MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
August 1, 2019

The meeting was held at the Jurupa Valley City Council Chamber, 8930 Limonite Avenue,
Jurupa Valley, CA 92509.

1. 6:15 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 6:20 p.m. Council Member Michael Goodland was absent.

City Attorney Peter Thorson announced that Mayor Pro Tem Anthony Kelly will not participate in the Closed Session due to the fact that he lives close to the subject of the Closed Session.

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 – POTENTIAL LITIGATION.
The City Council met in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(4) with respect to one matter 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. Based on existing facts and circumstances, the City Council will decide whether to defend or initiate litigation.

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

A. ANNOUNCEMENT OF ANY REPORTABLE ACTION 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 7:07 p.m. Council Member Michael Goodland was absent.

5. **INVOCATION** was given by Pastor Kermit R. Perry, 3Ps Christian Ministries.

6. **PLEDGE OF ALLEGIANCE** was led by Terri Rollings, Assistant to the City Manager/PIO.

7. **APPROVAL OF AGENDA**

A motion was made by Council Member Chris Barajas, seconded by Mayor Pro Tem Anthony Kelley, to approve the Agenda.

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

8. **PRESENTATIONS**

A. **JURUPA ROAD GRADE SEPARATION PROJECT STATUS AND DIRECTION TO STAFF**

Jim Smith, Special Projects Advisor introduced Patrick Somerville, Project Manager representing HNTB, who gave a presentation on the Jurupa Road Grade Separation Project. It was noted that the project has been environmentally cleared and the project design is 65% complete. As all funds must be expended by June 30, 2023, this project is on a very tight schedule. The right-of-way acquisition has commenced and meetings have been held with the community and the stakeholders.

In response to Council Member Lorena Barajas, it was noted that the project has a very aggressive construction schedule due to the funding requirements. Mayor Berkson reviewed the additional improvements on Rutile Street, 52nd Street and Pedley Road. He also inquired about how long the intersection would be closed (approximately 24 months) and the improvements to the south side of Jurupa Road.

Council Member Chris Barajas spoke about the impact to the businesses affected by the project. He inquired if a community outreach meeting could be held with
the businesses sooner than the one planned in early 2020. Discussion was held regarding the types of assistance available to businesses and it was noted that additional outreach would be provided. Mr. Somerville confirmed that equestrians will be able to use the buttons at the new traffic signals. He also indicated to Council Member Chris Barajas that parking restrictions could be implemented along the detour routes.

Mayor Pro Tem Anthony Kelly reviewed the equestrian and pedestrian trails to be provided for the project. He also reviewed the planned landscaping, and inquired about the large piece of land owned by Union Pacific Railroad, which will be gated to restrict access to the property. Council Member Chris Barajas suggested that the landscaping design could be modified to help deter panhandlers from the intersections.

B. SOLID WASTE PROGRAM – PRESENTED BY WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

Kyle Rodriguez, Staff Analyst, WRCOG, presented an update on the work the Solid Waste Committee has been doing and the development of solid waste regulations on recycling by the State. He addressed the mandatory commercial recycling program in Assembly Bill 341, the mandatory organics recycling guidelines in Assembly Bill 1826 and the short lived climate pollutants identified in Senate Bill 1383. He noted that WRCOG and the Solid Waste Committee will continue to provide resources and assist member agencies in meeting California’s recycling goals.

Sean McGovern, Senior Management Analyst noted that the compliant numbers are being increased but there is still much work to do. He indicated the need to consider a more formal enforcement program to help the City remain in compliance with the State’s goals.

C. PRESENTATION FROM ONEBODY CHARITABLE ORGANIZATION

Pastor Kermit Perry and Pastor Calvin Belcher provided information about ONEBODY, which is an organized group of local congregations, community groups and businesses committed to the physical and spiritual well-being of families in the Inland Empire area. In response to Council Member Lorena Barajas, it was noted that funding for 500 pairs of shoes is needed.

D. PRESENTATION FROM HABITAT FOR HUMANITY RIVERSIDE

Matt Friedlander, Director of Resource Development provided information about Habitat for Humanity Riverside. He spoke about the construction of 26 energy efficient, single-family homes in Jurupa Valley for veterans. Mr. Friedlander announced the 4th Annual Over the Edge fundraiser on Saturday, August 24, 2019.
9. **PUBLIC APPEARANCE/COMMENTS**

Spencer Rogers appreciated the work of code enforcement in curbing the illegal food truck vendors. He supports the mobile food trucks that operate legally in the City.

Bernard Murphy spoke about the need for CalTrans to clean up the landscaping along Limonite and Van Buren. He also encouraged the use of drought resistant landscaping.

Eddie Torres was present representing Assembly Member Sabrina Cervantes. He reported that the State budget has been passed and outlined the projects in the budget that benefit the City.

Jennifer Snyder indicated that she owned poultry and spoke about her concerns with the California Department of Food and Agriculture. She stated that residents can bring their birds to the front gate to be inspected, with the understanding that someone will still need to conduct a security check on the back yard.

Dennis John White indicated that his birds are kept at his father’s home. As his father is illiterate, clarification was needed on the notification that was received from the California Department of Food and Agriculture. Mr. White expressed concerns with the actions of the CDFA, noting that they did not follow proper protocol when they inspected the property.

Scott Lewis expressed concerns with homeless individuals in the medians. He indicated that the police are not responsive to this concern, nor did they respond to calls regarding illegal fireworks in the City. In response Mayor Berkson noted that concerned residents can contact the Sheriff’s Department and obtain an update on their call for service.

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

Mayor Pro Tem Anthony Kelly reported on a Backpack Drive at the Rubidoux Missionary Baptist Church on Saturday, August 3, 2019 from 11:00 a.m. to 2:00 p.m.

Mayor Brian Berkson reported that National Night Out will be held on Tuesday, August 6, 2019 at Silverlakes. Also, he reported that the City of Jurupa Valley’s first annual parade will be on Saturday, November 2, 2019.

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

A. **MAYOR BRIAN BERKSON**

2. Mayor Brian Berkson provided an update on the Metrolink / Southern California Regional Rail Authority Board workshop meeting on July 26, 2019.

B. MAYOR PRO TEM ANTHONY KELLY, JR.


12. CITY MANAGER’S UPDATE

There was no report.

13. APPROVAL OF MINUTES

A. JULY 18, 2019 REGULAR MEETING

A motion was made by Mayor Pro Tem Anthony Kelly, seconded by Council Member Lorna Barajas, to approve the Minutes of the July 18, 2019 regular meeting and the Minutes of the July 18, 2019 special meeting.

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

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 $1,892,764.17

Requested Action: That the City Council ratify the check registers dated July 11, and 18 as well as the payroll registers dated July 17, 2019.

C. ORDINANCE NO. 2019-08

Requested Action: That the City Council conduct a second reading and adopt 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 (HIGHLAND PARK 2)

D. ORDINANCE NO. 2019-09

Requested Action: That the City Council conduct a second reading and adopt 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 (HIGHLAND PARK 2)

E. APPROVAL OF PARCEL MAP 37165 LOCATED ON THE SOUTHWEST CORNER OF SOTO AVENUE (PRIVATE) AND JURUPA ROAD INCLUDING ACCEPTANCE OF OFFERS OF DEDICATION, APPROVAL OF SUBDIVISION AGREEMENTS, AND ACCEPTANCE OF IMPROVEMENT BONDS (R&R ROSAS 2008 FAMILY TRUST)

1. Requested Action: That the City Council approve Parcel Map 37165 and accept the dedications as follows:

   a. Accept the real property described as an easement for public utility purposes together with the right of ingress and egress for emergency vehicles Lots “A” and “B”, inclusive as shown on Parcel Map 37165.

   b. Accept the real property described as an easement for public utility purposes within a five foot wide strip easement on Parcel 1 indicated as “sewer easement”, with the right of ingress and egress for maintenance purposes as shown on Parcel Map 37165.

2. Authorize the Mayor and City Clerk to sign Parcel Map 37165.

3. Approve and authorize the Mayor and City Clerk to execute the Survey Monument Agreement.

4. Accept the Survey Monumentation Bond as a cash deposit in the amount of $2,160.
F. APPROVAL OF PARCEL MAP 37125 BOUNDED BY VAN BUREN BOULEVARD ON THE NORTH, ETIWANDA AVENUE ON THE EAST, RIVERSIDE DRIVE ON THE SOUTH, AND DAY CREEK CHANNEL ON THE WEST INCLUDING ACCEPTANCE OF OFFERS OF DEDICATION, APPROVAL OF SUBDIVISION AGREEMENTS, AND ACCEPTANCE OF IMPROVEMENT BONDS (GREENS INV 6, LLC)

1. Requested Action: That the City Council approve Parcel Map 37125 and accept the dedications as follows:
   
a. Accept the real property for streets and public utility purposes over all of Lots “A” and “B” as shown on Parcel Map 37125.

b. Accept the easement for pedestrian access as shown on Parcel Map 37125.

2. Authorize the Mayor and City Clerk to sign Parcel Map 37125.

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

4. Accept the Faithful Performance Bond No. SUR0055797 in the amount of $2,219,000 and Material and Labor Bond No. SUR0055797 in the amount of $1,109,500 from Argonaut Insurance Company for the construction of Improvements and Subdivision Monumentation Bond as a cash deposit in the amount of $2,160.

G. ADOPTION OF RESOLUTIONS REGARDING THE ANNEXATION OF ZONE L (PM 37125 FLABOB) TO CITY OF JURUPA VALLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED (“CITY OF JURUPA VALLEY L&LMD 89-1-C”), 42ND STREET AT FORT DRIVE AND TWINING STREET, AND RUBIDOULX BLVD. SOUTH OF TILTON AND NORTH OF 42ND STREET

1. Requested Action: That the City Council adopt Resolution No. 2019-64, entitled:

2. That the City Council adopt Resolution No. 2019-65, entitled:


3. That the City Council adopt Resolution No. 2019-66, entitled:


A motion was made by Council Member Lorena Barajas, seconded by Mayor Pro Tem Anthony Kelly, to approve the Consent Calendar.

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

15. CONSIDERATION OF ANY ITEMS REMOVED FROM THE CONSENT CALENDAR

16. PUBLIC HEARINGS

A. PUBLIC HEARING TO CONSIDER MASTER APPLICATION 19096 (MA19096) AND ZONING CODE AMENDMENT 19002 (ZCA19002) TO CHANGE SECTION 9.240.510 OF THE CITY OF JURUPA VALLEY ZONING CODE ADDING PROVISIONS AND DEVELOPMENT
STANDARDS FOR METAL SHIPPING CONTAINERS IN THE MANUFACTURING-MEDIUM (M-M) ZONE

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

Jean Ward, Senior Planning Consultant presented the staff report.

Further discussion followed.

Jeff Heitmann, representing McGrath Rentcorp., spoke in support of the proposed Ordinance.

Spencer Rogers inquired if the proposed Ordinance would allow metal shipping containers to be used by the public. He noted that they could be modified to provide sleeping arrangements for the homeless or a secure place for hay and tack.

Betty Anderson expressed a concern with McGrath Rentcorp’s landscaping. She also pointed out the number of illegal metal storage containers that are all over the City. Ms. Anderson voiced opposition to the Ordinance as it would encourage everyone to keep their illegal metal shipping containers.

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

Further discussion followed.

A motion was made by Mayor Pro Tem Anthony Kelly, seconded by Mayor Brian Berkson, to introduce Ordinance No. 2019-10, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, AMENDING SECTION 9.240.510 OF THE JURUPA VALLEY MUNICIPAL CODE TO MODIFY THE PERMITTED ZONING AND DEVELOPMENT STANDARDS FOR METAL SHIPPING CONTAINERS

Ayes: B. Berkson, A. Kelly
Noes: C. Barajas, L. Barajas
Absent: M. Goodland
MOTION FAILED

B. PUBLIC HEARING REGARDING THE ANNEXATION OF TERRITORY (ZONE N) 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; SOUTHEAST CORNER OF RUBIDOUX BOULEVARD AND 26TH STREET (MIDLAND CARRIERS)
Steve Loriso, City Engineer, presented the staff report.

Mayor Berkson opened the public hearing.

Debra McNay, Deputy City Clerk, reported that one owner cast one ballot. All votes cast were in favor of the annexation.

A motion was made by Council Member Chris Barajas, seconded by Mayor Pro Tem Anthony Kelly, to adopt Resolution No. 2019-67 entitled:


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

17. **COUNCIL BUSINESS**

A. **ADOPTION OF COMMUNITY SERVICE GRANTS FUNDING POLICY AND AWARD OF COMMUNITY SERVICES GRANTS TO ONEBODY SHOE DRIVE AND HABITAT FOR HUMANITY**

City Attorney Peter Thorson presented the staff report.

Council Member Lorena Barajas discussed a request made by the ONEBODY charitable organization for its OneShoe Campaign that would pay for 500 pairs of shoes.

Kim Johnson expressed a concern with the use of taxpayer dollars to fund non-profits in the City. She noted the many projects that the City should be funding. While she appreciated the work that these non-profits are doing, she opposed the approval of the Community Service Grant Policy and the award of the grants.

Further discussion followed about the possible use of Community Development Block Grant funding. As the CDBG funds have already been allocated, Council
Member Chris Barajas suggested that the Community Service Grants Funding policy be revised to include the CDBG rules.

Mayor Brian Berkson indicated that the revised policy should also provide for an application period, preferably prior to the adoption of the City’s budget. Also, the policy should provide a maximum dollar amount, reporting requirements and penalty for not adhering to the policy.

Further discussion followed.

By consensus, the City Council tabled the matter for 45 days so that the Community Service Grants Funding Policy could be revised.

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

B. ADOPTION OF A RESOLUTION AMENDING THE SCHEDULE OF PARKING FINES AND LATE PAYMENT PENALTIES FOR PARKING VIOLATIONS WITHIN THE CITY OF JURUPA VALLEY

Steve Loriso, City Engineer, presented the staff report.

Betty Anderson voiced concern that the truck drivers are ignoring the parking restrictions on Riverside Drive. Also, she stressed that the curbs should be thoroughly marked and enforced.

Further discussion followed.

In response to the City Council, City Attorney Peter Thorson clarified that the maximum fine provided by the County of Riverside is $1,000.00.

Mayor Pro Tem Anthony Kelly referenced Jurupa Valley Municipal Code Section 12.25.020, noting that providing a fine to the homeless population could be considered harassment. In response, City Attorney Peter Thorson stressed the need to enforce the regulations equally.

A motion was made by Council Member Chris Barajas, seconded by Mayor Pro Tem Anthony Kelly, to adopt Resolution 2019-68 as amended to list a $40.00 fine for Violating JVMC Section 12.25.020, a $1,000.00 fine for Violating JVMC Section 12.25.130 (Commercial Vehicle over 10K GVWR) and a $1,000.00 fine for Violating JVMC Section 12.25.130 (Commercial or Semi-Trailer in Residential Area), entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, AMENDING THE SCHEDULE OF PARKING
PENALTIES FOR PARKING VIOLATIONS AND LATE PAYMENT PENALTIES PURSUANT TO THE AUTHORITY OF THE CALIFORNIA VEHICLE CODE SECTION 40203.5 AND THE MUNICIPAL CODE OF THE CITY OF JURUPA VALLEY; AND

Repeal Resolution 2018-44.

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

C. INITIAL STUDY, MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MARKET STREET BRIDGE REPLACEMENT PROJECT

Mike Myers, Assistant City Engineer, presented the staff report.

Further discussion followed.

Council Member Lorena Barajas left the meeting at 9:20 p.m.

A motion was made by Mayor Pro Tem Anthony Kelly, seconded by Council Member Chris Barajas, to adopt Resolution 2019-69, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PROPOSED MARKET STREET BRIDGE REPLACEMENT PROJECT

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

D. WESTERN COMMUNITY ENERGY UPDATE - REAFFIRMATION OF PARTICIPATION IN THE COMMUNITY CHOICE AGGREGATION PROGRAM

Tyler Masters, Western Community Energy Program Manager, presented the report.

Further discussion followed.

A motion was made by Council Member Chris Barajas, seconded by Mayor Pro Tem Anthony Kelly, to reaffirm the City’s membership in the Western Community Energy Community Choice Aggregation program.
Ayes: C. Barajas, B. Berkson, A. Kelly
Noes: None
Absent: L. Barajas, M. Goodland

18. CITY ATTORNEY’S REPORT

City Attorney Peter Thorson had no report.

19. COUNCIL MEMBER REPORTS AND COMMENTS

Mayor Brian Berkson requested an update in 30 days on the participation/cost sharing agreement to evaluate the feasibility of creating a Police Services Joint Powers Authority.

Mayor Pro Tem Anthony Kelly noted the need to perform traffic studies and improve the residential streets that will be affected by the Market Street Bridge project.

20. ADJOURNMENT

There being no further business before the City Council, Mayor Berkson adjourned the meeting at 9:45 p.m.

The next meeting of the Jurupa Valley City Council will be held August 15, 2019 at 7:00 p.m. at the City Council Chamber, 8930 Limonite Avenue, Jurupa Valley, CA 92509.

Respectfully submitted,

Debra McNay, MMC
Deputy City Clerk