

**MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
July 6, 2023**

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

- Chris Barajas, Mayor
- Guillermo Silva, Mayor Pro Tem
- Leslie Altamirano, Council Member
- Brian Berkson, Council Member
- Armando Carmona, Council Member

Mayor Chris Barajas called the closed session meeting to order at 6:01 p.m.

2. CONVENE TO 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 – INITIATION OF LITIGATION.** The City Council met in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(4) with respect to five matters of potential litigation. A point has been reached where, in the opinion of the City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation involving the City and the City Council will decide whether to initiate litigation.

3. RECONVENE IN OPEN SESSION

A. ANNOUNCEMENT OF ANY REPORTABLE ACTIONS IN CLOSED SESSION

City Attorney Peter Thorson announced that the City Council directed the City Attorney to file a lawsuit against Riverside Mining Limited and Fleet Yards, Inc., seeking a preliminary injunction and a permanent injunction to abate public nuisances on their properties in the north Pyrite area arising from violations of the Jurupa Valley Municipal Code. The vote to initiate this litigation by the City Council was 5-0. There were no other actions to report.

4. 7:00 PM - CALL TO ORDER AND ROLL CALL FOR REGULAR MEETING

- Chris Barajas, Mayor
- Guillermo Silva, Mayor Pro Tem
- Leslie Altamirano, Council Member
- Brian Berkson, Council Member
- Armando Carmona, Council Member

Mayor Chris Barajas called the closed session meeting to order at 7:00 p.m.

5. INVOCATION

6. PLEDGE OF ALLEGIANCE was led by Mayor Chris Barajas.

7. APPROVAL OF AGENDA

A motion was made by Mayor Pro Tem Guillermo Silva, seconded by Council Member Leslie Altamirano, to approve the Agenda.

Ayes: L. Altamirano, C. Barajas, B. Berkson, A. Carmona, G. Silva
Noes: None
Absent: None

8. PRESENTATIONS

A. RIVERSIDE COUNTY DEPARTMENT OF ANIMAL SERVICES - INTRODUCTION OF “PET OF THE MONTH”

The City’s Pet of the Month for July, a five-year old male Terrier named “Jerry” was introduced to the Council. Anyone interested in giving this available pet a home is invited to contact the City’s Animal Control Services Department at <https://www.rcdas.org>.

9. PUBLIC APPEARANCE/COMMENTS

Bernard Murphy stated that he recently received a citation from Code Enforcement due to an overgrowth of vegetation on his property. He voiced a concern that he was unable to appeal the citation as the City requires that the fine be paid prior to appealing the citation. He was also unable to pay the citation in cash which is problematic because he does not have a bank account. He requested clarification from City staff.

10. INTRODUCTIONS, ACKNOWLEDGEMENTS, COUNCIL COMMENTS AND ANNOUNCEMENTS

Council Member Brian Berkson acknowledged the City’s 12th Birthday, stating that it was great to see the City’s positive growth over the past several years.

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

A. MAYOR CHRIS BARAJAS

- 1. Mayor Chris Barajas gave an update on the Western Riverside Council of Governments General Assembly meeting of June 29, 2023.**
- 2. Mayor Chris Barajas gave an update on the Western Riverside Council of Governments Executive Committee meeting of June 30, 2023.**

B. COUNCIL MEMBER BRIAN BERKSON

- 1. Council Member Brian Berkson gave an update on the Southern California Association of Governments Transportation Committee meeting of July 6, 2023.**

12. CITY MANAGER'S UPDATE

Michael Flad, Assistant City Manager reported that City Manager Rod Butler was out of the office on a well-deserved vacation. He had no further updates.

13. APPROVAL OF MINUTES

A. JUNE 15, 2023 REGULAR MEETING

A motion was made by Mayor Pro Tem Guillermo Silva, seconded by Council Member Leslie Altamirano, to approve the Minutes of the June 15, 2023 regular meeting.

Ayes: L. Altamirano, C. Barajas, B. Berkson, A. Carmona, G. Silva
Noes: None
Absent: None

14. CONSENT CALENDAR

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

Requested Action: That the City Council waive the reading of the title and text of all ordinances and resolutions included in the agenda. In accordance with Government Code Section 34934, the title of each ordinance is included on the published agenda and a copy of the full ordinance has been available to the public online on the City's website and will be available in print at the meeting prior to the introduction or passage of the ordinance.

B. CONSIDERATION OF CHECK REGISTER IN THE AMOUNT OF \$9,133,649.72

Requested Action: That the City Council ratify the check registers dated May 24 and June 1, 7, 15 and 22, 2023 as well as the payroll registers dated May 26, 31 and June 9, 2023.

C. NOTICE OF COMPLETION FOR CITYWIDE PAVEMENT REHABILITATION, LIMONITE AVENUE FROM FELSPAR STREET TO PEDLEY ROAD, JURUPA ROAD FROM AGATE STREET TO GALENA STREET, RUBIDOUX BOULEVARD FROM 29TH STREET TO 30TH STREET, AGATE STREET FROM JURUPA ROAD TO MISSION BOULEVARD, CIP #21101, IN THE CITY OF JURUPA VALLEY

1. Requested Action: That the City Council accept the Citywide Pavement Rehabilitation Project, CIP #21101 and authorize the City Manager to execute the Notice of Completion; and
2. Authorize the City Clerk to file the Notice of Completion with the Riverside County Recorder; and
3. Authorize staff to release retention 35 days after filing the Notice of Completion.

D. RESOLUTION OF INTENTION TO ESTABLISH CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. 2022-001 (APPALOOSA SPRINGS) GENERALLY LOCATED WEST OF CLAY STREET, EAST OF PEDLEY ROAD, AND SOUTH OF LIMONITE AVENUE, TRACT NO. 37714

Requested Action: That the City Council adopt Resolution No. 2023-49, entitled:

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY TO ESTABLISH CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. 2022-001 (APPALOOSA SPRINGS) AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX WITHIN CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. 2022-001 (APPALOOSA SPRINGS)

E. RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY TO ESTABLISH CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. PS 2022-002 (PUBLIC SAFETY, APPALOOSA SPRINGS) AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX WITHIN CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. PS 2022-002 (PUBLIC SAFETY, APPALOOSA SPRINGS); GENERALLY LOCATED WEST OF

CLAY STREET, EAST OF PEDLEY ROAD, AND SOUTH OF LIMONITE AVENUE, TRACT NO. 37714

Requested Action: That the City Council adopt Resolution No. 2023-50, entitled:

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY TO ESTABLISH CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. PS 2022-002 (PUBLIC SAFETY, APPALOOSA SPRINGS) AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX WITHIN CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. PS 2022-002 (PUBLIC SAFETY, APPALOOSA SPRINGS)

F. APPROVAL OF TRACT MAP NO. 37640 EMERALD RIDGE SOUTH LOCATED WEST OF AVALON STREET, AND NORTH OF CA-60 FREEWAY, ACCEPTANCE OF OFFERS OF DEDICATION, APPROVAL OF SUBDIVISION AGREEMENTS, AND ACCEPTANCE OF IMPROVEMENT BONDS

1. Requested Action: That the City Council approve Tract Map 37640 and accept the dedication as follows:

- a. Accept the real property described as an easement for street and public utility purposes for Lots “A” through “C.”
- b. Accept the real property described as an easement for public utility and ingress and egress purposes. The dedication is the northeasterly 5 ft. of lots 139,198,225 and 227.
- c. Accept the real property described as a variable width easement for drainage purposes on lot 229.
- d. Accept the real property described as an easement for public and storm drain purposes, access and appurtenances. The dedication is for a portion of Canal Street, lot 228 and lots L, N, P and R, shown as Easement “I.”

2. Authorize the Mayor and City Clerk to sign Tract Map 37640.

3. Approve and authorize the Mayor and City Clerk to execute the Subdivision Agreements; and

4. Accept the surety bonds for construction of related off-site improvements and survey monumentation.

G. AMENDMENT NO. 5 TO THE AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF JURUPA VALLEY FOR FY 2023-2024

Requested Action: That the City Council approve Amendment No. 5 to the Agreement for Professional Services by and between the County of Riverside and the City of Jurupa Valley for Fiscal Year 2023-2024 and authorize the City Manager to execute the Amendment in substantially the form attached to the staff report and in such final form as approved by the City Attorney.

H. APPEAL NO. 23001: MINOR CHANGE NO. 1 TO TENTATIVE TRACT MAP NO. 37211 (TTM37211M1), A REQUEST TO MODIFY CONDITION NO. 3.15 REGARDING ELECTRICAL LINE UNDERGROUNDING ALONG PACIFIC AVENUE AND DETERMINE THAT NO FURTHER CEQA REVIEW IS REQUIRED PURSUANT TO CEQA GUIDELINES SECTION 15162(a); LOCATION: SOUTHEAST CORNER OF CANAL STREET AND OPAL STREET (APNS: 177-130-007 & 177-142-018); (APPLICANT: SEQUANATA PARTNERS, LP) - REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council adopt Resolution No. 2023-44, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY RESCINDING THE PLANNING COMMISSION’S DECISION TO DENY MINOR CHANGE NO. 1 TO TENTATIVE TRACT MAP NO. 37211 (TTM37211M1) WHICH REQUESTED THE DELETION OF CONDITIONS NOS. 1.12 AND 2.15 REGARDING ESTABLISHING A CFD FOR LANDSCAPING AND WATER QUALITY MANAGEMENT FEATURES, AND CONDITION NO. 3.15 REGARDING THE UNDERGROUNDING OF UTILITY LINES ALONG PACIFIC AVENUE, AND DETERMINING THAT NO FURTHER CEQA REVIEW IS REQUIRED PURSUANT TO CEQA GUIDELINES SECTION 15162(A)

I. CONSIDERATION AND APPROVAL OF AMENDMENT NO. 1 TO TWO PROFESSIONAL SERVICES AGREEMENTS WITH RSG, INC. FOR THE RIO VISTA SPECIFIC PLAN AND FOR THE DISTRICT AT JURUPA VALLEY PROJECT

Requested Action: That the City Council authorize the City Manager to execute the First Amendment to two Agreements with RSG, Inc. for professional services for the (1) Rio Vista Specific Plan; and (2) The District at Jurupa Valley project entitled:

- 1. FIRST AMENDMENT TO “AGREEMENT FOR CONSULTANT SERVICES BETWEEN THE CITY OF JURUPA VALLEY AND RSG, INC., FOR PROFESSIONAL SERVICES FOR THE RIO VISTA SPECIFIC PLAN”; and**

2. FIRST AMENDMENT TO “AGREEMENT FOR CONSULTANT SERVICES BETWEEN THE CITY OF JURUPA VALLEY AND RSG, INC., FOR PROFESSIONAL SERVICES FOR THE DISTRICT AT JURUPA VALLEY”

J. INITIATION OF AN AMENDMENT TO THE GENERAL PLAN LAND USE MAP AND ZONING MAP AND FOR PROPERTY LOCATED AT 3883 WALLACE STREET

Requested Action: That the City Council initiate an amendment to the General Plan Land Use and Zoning Maps for a property located at 3883 Wallace Street.

A motion was made by Mayor Pro Tem Guillermo Silva, seconded by Council Member Leslie Altamirano, to approve the Consent Calendar, with the exception of Item 14.H, which was removed from the Consent Calendar for further discussion.

**Ayes: L. Altamirano, C. Barajas, B. Berkson, A. Carmona, G. Silva
Noes: None
Absent: None**

15. CONSIDERATION OF ANY ITEMS REMOVED FROM THE CONSENT CALENDAR

14.H APPEAL NO. 23001: MINOR CHANGE NO. 1 TO TENTATIVE TRACT MAP NO. 37211 (TTM37211M1), A REQUEST TO MODIFY CONDITION NO. 3.15 REGARDING ELECTRICAL LINE UNDERGROUNDING ALONG PACIFIC AVENUE AND DETERMINE THAT NO FURTHER CEQA REVIEW IS REQUIRED PURSUANT TO CEQA GUIDELINES SECTION 15162(a); LOCATION: SOUTHEAST CORNER OF CANAL STREET AND OPAL STREET (APNS: 177-130-007 & 177-142-018); (APPLICANT: SEQUANATA PARTNERS, LP) - REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Council Member Armando Carmona requested that Item 14.H be removed from the Consent Calendar to reflect his “No” vote.

A motion was made by Council Member Leslie Altamirano, seconded by Mayor Pro Tem Guillermo Silva to adopt Resolution No. 2023-44, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY RESCINDING THE PLANNING COMMISSION’S DECISION TO DENY MINOR CHANGE NO. 1 TO TENTATIVE TRACT MAP NO. 37211 (TTM37211M1) WHICH REQUESTED THE DELETION OF CONDITIONS NOS. 1.12 AND 2.15 REGARDING ESTABLISHING A CFD FOR LANDSCAPING AND WATER QUALITY MANAGEMENT

FEATURES, AND CONDITION NO. 3.15 REGARDING THE UNDERGROUNDING OF UTILITY LINES ALONG PACIFIC AVENUE, AND DETERMINING THAT NO FURTHER CEQA REVIEW IS REQUIRED PURSUANT TO CEQA GUIDELINES SECTION 15162(A)

Ayes: L. Altamirano, C. Barajas, B. Berkson, G. Silva

Noes: A. Carmona

Absent: None

16. PUBLIC HEARINGS

A. PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING THE FISCAL YEAR 2023-2024 THROUGH FISCAL YEAR 2027-2028 CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF JURUPA VALLEY

Paul Toor, Public Works Director, presented the staff report. Mr. Toor reported that this particular program is the most aggressive Capital Improvement Program ever brought forward in the history of the City. It represents over 45 projects at a cost of over \$175 million.

Octavio Duran, Assistant City Engineer, gave a presentation on the five-year Capital Improvement Program. He identified the major projects and funding sources, which include Measure A, Gas Tax, ARPA, and grants. Mr. Duran gave an overview of the recently completed projects.

Further discussion followed.

Mayor Chris Barajas opened the public hearing.

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

A motion was made by Council Member Leslie Altamirano, seconded by Mayor Pro Tem Guillermo Silva, to adopt Resolution No. 2023-51, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2023-2024 THROUGH 2027-2028

Ayes: L. Altamirano, C. Barajas, B. Berkson, A. Carmona, G. Silva

Noes: None

Absent: None

B. PUBLIC HEARING TO ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INSTALLATION AGREEMENT WITH CLIMATEC, INC., TO DEVELOP AN ENERGY CONSERVATION AND INFRASTRUCTURE MODERNIZATION PROGRAM PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 4217.10 TO 4217.18

**AND DETERMINATION OF EXEMPTION UNDER CEQA GUIDELINES
SECTION 15301 AND PUBLIC RESOURCES CODE SECTION 21080.35**

Michael Flad, Assistant City Manager, presented the staff report.

Kevin Ryan gave a presentation on the Energy Conservation and Infrastructure Modernization Program. He reported that this project will make significant improvements to City Hall, the Jurupa Valley Operations Center, the Eddie Dee Smith Senior Center and the Pat Merritt Dog Park. He reported that Climatec, LLC was selected as the most qualified bidder for the project, which is expected to cost approximately \$2.7 million. The funding sources are the American Rescue Plan Act and an Energy Efficiency Conservation Block Grant from the U.S. Department of Energy. No general fund monies will be spent on the project.

Amber Fritsch, representing Climatec, LLC, provided the Climatec Scope of Work and the various site assessment results.

Further discussion followed.

Mayor Chris Barajas opened the public hearing.

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

A motion was made by Council Member Leslie Altamirano, seconded by Mayor Pro Tem Guillermo Silva, to adopt Resolution No. 2023-52, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, MAKING FINDINGS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 4217.12, APPROVING THE IMPLEMENTATION OF THE ENERGY CONSERVATION AND INFRASTRUCTURE MODERNIZATION PROGRAM, THE IMPLEMENTATION AGREEMENT WITH CLIMATEC LLC, AND FINDING THAT THESE ACTIONS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.35 AND SECTION 15301 OF THE CEQA GUIDELINES

Ayes: L. Altamirano, C. Barajas, B. Berkson, G. Silva

Noes: A. Carmona

Absent: None

- C. 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

Staff Report presented by Paul Toor, Director of Public Works. Mr. Toor requested that this item be continued to the July 20, 2023 meeting.

Mayor Chris Barajas opened the public hearing.

By consensus, the City Council continued the public hearing to the next regularly scheduled City Council meeting on July 20, 2023.

Ayes: L. Altamirano, C. Barajas, B. Berkson, A. Carmona, G. Silva

Noes: None

Absent: None

D. PUBLIC HEARING TO CONSIDER ZONING CODE AMENDMENT NO. 22004 (ZCA22004) ADDING CHAPTER 4.15 AND AMENDMENTS TO TITLE 9 (“PLANNING AND ZONING”) OF THE JURUPA VALLEY MUNICIPAL CODE TO PROHIBIT SHORT-TERM RENTALS AND FIND THAT THE PROJECT IS EXEMPT FROM CEQA REVIEW PURSUANT TO THE COMMON SENSE EXEMPTION, CEQA GUIDELINES SECTION 15061(b)(3)

Roberto Gonzalez, Senior Planner, presented the staff report.

Jose Ibarra, Building Code Supervisor, provided additional information and responded to Council's questions.

Mayor Chris Barajas opened the public hearing.

Maribel Nunez, Executive Director at Inland Equity Community Land Trust voiced support of a ban on short-term rentals as it depletes housing that might otherwise be used as permanent homes, ultimately driving up the cost of housing.

Joe Perez, Community Development Director clarified that the proposed code amendment will protect the City's ability to enforce the current prohibition and to address recent court cases.

Further discussion followed.

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

A motion was made by Council Member Leslie Altamirano, seconded by Mayor Pro Tem Guillermo Silva, to 1) direct staff to look into a regulatory framework for short-term rentals and the cost of enforcement; and 2) conduct a first reading and introduce Ordinance No. 2023-10, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ADDING CHAPTER 4.15 TO THE JURUPA VALLEY MUNICIPAL CODE RELATING TO THE PROHIBITION OF SHORT-TERM RENTALS AND THE REQUIREMENTS FOR HOME-SHARING BUSINESSES MAKING RELATED AMENDMENTS TO CHAPTER 9.35, AND FINDING AN EXEMPTION FROM CEQA UNDER SECTION 15061(B)(3) OF THE CEQA GUIDELINES

Ayes: L. Altamirano, C. Barajas, B. Berkson, G. Silva

Noes: A. Carmona

Absent: None

17. COUNCIL BUSINESS

18. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

19. CITY ATTORNEY'S REPORT

City Attorney Peter Thorson had no report.

20. COUNCIL MEMBER REPORTS AND COMMENTS

Mayor Chris Barajas announced that he was recently named the incoming chair of the Western Riverside Council of Governments - Inland Regional Energy Network (I-REN) Board of Directors.

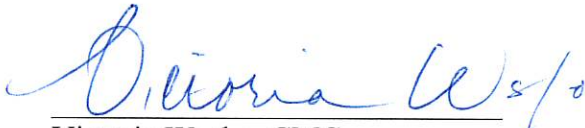
Council Member Leslie Altamirano announced a community cleanup event will take place on Saturday, July 15, 2023 at the Jurupa Valley Operations Center, 5293 Mission Boulevard.

21. ADJOURNMENT

There being no further business before the City Council, Mayor Chris Barajas adjourned the meeting at 8:40 p.m.

The next meeting of the Jurupa Valley City Council will be held July 20, 2023 at 7:00 p.m. at the City Council Chamber, 8930 Limonite Avenue, Jurupa Valley, CA 92509.

Respectfully submitted,



Victoria Wasko, CMC
City Clerk