

**MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
July 18, 2019**

The meeting was held at the former Sam's Western Wear Building, City Council Chamber, 8930
Limonite Avenue, Jurupa Valley, CA 92509

1. 6:00 P.M. - 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 6:05 p.m.

2. CLOSED SESSION

A. PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS

There were no public comments regarding the closed session items.

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 three matters of pending litigation: (1) City of Jurupa Valley v. County of Riverside, Paul Angulo as Auditor-Controller (Riverside County Superior Court No. RIC 1507690); 2) 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. A.15-04-013; and (3) Robert Taft, Central Franchise Group, et al. v. City of Jurupa Valley et al. (Riverside County Superior Court No. RIC 1902360).

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

A. ANNOUNCEMENT OF ANY REPORTABLE ACTIONS IN CLOSED SESSION

City Attorney Peter Thorson announced that with respect to the Closed Session Item entitled: "Robert Taft, Central Franchise Group, et al. v. City of Jurupa Valley et al", the City Council, by a unanimous vote authorized the City Attorney to file a cross complaint for declaratory relief against the priority applicants who are affected by the lawsuit.

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 7:07 p.m.

5. INVOCATION was given by Pastor David De La Cruz, Beacon Hill Assembly of God Church.

6. PLEDGE OF ALLEGIANCE was led by Council Member Chris Barajas.

7. APPROVAL OF AGENDA

A motion was made by Council Member Micheal Goodland, seconded by Mayor Pro Tem Anthony Kelly, Jr., to approve the Agenda.

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

8. PRESENTATIONS

A. PRESENTATION ON PLANNED CLOSURES OF STATE ROUTE 60 DUBBED THE “60 SWARM” – PRESENTED BY CALIFORNIA DEPARTMENT OF TRANSPORTATION

Kimberly Cherry, Public Information Officer with Caltrans, reported that the “60 Swarm” consists of two projects: 1) the pavement rehabilitation project; and 2) the bridge replacement project. She noted the locations of these projects and warned that there will be weekend closures which involve multiple, full directional freeway lane and ramp closures from 10:00 p.m. Friday to 5:00 a.m. Monday. All lanes will be open during the day with nighttime closures east and westbound from 10:00 p.m. to 5:00 a.m. The lane closures will be in effect from late July through November 2019. Further information is available at: (833) 607-9276 and www.60Swarm.com.

B. PRESENTATION BY JURUPA VALLEY SHERIFF’S DEPARTMENT QUALITY OF LIFE PATROL

Deputies Garcia Villa and Rosales gave a presentation on the how the Riverside Sheriff serves the citizens of Jurupa Valley through their Problem Oriented Policing (POP). Deputy Garcia Villa provided an update of how POP Team addresses various issues in the City which consist of Neighborhood Watch;

Probation Compliance Checks; Crime Prevention; and Off-Road Vehicle Enforcement. They also work closely with the City's Code Enforcement personnel on the eradication of illegal marijuana dispensaries, loud music complaints, and homeless issues. Deputy Rosales outlined the benefits of the program and provided examples of recent success stories. He noted that there are occasions when they are limited in their enforcement efforts and suggested various code amendments which could enhance their services.

C. PRESENTATION ON THE RESULTS OF THE RATEPAYER SURVEY CONDUCTED BY WESTERN COMMUNITY ENERGY

Tyler Masters, representing Western Community Energy, gave a background on the Community Choice Aggregation program that allows jurisdictions to join together to purchase electricity with the mission to provide competitive electricity rates. Mr. Masters introduced Adam Probolsky who was in charge of the Ratepayer Survey which provided participants with the opportunity to voice their support or opposition to the new energy program. Mr. Probolsky, representing Probolsky Research, summarized the results of the Ratepayer Survey in Jurupa Valley which showed that of those surveyed, 69% supported the Western Community Energy program.

9. PUBLIC APPEARANCE/COMMENTS

Spencer Rogers, voiced concern regarding the proliferation of illegal food vendors. He urged the Council to assign a Code Enforcement priority to these calls not just the Sheriff's Department. He provided a list of locations where illegal food vendors were identified. He noted a recent article in the Press Enterprise newspaper that a rise in Hepatitis A in Riverside and San Bernardino counties is linked to unsafe food handling. (Don Oaks donated his time to Mr. Rogers)

Patrick Carrigan voiced the following concerns: 1) at 7586 Jurupa Road there is a house that burned approximately one year ago. It is now reoccupied and as of three weeks ago there was another fire at the same location. 2) Next to Glen Avon Heritage Park, there was a nursery that has now become a truck stop. 3) He requested that someone get back to him regarding these issues as he has made several complaints. 4) He appreciates the Riverside County Sheriff, however, he is a strong advocate for the City creating its own police department as it is currently understaffed and the response times are unacceptable.

Mayor Berkson asked City Staff to follow-up on these issues.

Sheila Ludwig voiced concern that there is no sidewalk access to Patriot High School from Stone Avenue. She also noted that Stone Avenue is being used as a racetrack almost every night. She advised that at Stone Avenue school there is only one-way access and she is concerned how emergency vehicles could access this area during school drop-off and pick-up times. She has a special needs granddaughter that lives with her and needs 24 emergency care and she worries that an emergency vehicle would be unable to

get to her home. She asked that an additional access point be made available when the new housing development is built.

Loraine Ellison voiced concern about the traffic flow on Stone Avenue, stating that it is often difficult to get out of her driveway. She also voiced concern about the number of school children that are using her home as a bus stop and leaving trash in her yard. She concurred with Ms. Ludwig's comments that there is very limited access for emergency vehicles on Stone Avenue.

Mayor Berkson asked City staff to look into these issues.

Rachel Lopez reiterated her previous requests to have the easements in the community cleaned up as the overgrowth of so much vegetation forces school children to walk in the street. She relayed an incident a few weeks ago when a transient tried to get into her home. This individual kept wandering around the neighborhood and tried to break into several homes and would not leave. She voiced concern that it took several minutes and two phone calls for the Sheriff to respond.

Mayor Berkson asked City staff to look into these issues.

10. INTRODUCTIONS, ACKNOWLEDGEMENTS, COUNCIL COMMENTS AND ANNOUNCEMENTS

Mayor Pro Tem Anthony Kelly thanked everyone for their attendance. He encouraged citizens to contact the Council with any questions or concerns. He announced that on August 3, 2019, the Rubidoux Missionary Baptist Church will hold their annual Backpacks to the Future event from 11:00 a.m. to 3:00 p.m. He announced that on July 23, 2019, the Rubidoux Youth Opportunity Center will host a Small Business Owners meeting from 8:30 a.m. to 9:30 a.m. The Center is located at 5656 Mission Boulevard.

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

A. MAYOR BRIAN BERKSON

- 1. Mayor Berkson gave an update on the Riverside County Transportation Commission meetings of June 12, 2019 and July 10, 2019.**
- 2. Mayor Berkson gave an update on the Metrolink/Southern California Regional Rail Authority meeting of June 14, 2019.**
- 3. Mayor Berkson gave an update on the Mobile Source Air Pollution Reduction Review Committee meeting of June 20, 2019.**

B. MAYOR PRO TEM ANTHONY KELLY, JR.

1. Mayor Pro Tem Anthony Kelly gave an update on the Northwest Transportation Now Coalition meetings of June 13, 2019 and July 11, 2019.
2. Mayor Pro Tem Anthony Kelly gave an update on the Northwest Mosquito and Vector Control District meetings of June 20, 2019 and July 18, 2019.

C. COUNCIL MEMBER MICHEAL GOODLAND

1. Council Member Micheal Goodland gave an update on the Western Riverside Council of Governments Executive Committee meeting of June 3, 2019.
2. Council Member Micheal Goodland gave an update on the Western Riverside Council of Governments - General Assembly meeting of June 20, 2019.
3. Council Member Micheal Goodland gave an update on the Healthy Jurupa Valley Community meeting of July 2, 2019.

D. COUNCIL MEMBER CHRIS BARAJAS

1. Council Member Chris Barajas gave an update on the Western Community Energy Joint meetings of June 12, 2019 and July 10, 2019.

E. COUNCIL MEMBER LORENA BARAJAS

1. Council Member Lorena Barajas announced that the Western Riverside County - Regional Conservation Authority meeting of July 1, 2019 was cancelled.

12. CITY MANAGER'S UPDATE

City Manager Alan Kreimeier had no report.

13. APPROVAL OF MINUTES

- A. JUNE 6, 2019 REGULAR MEETING**
- B. JUNE 6, 2019 SPECIAL MEETING**

A motion was made by Council Member Micheal Goodland, seconded by Council Member Chris Barajas, to approve the Minutes of the June 6, 2019 Regular Meeting and the June 6, 2019 Special Meeting.

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

14. 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 \$6,264,668.69

Requested Action: That the City Council ratify the check registers dated May 30, June 6, 14, 20, 27 and July 5 as well as the payroll registers dated June 5, 19, and July 3, 5, 2019.

C. AGREEMENT WITH GRC ASSOCIATES, INC. FOR ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE STUDY

Requested Action: That the City Council approve the Agreement by and between the City of Jurupa Valley and GRC Associates, Inc. for the Analysis of Impediments to Fair Housing Choice Study and authorize the City Manager to execute the Agreement in substantially the form and format attached to the staff report as approved by the City Attorney.

D. APPROVAL OF AMENDMENT NO. 2 TO THE AGREEMENT FOR SERVICES WITH SOFTSCAPES CORPORATION FOR SPECIAL DISTRICT LANDSCAPING SERVICES

1. Requested Action: That the City Council approve and authorize the City Manager to amend an Agreement for Special District Landscaping Services between the City of Jurupa Valley and Softscapes Corporation within the L&LMD and CFD areas throughout the City, commencing on July 18, 2019 and terminating on June 30, 2020; and
2. That the City Council authorize total additional expenditures to Softscapes Corporation in an amount not to exceed \$1,273,477.

E. APPROVAL OF RESOLUTIONS ACCEPTING EASEMENTS FOR FLOOD CONTROL FACILITIES AND CONVEYANCE OF EASEMENTS FOR FLOOD CONTROL FACILITIES (TM 31778-1 – NORTHEAST CORNER OF BELLEGRAVE AVENUE AND WINEVILLE AVENUE)

1. Requested Action: That the City Council adopt Resolution No. 2019-46, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ACCEPTING CERTAIN EASEMENTS FOR FLOOD CONTROL FACILITIES FOR TRACT MAP 31778-1 PURSUANT TO GOVERNMENT CODE SECTION 66477.2; and

2. That the City Council adopt Resolution No. 2019-47, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, CONVEYING CERTAIN FLOOD CONTROL EASEMENTS ON TRACT MAP 31778-1 TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

F. APPROVAL OF RESOLUTIONS ACCEPTING EASEMENTS FOR FLOOD CONTROL FACILITIES AND CONVEYANCE OF EASEMENTS FOR FLOOD CONTROL FACILITIES (TM 33461 – NORTH OF BELLEGRAVE AVENUE EAST OF JURUPA ROAD)

1. That the City Council adopt Resolution No. 2019-48, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ACCEPTING CERTAIN EASEMENTS FOR FLOOD CONTROL FACILITIES FOR TRACT MAP 33461 PURSUANT TO GOVERNMENT CODE SECTION 66477.2; and

2. That the City Council adopt Resolution No. 2019-49, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, CONVEYING CERTAIN FLOOD CONTROL EASEMENTS ON TRACT MAP 33461 TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

G. AMENDMENT NO. 1 TO THE AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF JURUPA VALLEY FOR FY 2019-2020 – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council approve Amendment No. 1 to the Agreement for Professional Services by and between the County of Riverside and the City of Jurupa Valley for Fiscal Year 2019-2020 and authorize the City Manager to execute the amendment in substantial the form attached to the staff report as approved by the City Attorney.

H. ADOPTION OF RESOLUTION OPPOSING SENATE BILL 50

Requested Action: That the City Council pass and adopt Resolution No. 2019-61, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, OPPOSING SB 50

A motion was made by Council Member Lorena Barajas, seconded by Council Member Micheal Goodland, to approve the Consent Calendar, with the exception of Item No. 14.G, which was removed for further discussion.

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

15. CONSIDERATION OF ANY ITEMS REMOVED FROM THE CONSENT CALENDAR

14.G AMENDMENT NO. 1 TO THE AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF JURUPA VALLEY FOR FY 2019-2020

Council Member Chris Barajas requested that Item 14.G be removed from the Consent Calendar for further discussion.

Steve Loriso, City Engineer, provided additional information and responded to Council's questions.

A motion was made by Council Member Chris Barajas, seconded by Council Member Micheal Goodland, to approve Amendment No. 1 to the Agreement for Professional Services by and between the County of Riverside and the City of Jurupa Valley for Fiscal Year 2019-2020 and authorize the City Manager to execute the amendment in substantial the form attached to the staff report as approved by the City Attorney.

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

16. PUBLIC HEARINGS

A. PUBLIC HEARING TO CONSIDER A RESOLUTION CONFIRMING THE DELINQUENT ACCOUNTS FOR SOLID WASTE COLLECTION SERVICES AND LEVYING SPECIAL ASSESSMENTS FOR COLLECTION AGAINST CERTAIN PARCELS OF PROPERTY SITUATED WITHIN THE CITY IN THE BURRTEC SOLID WASTE INDUSTRIES, INC. SERVICE AREA

Sean McGovern, Management Analyst, presented the staff report.

Mayor Berkson opened the public hearing and called for any public comments.

Further discussion followed.

There being no further comments, the public hearing was closed.

A motion was made by Council Member Chris Barajas, seconded by Council Member Micheal Goodland, to approve the report for delinquent comprehensive waste collection service payments to Burrtec Solid Waste Industries, Inc. and assess the cost thereof as a special assessment and lien against those certain properties in the City; and adopt Resolution No. 2019-50, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, CONFIRMING THE DELINQUENT ACCOUNTS FOR SOLID WASTE SERVICES AND ORDERING THAT THE DELINQUENT CHARGES SHALL CONSTITUTE SPECIAL ASSESSMENTS AGAINST THE RESPECTIVE PARCELS OF LAND AND ARE LIENS ON SAID LANDS IN THE AMOUNT OF THE RESPECTIVE ASSESSMENTS

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

B. PUBLIC HEARING TO CONSIDER A RESOLUTION CONFIRMING THE DELINQUENT ACCOUNTS FOR SOLID WASTE COLLECTION SERVICES AND LEVYING SPECIAL ASSESSMENTS FOR COLLECTION AGAINST CERTAIN PARCELS OF PROPERTY SITUATED WITHIN THE CITY IN THE USA WASTE OF CALIFORNIA, INC. SERVICE AREA

Sean McGovern, Management Analyst, presented the staff report.

Mayor Berkson opened the public hearing and called for any public comments.

Further discussion followed.

There being no further comments, the public hearing was closed.

A motion was made by Council Member Chris Barajas, seconded by Micheal Goodland, to approve the report for delinquent comprehensive waste collection service payments to Burrtec Solid Waste Industries, Inc. and assess the cost thereof as a special assessment and lien against those certain properties in the City; and adopt Resolution No. 2019-51, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, CONFIRMING THE DELINQUENT ACCOUNTS FOR SOLID WASTE SERVICES AND ORDERING THAT THE DELINQUENT CHARGES SHALL CONSTITUTE SPECIAL ASSESSMENTS AGAINST THE RESPECTIVE PARCELS OF LAND AND ARE LIENS ON SAID LANDS IN THE AMOUNT OF THE RESPECTIVE ASSESSMENTS

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

- C. PUBLIC HEARING REGARDING THE ANNEXATION OF TERRITORY (ZONE M) TO THE CITY OF JURUPA VALLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED (THE “DISTRICT”) AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY; LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF RIVERSIDE DRIVE AND ETIWANDA AVENUE (PILOT FLYING J)**

Steve Loriso, City Engineer, presented the staff report.

Mayor Berkson opened the public hearing and called for any public comments.

Further discussion followed.

The City Clerk verified that one owner cast one ballot. All votes cast were in favor of the annexation.

There being no further comments, the public hearing was closed.

A motion was made by Council Member Lorena Barajas, seconded by Mayor Pro Tem Anthony Kelly, to adopt Resolution No. 2019-52, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY (ZONE M); LOCATED AT THE NORTHWEST CORNER OF RIVERSIDE DRIVE AND ETIWANDA AVENUE TO CITY OF JURUPA VALLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY FOR FISCAL YEAR 2020-21 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AS PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

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

D. PUBLIC HEARING TO CONSIDER A RESOLUTION CONFIRMING THE DIAGRAM AND ASSESSMENT AND LEVYING ASSESSMENTS ON ALL LOTS AND PARCELS OF LAND THEREIN FOR JURUPA VALLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED (JV L&LMD NO. 89-1-C) - CITYWIDE AND APPROVAL OF ENGINEER’S REPORT

Steve Loriso, City Engineer, presented the staff report.

Mayor Berkson opened the public hearing and called for any public comments.

Further discussion followed.

There being no further comments, the public hearing was closed.

A motion was made by Council Member Mayor Pro Tem Anthony Kelly, seconded by Council Member Micheal Goodland, to adopt Resolution No. 2019-53, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONES 4, 5, 6, 7, 9, 14, 16, 17, 21, 34, 61, 73, 78, 95, 102, 106, 126, 128, 132, 137, 141, 142, 173, 182, A, C, E, F, G, I AND K; AND STREET LIGHTING ZONES 5, 7, 15, 17, 19, 39, 41, 62, 69, 86, 91, 93, 94, AND 102, 2-A, 2-B, 2-C OF THE JURUPA VALLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF

THE CITY OF JURUPA VALLEY AND LEVYING ASSESSMENTS ON ALL LOTS AND PARCELS OF LAND THEREIN WITHIN THE BOUNDARIES OF SAID ZONES AND STREET LIGHTING ZONES FOR FISCAL YEAR 2019-2020

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

- E. PUBLIC HEARING TO CONSIDER 1) ZONING CODE AMENDMENT (ZCA) NO. 19001: CONSIDERATION OF AMENDMENT TO JURUPA VALLEY MUNICIPAL CODE SEC. 9.100.300, CONCERNING THE MINIMUM AREA REQUIRED FOR PREMISES IN THE R-4 ZONE; AND 2) CHANGE OF ZONE (CZ) NO. 19002: A CHANGE OF ZONE OF APPROXIMATELY 6.74 GROSS ACRES OF REAL PROPERTY FROM R-1 (ONE FAMILY DWELLINGS) TO R-4 (PLANNED RESIDENTIAL) – “HIGHLAND PARK 2” TRACT LOCATED SOUTH OF INTERSECTION OF 30TH STREET AND SIERRA AVENUE (APNS: 177-020-018, 177-020-012, & 177-110-005)**

Annette Tam, Senior Planner, presented the staff report.

Mayor Berkson opened the public hearing and called for any public comments.

Further discussion followed.

There being no further comments, the public hearing was closed.

A motion was made by Council Member Micheal Goodland, seconded by Council Member Lorena Barajas, to introduce Ordinance No. 2019-08, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, AMENDING SECTION 9.100.030 (“MINIMUM AREA FOR ZONE”) OF CHAPTER 9.100 (“R-4 ZONE (PLANNED RESIDENTIAL)”) OF TITLE 9 (“PLANNING AND ZONING”) OF THE JURUPA VALLEY MUNICIPAL CODE CONCERNING LIMITED WAIVERS OF THE MINIMUM AREA REQUIREMENTS FOR PREMISES IN THE R-4 ZONE, AND FINDING AN EXEMPTION FROM CEQA UNDER SECTION 15061(B)(3) OF THE CEQA GUIDELINES; AND

A motion was made by Council Member Micheal Goodland, seconded by Mayor Pro Tem Anthony Kelly, to approve the Applicant’s request to waive the minimum area requirement under Jurupa Valley Municipal Code Section 9.100.030 for approximately 6.74 gross acres of real property located south of the intersection of 30th Street and Sierra Avenue (APNs: 177-020-

018, 177-020-012, 177-110-005), effective upon the effective date of Ordinance No. 2019-08.

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

A motion was made by Council Member Micheal Goodland, seconded by Council Member Lorena Barajas, to introduce Ordinance No. 2019-09, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE CITY OF JURUPA VALLEY OFFICIAL ZONING MAP CHANGING THE ZONE OF APPROXIMATELY 6.74 GROSS ACRES OF REAL PROPERTY LOCATED SOUTH OF THE INTERSECTION OF 30TH STREET AND SIERRA AVENUE (APNS: 177-020-018, 177-020-012, 177-110-005) FROM ONE (1) FAMILY DWELLINGS (R-1) ZONE TO PLANNED RESIDENTIAL (R-4) ZONE, AND MAKING FINDINGS PURSUANT TO CEQA

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

- F. PUBLIC HEARING TO CONSIDER AN APPEAL (MA19143) OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE MASTER APPLICATION NO. 18224 (MA18224) FOR CONDITIONAL USE PERMIT NO. 18010 (CUP18010) AND DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY 19002 (PCN19002) TO ALLOW BEER AND WINE SALES FOR OFF-SITE CONSUMPTION AT AN EXISTING CHEVRON GAS STATION AND CONVENIENCE STORE AT 9267 JURUPA ROAD (APN: 167-160-044) (APPLICANT: G&M OIL, LLC)**

Thomas Merrell, Planning Director, presented the staff report.

Chris Mallec, Assistant Planner summarized the background and the facts leading up to the Planning Commission's decision.

Further discussion followed.

Steve Loriso, City Engineer, provided additional information on the proposed grade separation project and responded to Council's questions.

City Attorney Peter Thorson clarified the criteria for the Council to either support the Planning Commission's determination or to direct staff to come back with a resolution to deny the condition of Public Convenience or Necessity.

Mayor Berkson opened the public hearing and called for any public comments.

Sherrie Olson, representing the applicant (G&M Oil, LLC) spoke in support of CUP 18010 to allow beer and wine sales for off-site consumption at an existing Chevron Gas Station and Convenience Store at 9267 Jurupa Road. She stated that at the time they applied to the Division of Alcohol and Beverage Control a Public Convenience or Necessity was not required for this project and the findings do not have to be made. She noted that they have been a great community neighbor, have security measures in place, and their goal is to continue to operate a successful store. She offered to answer any questions.

Kim Jarrell Johnson stated that if the applicant is the fourth business who has a liquor license within that census tract then they need the Public Convenience or Necessity finding from the City. She discussed the other locations where it is convenient to buy alcohol near this intersection. She encouraged the Council to say no to this project as studies have shown that the more places that sell alcohol in a community the more problems a community has including things like domestic violence. She advocated for City staff to provide guidance during Planning Commission discussions and for more training of Planning Commission members. (Rachel Lopez donated her time to Ms. Johnson)

Betty Anderson voiced opposition to the condition for Public Convenience or Necessity, stating that the applicant's gas station is located too close to other nearby businesses that sell alcohol. She expressed her view that this gas station is susceptible to a proposed eminent domain taking resulting from the proposed grade separation project and if it includes a liquor license it could increase the property's assessed value.

Further discussion followed.

City Attorney Peter Thorson clarified that the Council must make their decision for both the Conditional Use Permit and the condition of Public Convenience and Necessity based on the findings that the code requires.

Discussion followed concerning the proposed eminent domain process.

Steve Loriso, City Engineer, clarified that the grade separation project will be going out to bid next year and it is fully funded. The acquisition of the properties will happen, however, he could not confirm the timeframe.

Thomas Merrell, Planning Director, explained the basic types of California liquor licenses, including On-Sale Beer and Wine and the criteria for a Conditional Use Permit.

Sherrie Olson, representing the applicant (G&M Oil, LLC), addressed some of the previous comments. She stated census tracts are based on population so each census tract is allowed a certain number of licenses. She noted that overconcentration is in every city because most businesses that sell alcohol are concentrated in a particular area. For a condition of Public Convenience of Necessity, it is different as you are attracting a different type of customer than someone who is grocery shopping. She added that if they are unable to secure the license they will lose front end sales. She explained how they have been a good community neighbor and why they are deserving of this right.

Further discussion followed.

There being no further comments, the public hearing was closed.

A motion was made by Council Member Chris Barajas, seconded by Council Member Lorena Barajas, to direct staff to bring back a resolution for denial of the Conditional Use Permit and the Condition of Public Convenience and Necessity.

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

17. COUNCIL BUSINESS

- A. APPROVAL OF RESOLUTIONS AUTHORIZING THE LEVY OF AN ANNUAL SPECIAL TAX FOR THE CITY OF JURUPA VALLEY ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2013-001 (BELLEGRAVE), COMMUNITY FACILITIES DISTRICT NO. 2014-001 (HARVEST), COMMUNITY FACILITIES DISTRICT NO. 2014-002 (MISSION ESTATES), COMMUNITY FACILITIES DISTRICT NO. 2014-003 (CANTERA), COMMUNITY FACILITIES DISTRICT NO. 2015-001 (RIVERBEND), COMMUNITY FACILITIES DISTRICT NO. 2015-002 (SKYPARK) AND COMMUNITY FACILITIES DISTRICT NO. 2016-001 (QUARRY) FOR FISCAL YEAR 2019-20**

Steve Loriso, City Engineer, presented the staff report.

Further discussion followed.

A motion was made by Mayor Pro Tem Anthony Kelly, seconded by Council Member Micheal Goodland, to adopt Resolution Nos. 2019-54, 2019-55, 2019-56, 2019-57, 2019-58, 2019-59 and 2019-60 authorizing the annual special tax for Community Facilities District No. 2013-001 (Bellevue), Community Facilities District No. 2014-001 (Harvest), Community Facilities District No. 2014-002 (Mission Estates), Community Facilities District No. 2014-003 (Cantera) and Community Facilities District No. 2015-001 (Riverbend), Community Facilities District No. 2015-002 (Skypark) and Community Facilities District No. 2016-001 (Quarry) for fiscal year 2018-19.

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

Council Member Lorena Barajas stated that she has received several complaints and photographs showing that visitors to the Downey Park are parking in the no parking zones.

Steve Loriso, City Engineer stated that there are two full-time Park Rangers that focus on these issues and when there is an issue with parking, the Sheriff is asked to respond.

Alan Kreimeier, Interim City Manager asked Ms. Barajas to forward the photographs to Staff for follow-up.

Council Member Chris Barajas asked for a breakdown of costs to maintain the Downey Park and possibly charging for parking. He asked for an update from his earlier request about possibly regulating Airbnb properties. He requested an ordinance restricting smoking in multi-family housing. He requested an update on the Granite Hill pavement rehabilitation project, noting that the Jurupa Community Services District has a waterline project planned for this area.

Steve Loriso, City Engineer, gave an update on the Granite Hill pavement rehabilitation project and whether there would be any costs to delay the project.

Alan Kreimeier, Interim City Manager, pointed out that he has met with Christopher Berch, the new General Manager of the Jurupa Community Services District and one of the issues that came up during their discussions was Granite Hill and he is very much aware of and amenable to paying for a portion of the project if the City delays the paving project.

Mayor Brian Berkson asked that an item for discussion be brought back that would include suggestions on how the City can mitigate some of the pavement issues on Granite Hill.

Council Member Lorena Barajas asked Staff to bring back a “deemed approved” ordinance that would regulate local alcohol sales.

Council Member Micheal Goodland read a quote regarding organizational excellence which is tied to individual achievements. He encouraged his colleagues to always act in the City’s best interests.

20. ADJOURNMENT

There being no further business before the City Council, Mayor Berkson adjourned the meeting at 10:31 p.m.

The next meeting of the Jurupa Valley City Council will be held August 1, 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