report and:

1. Amend the FY 2021-22 General Fund Adopted Budget by:
 - a. Increasing the estimated revenue for the Sales and Use Tax account in the amount of \$727,131; and
 - b. Increasing the estimated revenue for the Property Tax account in the amount of \$400,000; and
 - c. Increasing the estimated revenue for the various Other Revenue accounts in the amount of \$127,095; and
 - d. Approving the FY 2021-22 Phase II Reorganization and allocating an additional \$120,015 to the appropriate department line items; and
2. Amend the FY 2020-21 Capital Improvement Program by:
 - a. Transferring \$400,000 in FY 2020-21 Net Revenues from the General Fund to the Freeway Corridor Specific Plan in the City's Capital Projects Fund (Fund 35) for professional services (this action will not affect the FY 2021-22 General Fund Operating Budget); and
 - b. Transferring \$400,000 in FY 2020-21 Net Revenues from the General Fund to the Yucaipa Valley Wine Country Specific Plan in the City's Capital Projects Fund (Fund 35) for professional services (this action will not affect the FY 2021-22 General Fund Operating Budget); and
 - c. Transferring ~~\$115,000~~ \$100,000 from the Fire Fund to the Capital Improvement Program in the City's Capital Projects Fund (Fund 35) for the purchase of one Battalion Chief vehicle (this action will not affect the FY 2021-22 General Fund Operating Budget); and
3. Adopt Resolution No. 2022-05 amending Resolution No. 2021-55, amending the Management, Supervisory and Confidential Salary, Benefit and Classification Plan effective with the pay period beginning on January 29, 2022 as follows:
 - a. Reallocating the position of Special Projects & Maintenance Engineer to Assistant/Associate Engineer, from Salary Range 44 (\$104,679-\$130,730) to Salary Range 41 (\$97,205-\$121,396); and
 - b. Reallocating the position of Public Works Inspector/Technician to Construction Engineer, from Salary Range 28 (\$70,514-\$88,063) to Salary Range 38 (\$90,264-\$112,728); and

- c. Creating one additional Community Services Supervisor position, Salary Range 28 (\$70,514-\$88,063); and
4. Adopt Resolution No. 2022-06 amending Resolution No. 2021-56, amending the General Unit Salary, Benefit and Classification Plan effective with the pay period beginning on January 29, 2022, as follows:
 - a. Creating one additional Public Works/Park Ranger Position, Salary Range 25 (\$63,304-\$79,058); and
 - b. Creating one additional Community Services Coordinator position, Salary Range 20 (\$55,952-\$69,876); and
5. Formally approve and authorize the City Manager to execute a contract and related purchase order in the amount of \$38,500 with Allison Mechanical Inc., under the terms of their contract for HVAC Operations and Maintenance Services at Various City-Owned Public Facilities for FY2020/2021 and FY2021/2022, for HVAC service and repairs as deemed necessary and authorized by the City.
6. Amend the FY 2020/2021 budget by approving a \$5,200,000 capital funding transfer resulting from prior year's General Fund Net Revenues from the General Fund to the City's Capital Projects Fund (Fund 35) to fund future capital projects.

DISCUSSION: City Manager Casey and Director of Finance Hamilton presented the Agenda Report.

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.

PUBLIC HEARING

17. **SUBJECT:** ADOPTION OF URGENCY ORDINANCE NO. 405-U WHICH EXTENDS URGENCY ORDINANCE NO. 404-U THAT ESTABLISHED INTERIM STANDARDS FOR THE IMPLEMENTATION OF SB9

RECOMMENDATION: That the City Council conduct a public hearing and approve Urgency Ordinance No. 405-U that will extend Ordinance No. 404-U, an urgency ordinance related to the regulation of urban lot splits and second dwelling units associated with the implementation of Senate Bill 9 (SB9) and making findings regarding the urgency thereof (4/5 VOTES REQUIRED).

DISCUSSION: Mayor Avila opened the Public Hearing Item No. 17. Planning Manager/City Planner Matlock presented the Agenda Report.

Public Comment

None

Mayor Avila closed the Public Hearing.

After Council discussion, the following Motion was made:

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

STUDY SESSION

18. **SUBJECT:** AB 38 STRUCTURE FEE/PARAMEDIC FEE

RECOMMENDATION: That City Council:

1. Conduct a Study Session to review and determine if an AB38 fee should be established; and
2. Conduct a Study Session to review and determine if a Paramedic user fee/subscription should be established.

DISCUSSION: Chief Malinowski presented the Agenda Report.

After discussion, it was Council consensus to direct staff to return to Council with options for consideration and additional information regarding a paramedic fee/subscription and a tiered approach to address AB 38. It was also Council consensus to include conversations with the East Valley Board of Realtors local real estate group.

ANNOUNCEMENTS

Mayor Avila announced that the Human Trafficking Awareness month was ending soon and stated the need to do whatever it takes to support finding ways to fight back and eliminate human trafficking.

Mayor Pro Tem Beaver stated that anything anyone can do to bring awareness to human trafficking and support law enforcement in their fights to end human trafficking is paramount.

Councilmember Bogh reported that the legislature is back in session.

Mayor Pro Tem Beaver thanked Captain Williams and the Police Department staff for the work they did as it relates to the concerns raised during public comment at a previous City Council meeting.

City Attorney Snow announced the Closed Session item.

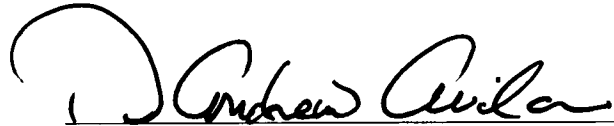
CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation [Gov't Code §54956.9(d)(2)] - 1 item – Liability Claim No. 2021-06 - Mark Saucedo

City Manager Casey reported that City Council rejected Liability Claim Number 2021-06.


ADJOURNMENT

The meeting adjourned. The next regularly scheduled meeting will be February 14, 2022, at 6:00 PM.



DAVID AVILA, MAYOR

ATTEST:



FOR JENNIFER CRAWFORD
CITY CLERK