

**MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
February 21, 2019**

The meeting was held at the Jurupa Valley City Council Chamber, 8930 Limonite Avenue,
Jurupa Valley, CA

1. 6:00 PM - CALL TO ORDER AND ROLL CALL FOR CLOSED SESSION

- Brian Berkson, Mayor
- Anthony Kelly, Jr., Mayor Pro Tem
- Chris Barajas, Council Member
- Lorena Barajas, Council Member
- Micheal Goodland, Council Member

Mayor Berkson called the closed session meeting to order at 6:08 p.m.

2. CLOSED SESSION

A. PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEM

There were no public comments regarding the closed session item.

- B. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION.** The City Council met in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(1) with respect to one matter of pending litigation: (1) Application of Southern California Edison Company (U-238-E) for a Certificate of Public Convenience and Necessity to Construct the Riverside Transmission Reliability Project, California Public Utilities Commission Case No. A15404013.

3. 7:00 P.M. - RECONVENE IN OPEN SESSION

A. ANNOUNCEMENT OF ANY REPORTABLE ACTIONS IN CLOSED SESSION

Mayor Berkson announced that there were no reportable actions taken.

4. CALL TO ORDER AND ROLL CALL FOR REGULAR SESSION

- Brian Berkson, Mayor
- Anthony Kelly, Jr., Mayor Pro Tem
- Chris Barajas, Council Member
- Lorena Barajas, Council Member
- Micheal Goodland, Council Member

Mayor Berkson called the regular meeting to order at 7:04 p.m.

- 5. **INVOCATION** was given by Pastor Jeremy Williams, Grace Fellowship Church.
- 6. **PLEDGE OF ALLEGIANCE** was led by Council Member Micheal Goodland.
- 7. **APPROVAL OF AGENDA**

A motion was made by Mayor Pro Tem Anthony Kelly, seconded by Council Member Chris Barajas, to approve the Agenda with a modification to the Agenda, moving Item No. 17 to after Item No. 10.

Ayes:	C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly
Noes:	None
Absent:	None

- 8. **PRESENTATIONS**
- 9. **PUBLIC APPEARANCE/COMMENTS**

Bernard Cordella voiced concern that there is a lack of enforcement at the Pat Merritt Dog Park as patrons are allowing large dogs to enter the separate play area for small dogs. He suggested that speed bumps and a stop sign be installed on Limonite Frontage Road to curtail speeding in the area.

Dana Burgess stated that she has noticed an increase in the number of homeless encampments at Armstrong and Avenue J. She outlined various concerns regarding how her truck and trailer were stolen from in front of her home and that there may be an illegal chop shop operating in the nearby hills. She noted her numerous calls to the Sheriff and asked that something be done to curtail this activity.

Mayor Berkson asked City staff to look into this issue.

Ron Spade echoed Mr. Cordella’s concerns regarding Pat Merritt Park. He added that Limonite Frontage Road needs to be repaved and if speed bumps were added it could help curtail speeding motorists.

- 10. **INTRODUCTIONS, ACKNOWLEDGEMENTS, COUNCIL COMMENTS AND ANNOUNCEMENTS**

Council Member Lorena Barajas noted the recent heavy rains and encouraged residents to stay safe.

Council Member Micheal Goodland welcomed everyone to tonight’s meeting by reciting a unifying prayer.

Mayor Pro Tem Anthony Kelly, Jr. encouraged citizens to voice any comments or concerns.

Mayor Berkson shared photographs of his attendance at a special meeting called by Governor Newsom which was intended to discuss the governor's efforts to combat the state's housing crisis and push for more affordable housing options. The meeting was held in Long Beach and included a group of southern California mayors from cities, including Jurupa Valley that are considered by the governor's office to be out of compliance with state law when it comes to creating new housing for low-income residents. Mayor Berkson stated that he discussed the City's earlier fiscal challenges with the governor which impacted the timing and formulation of the City's General Plan. He stated that he made a promise to the governor that the City would forward its revised Housing Element to the state for certification within 60 days.

The following item was taken out of order:

17. CITY COUNCIL MEMBER ORAL/WRITTEN REPORTS REGARDING REGIONAL BOARDS AND COMMISSIONS

A. MAYOR BRIAN BERKSON

- 1. Mayor Berkson gave an update on the Metrolink / Southern California Regional Rail Authority meeting of February 8, 2019.**
- 2. Mayor Berkson gave an update on the Riverside County Transportation Commission meeting of February 13, 2019.**
- 3. Mayor Berkson gave an update on the Mobile Source Air Pollution Reduction Review Committee meeting of February 21, 2019.**

B. MAYOR PRO TEM ANTHONY KELLY, JR.

- 1. Mayor Pro Tem Anthony Kelly gave an update on the Riverside Transit Agency – Transportation Now meeting of February 14, 2019.**
- 2. Mayor Pro Tem Anthony Kelly gave an update on the Northwest Mosquito and Vector Control District meeting of February 21, 2019.**

C. COUNCIL MEMBER CHRIS BARAJAS

- 1. Council Member Barajas gave an update on the Western Community Energy Board of Directors meeting of February 13, 2019.**

11. CITY MANAGER'S UPDATE

City Manager Gary Thompson discussed issues related to the recent heavy rains. He stated that a major mud slide occurred from the solar farm that is owned by the County of Riverside. He reported that a Notice of Violation has been issued by the City's Code Enforcement personnel to ensure there is proper mitigation of this issue.

He discussed the damage that occurred on Limonite Avenue and the emergency repairs that were implemented. He reported that after City staff closed Limonite Avenue, several motorists were cited by the Sheriff's Department for running through the barricades.

Mr. Thompson announced that the Western Riverside Council of Governments will hold their General Assembly on June 20, 2019 which conflicts with the Council meeting schedule. He will bring back a future discussion item to either cancel this meeting or re-schedule it.

12. APPROVAL OF MINUTES

A. JANUARY 30, 2019 SPECIAL MEETING

B. FEBRUARY 7, 2019 REGULAR MEETING

A motion was made by Council Member Chris Barajas, seconded by Mayor Pro Tem Anthony Kelly, to approve the Minutes of the January 30, 2019 special meeting (as corrected) and the February 7, 2019 regular meeting.

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly
Noes: None
Absent: None

13. CONSENT CALENDAR

A. COUNCIL APPROVAL OF A MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS INCLUDED IN THE AGENDA

Requested Action: That the City Council waive the reading of the text of all ordinances and resolutions included in the agenda.

B. CONSIDERATION OF CHECK REGISTER IN THE AMOUNT OF \$1,896,813.87 – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council ratify the check registers dated January 31 and February 7 as well as the payroll registers dated February 5 and 13, 2019.

C. ORDINANCE NO. 2019-03

Requested Action: That the City Council conduct a second reading and adopt Ordinance No. 2019-03, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ADDING CHAPTER 6.100 AND AMENDING TITLE 9, PLANNING AND ZONING, OF THE JURUPA VALLEY MUNICIPAL CODE TO IMPLEMENT

THE PERMITTING AND REGULATION OF MICROENTERPRISE HOME KITCHEN OPERATIONS AND FINDING AN EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3)

D. ORDINANCE NO. 2019-04

Requested Action: That the City Council conduct a second reading and adopt Ordinance No. 2019-04, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ADDING SECTION 2.36 TO THE JURUPA VALLEY MUNICIPAL CODE ESTABLISHING THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE AND SETTING FORTH PROCEDURAL RULES AND REGULATIONS FOR THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

E. ORDINANCE NO. 2019-05

Requested Action: That the City Council conduct a second reading and adopt Ordinance No. 2019-05, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ADDING SECTIONS 9.05.100 AND 9.05.110 TO THE JURUPA VALLEY MUNICIPAL CODE CONCERNING PROCEDURES FOR APPEALS OF PLANNING COMMISSION LAND USE DECISIONS TO THE CITY COUNCIL AND PLANNING COMMISSION RECOMMENDATIONS TO THE CITY COUNCIL, AMENDING VARIOUS SECTIONS OF TITLE 7, SUBDIVISIONS, AND TITLE 9, PLANNING AND ZONING, TO IMPLEMENT NEW SECTION 9.05.100 AND FINDING THAT THE MODIFICATIONS TO PROCEDURES ARE EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) OF THE CEQA GUIDELINES

F. ORDINANCE NO. 2019-06

Requested Action: That the City Council conduct a second reading and adopt Ordinance No. 2019-06, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, AMENDING SECTION 6.20.090 OF THE JURUPA VALLEY MUNICIPAL CODE RELATING TO THE DISPLAY OF MOBILE FACILITY VENDING PERMITS AND SECTION 6.20.110 (20) AND (21) RELATING TO VENDING NEAR FARMER'S MARKETS AND SPECIAL EVENTS AND FINDING THE ORDINANCE EXEMPT FROM CEQA

G. ORDINANCE NO. 2019-07

Requested Action: That the City Council conduct a second reading and adopt Ordinance No. 2019-07, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, AMENDING CHAPTER 3.70 OF THE JURUPA VALLEY MUNICIPAL CODE TO INCLUDE A PROCESS FOR WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS' CALCULATION AND COLLECTION OF FEES UNDER THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM, AND DETERMINING THAT THE ORDINANCE IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW UNDER SECTION 15378(B)(4) OF THE CEQA GUIDELINES

H. AWARD OF CONSTRUCTION AGREEMENT TO ONYX PAVING COMPANY, INC. FOR THE RUBIDOUX BOULEVARD PAVEMENT REHABILITATION, CIP PROJECT NO. 18-A.2 – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

1. Requested Action: That the City Council approve and award a construction agreement to Onyx Paving Company, Inc. in the amount of \$623,000 for the Rubidoux Boulevard Pavement Rehabilitation Project, for the work included in its proposal for the Base Bid, and authorize the City Manager to execute the Agreement in substantially the form attached to the staff report as approved by the City Attorney; and
2. Authorize the City Manager to execute contract change orders not to exceed 5% of the total agreement, pursuant to requirements set forth in the agreement; and
3. Authorize the City Manager to record the Notice of Completion upon acceptance of the work by the City Engineer.

I. APPROVAL OF PARCEL MAP 36828 LOCATED ON THE NORTH SIDE OF SAN SEVAINE CHANNEL BETWEEN SAN SEVAINE WAY AND BAIN STREET INCLUDING ACCEPTANCE OF OFFERS OF DEDICATION, APPROVAL OF SUBDIVISION AGREEMENTS, AND ACCEPTANCE OF IMPROVEMENT BONDS (CRPF IV BAIN, LLC)

1. Requested Action: That the City Council approve Parcel Map 36828 and accept the dedications as follows:
 - a. Accept the offers of dedication of easement for public utility purposes over all of Lots “A” and “B”, as shown on Parcel Map 36828.
 - b. Accept the offers of dedication of easement “B” for public utility purposes within Parcels 1 and 2 as shown on Parcel Map 36828.

- c. Accept the offers of dedication of easement “F” for public utility purposes within Parcels 1 and 2 as shown on Parcel Map 36828.
- 2. Authorize the Mayor and City Clerk to sign Parcel Map 36828.
- 3. Approve and authorize the Mayor and City Clerk to execute the Subdivision Improvement Agreements.
- 4. Accept the Faithful Performance Bond No. 1001089604 in the amount of \$370,000 and Material and Labor Bond No. 1001089604 in the amount of \$185,000 from American Contractors Indemnity Company for the construction of Improvements and Monument Bond in the amount of \$2,500 in the form of a cash deposit.

J. APPROVAL OF AGREEMENT WITH THE CITY OF JURUPA VALLEY, SPACE CENTER MIRA LOMA, INC., AND THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR CONSTRUCTION OF DAY CREEK MDP LINE “N”, STAGE 4 STORM DRAIN

Requested Action: That the City Council approve the agreement with the Riverside County Flood Control and Water Conservation District and Space Center Mira Loma, Inc. and authorize the Mayor to sign the agreement.

A motion was made by Council Member Micheal Goodland, seconded by Mayor Pro Tem Anthony Kelly, to approve the Consent Calendar, with the exception of Item Nos. 13.B and 13.H, which were removed for further discussion.

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly
Noes: None
Absent: None

14. CONSIDERATION OF ANY ITEMS REMOVED FROM THE CONSENT CALENDAR

13.B CONSIDERATION OF CHECK REGISTER IN THE AMOUNT OF \$1,896,813.87

Council Member Lorena Barajas requested that Item 13.B be removed from the Consent Calendar for further discussion.

City Manager Gary Thompson provided additional information and responded to Council’s questions.

A motion was made by Council Member Lorena Barajas, seconded by Mayor Pro Tem Anthony Kelly, to ratify the check registers dated January 31 and February 7 as well as the payroll registers dated February 5 and 13, 2019.

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly
Noes: None
Absent: None

H. AWARD OF CONSTRUCTION AGREEMENT TO ONYX PAVING COMPANY, INC. FOR THE RUBIDOUX BOULEVARD PAVEMENT REHABILITATION, CIP PROJECT NO. 18-A.2

City Manager Gary Thompson requested that Item 13.H be removed from the Consent Calendar for further discussion. He reported that not all of the technical requirements were met when the bid package was prepared and it will need to be re-bid. He recommended that the Council reject all bids to allow City staff to re-bid the project.

A motion was made by Council Member Micheal Goodland, seconded by Mayor Pro Tem Anthony Kelly, to reject all bids for the Rubidoux Boulevard Pavement Rehabilitation, CIP Project No. 18-A.2

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly
Noes: None
Absent: None

15. PUBLIC HEARINGS

16. COUNCIL BUSINESS

A. INITIATION OF A GENERAL PLAN AMENDMENT TO ADOPT THE CITY OF JURUPA VALLEY LOCAL HAZARD MITIGATION PLAN INTO THE GENERAL PLAN SAFETY ELEMENT IN ACCORDANCE WITH THE FEDERAL DISASTER MITIGATION AND COST REDUCTION ACT OF 2000 IN AN EFFORT TO MAXIMIZE FUNDING ELIGIBILITY THROUGH FEMA AND THE CALIFORNIA DISASTER ASSISTANCE ACT

Thomas Merrell, Planning Director, presented the staff report.

Further discussion followed.

A motion was made by Council Member Chris Barajas, seconded by Council Member Micheal Goodland, to authorize the General Plan Amendment to proceed and refer the item to the Planning Commission for review and recommendation.

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly
Noes: None
Absent: None

B. APPROVAL OF NEW STAFF POSTIONS, (CHIEF BUILDING OFFICIAL, ECONOMIC DEVELOPMENT MANAGER, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER), AND ADVERTISING COSTS

City Manager Gary Thompson presented the staff report.

Further discussion followed.

A motion was made by Mayor Pro Tem Anthony Kelly, seconded by Council Member Chris Barajas, to approve the creation of three new positions, (Chief Building Official, Economic Development Manager, and Director of Public Works/City Engineer), effective Fiscal Year 2019-20, Job Descriptions and Salary Ranges; and authorize \$5,000 in recruitment advertising costs to be used as necessary; and bring back a discussion of whether the Council should be involved in the interview process for one or more of the positions.

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly
Noes: None
Absent: None

C. EMERGENCY REPAIR WORK FOR THE SINKHOLES, ROAD FAILURES AND SLOPE FAILURES ON LIMONITE AVENUE BETWEEN BAIN STREET AND BEACH STREET

Steve Loriso, City Engineer, gave the staff report and provided a brief PowerPoint presentation.

City Manager Gary Thompson reported that a status report of the emergency repairs will be brought back at the next meeting.

Further discussion followed.

A motion was made by Mayor Pro Tem Anthony Kelly, seconded by Council Member Micheal Goodland, to adopt Resolution No. 2019-13, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, FINDING THAT AN EMERGENCY EXISTS WITHIN THE MEANING OF PUBLIC CONTRACT CODE SECTION 22035 WITH RESPECT TO THE SINKHOLES, ROAD FAILURES, AND SLOPE FAILURES ON LIMONITE AVENUE, BETWEEN BAIN STREET AND BEACH STREET (PYRITE CREEK) AND AUTHORIZING THE CITY MANAGER PURSUANT TO PUBLIC CONTRACT CODE SECTIONS 22035 AND 22050 TO ENTER INTO ONE OR MORE CONTRACTS ON BEHALF OF THE CITY TO IMMEDIATELY REPAIR THE DAMAGE AND REPLACE THE ROAD FACILITIES IN AN AMOUNT NOT TO EXCEED \$500,000;

**MAKING OTHER REQUIRED FINDINGS; AND PROVIDING FOR
INCIDENTAL MATTERS RELATED THERETO**

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly
Noes: None
Absent: None

18. CITY ATTORNEY'S REPORT

City Attorney Peter Thorson had no report.

19. COUNCIL MEMBER REPORTS AND COMMENTS

20. ADJOURNMENT

There being no further business before the City Council, Mayor Berkson adjourned the meeting at 8:10 p.m.

The next meeting of the Jurupa Valley City Council will be held March 7, 2019 at 7:00 p.m. at the City Council Chamber, 8930 Limonite Avenue, Jurupa Valley, CA 92509.

Respectfully submitted,



Victoria Wasko, CMC
City Clerk