

**MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
May 7, 2020**

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

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

Mayor Anthony Kelly called the closed session meeting to order at 6:00 p.m. He announced that Mayor Pro Tem Lorena Barajas would be participating via teleconference.

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 on the advice of City's legal counsel pursuant to Government Code Sections 54956.9(d)(3) and (e)(3) with respect to the claim of Rocio Badilla.

C. 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)(2) with respect to one matter of potential litigation. The City Attorney has advised the Council that, in his opinion, a point has been reached in which there is a significant exposure to litigation involving the City based on existing facts and circumstances: On December 5, 2019, the City Council introduced Ordinance No. 2019-21 that would prohibit certain conduct on public property, including prohibiting camping, living in vehicles, hindering free passage of pedestrians, and bodily functions, and regulating the storage and removal of personal property on public property; on December 19, 2019, Desiree Sanchez of the American Civil Liberties Union of Southern California appeared before the City Council at a public meeting and stated that the ACLU believed the proposed ordinance violated the US Constitution and that the City would be sued in State or Federal court if it adopts the proposed Ordinance; on January 23, 2020 Council Member Chris Barajas, City Manager Rod Butler, Sheriff's Lieutenant

Danny Young, and Deputy City Attorney Brendan Kearns met with Ms. Sanchez and ACLU attorneys Tiffany Bailey and (via teleconference) Adrienna Wong to discuss the proposed ordinance; at that meeting Ms. Wong stated that the ACLU believed the proposed ordinance violated the US Constitution and that the ACLU would sue the City to invalidate the proposed ordinance should it be adopted as introduced.

3. 7:00 PM - RECONVENE IN OPEN SESSION

A. ANNOUNCEMENT OF ANY REPORTABLE ACTIONS IN CLOSED SESSION

City Attorney Peter Thorson announced that regarding Closed Session Item 2.B, the City Council, on a vote of 5/0, directed the employment attorney to settle the claim of Rocio Badilla in the amount of \$35,000.

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

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

Mayor Anthony Kelly called the regular meeting to order at 7:20 p.m.

5. INVOCATION was given by Pastor Kyle Fegan from Beacon Hill Assembly of God Church.

6. PLEDGE OF ALLEGIANCE was led by Council Member Micheal Goodland.

Mayor Kelly announced that Spanish translation services will be available for this meeting.

7. APPROVAL OF AGENDA

A motion was made by Council Member Chris Barajas, seconded by Council Member Micheal Goodland, to approve the Agenda. A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly

Noes: None

Absent: None

8. PRESENTATIONS

9. PUBLIC APPEARANCE/COMMENTS

Victoria Kirkman commented that despite having closed park signs due to the COVID-19 outbreak, a large number of people are still going to the river and parking in front of her home without parking permits. These individuals are not following the COVID-19 guidelines of wearing a mask or practicing social distancing. She voiced concern that there is no one patrolling the park area or advising visitors that the park is closed. When she called City Hall, she was told to call the Sheriff's office. She would like to see the City's Park Rangers checking the parks vs. having to call the Sheriff's Office.

Karen Bradford publicly acknowledged the members of the Jurupa Valley Sikh Mission coordinated by Gurpreet Singh and others, for their exceptional giving and humanitarian support that the Jurupa Valley temple is providing to the City's residents during the COVID-19 pandemic. She noted their mission of providing daily meals, masks and other supplies deserves appropriate public acknowledgement and the City's gratitude.

10. INTRODUCTIONS, ACKNOWLEDGEMENTS, COUNCIL COMMENTS AND ANNOUNCEMENTS

Council Member Chris Barajas acknowledged the many charitable organizations, churches, and individuals who have pulled together in this time of need to donate food and provide much needed support during the COVID-19 pandemic.

Council Member Micheal Goodland discussed the COVID-19 pandemic, expressing his views that Vitamin D and sunlight may be beneficial.

Mayor Anthony Kelly recognized all the organizations who are working together to serve those in need during the current COVID-19 crisis. He thanked all the health care workers for their heroic efforts and noted that they are working to save lives.

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

A. COUNCIL MEMBER BRIAN BERKSON

- 1. Council Member Berkson gave an update on the Metrolink / Southern California Regional Rail Authority meeting of April 24, 2020.**

B. COUNCIL MEMBER MICHEAL GOODLAND

- 1. Council Member Goodland gave an update on the Healthy Jurupa Valley Community meeting of May 2, 2020.**
- 2. Council Member Goodland gave an update on the Western Riverside Council of Governments meeting of May 4, 2020.**

12. CITY MANAGER’S UPDATE

City Manager Rod Butler reported that staff are working on the budget for the next fiscal year. The Council will be receiving an email requesting their availability for the last week in May for the first budget workshop meeting. He stated that he expects financial impacts related to the COVID-19 crisis.

13. APPROVAL OF MINUTES

A. APRIL 16, 2020 REGULAR MEETING

A motion was made by Council Member Micheal Goodland, seconded by Mayor Pro Tem Lorena Barajas, to approve the Minutes of the April 16, 2020 Regular meeting. A roll call vote was taken.

Roll Call:

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 \$ 2,974,790.04

C. ORDINANCE NO. 2020-04 – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council conduct a second reading and adopt Ordinance No. 2020-04, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE CITY OF JURUPA VALLEY OFFICIAL ZONING MAP CHANGING THE ZONE OF APPROXIMATELY 302.8 GROSS ACRES OF REAL PROPERTY LOCATED AT 1500 RUBIDOUX BOULEVARD (APNS: 175-170-005, PORTIONS OF -006, -027, -028, -030, -036, -040, -042, -043, -045, AND -046; 175-180-001; AND 175-200-001, -002, -003, -004, -005, -007, -008, -009) FROM MANUFACTURING-SERVICE COMMERCIAL (M-SC) AND

MANUFACTURING-HEAVY (M-H) ZONES TO SPECIFIC PLAN (SP) ZONE, AND MAKING FINDINGS PURSUANT TO CEQA

D. ORDINANCE NO. 2020-05 – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council conduct a second reading and adopt Ordinance No. 2020-05, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF JURUPA VALLEY AND CRESTMORE REDEVELOPMENT, LLC FOR THE AGUA MANSA COMMERCE PARK PROJECT

E. RESOLUTION RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE COVID-19 (CORONAVIRUS) PANDEMIC AND IMPOSING ADDITIONAL REGULATIONS TO DEAL WITH THE PANDEMIC – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

1. Requested Action: That the City Council adopt Resolution No. 2020-21, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY RELATING TO THE COVID-19 VIRUS PANDEMIC AND IMPOSING ADDITIONAL REGULATIONS TO DEAL WITH COVID-19 PANDEMIC

2. Receive City Staff oral briefing on impacts to the City and City’s response to COVID-19 pandemic and provide direction to Staff regarding future actions.

F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY ACCEPTING CERTAIN STREETS INTO THE CITY MANTAINED STREET SYSTEM FOR TRACT MAP 33428-2 HARVEST VILLAGES LOCATED EAST OF PATS RANCH ROAD, WEST OF WINEVILLE AVENUE, NORTH OF BOCA PLACE, AND SOUTH OF PARKCENTER DRIVE (LENNAR HOMES OF CALIFORNIA, INC.

1. Requested Action: That the City Council adopt Resolution No. 2020-22, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ACCEPTING CERTAIN

**STREETS INTO THE CITY MAINTAINED STREET SYSTEM
(TRACT MAP 33428-2 HARVEST VILLAGES EAST OF PATS
RANCH ROAD, WEST OF WINEVILLE AVENUE, NORTH OF
BOCA PLACE, AND SOUTH OF PARKCENTER DRIVE).
PURSUANT TO STREETS AND HIGHWAYS CODE SECTION
1806**

2. Authorize the City Manager to record the Notice of Completion now that public improvements have been accepted by the City Engineer; and
3. Direct the City Engineer to release the Labor and Materials Bond for the street improvements and the Monument Bond 90 days after the recordation of the Notice of Completion unless the City receives a stop notice or other lien; and
4. Direct the City Engineer to reduce the Performance Bond for the street improvements to start the one-year warranty period after which the City Engineer may fully release the bond.

**G. APPROVAL OF PARCEL MAP 32563 LOCATED ON THE EAST SIDE OF
LUCRETIA AVENUE BETWEEN HOLMES AVENUE AND 64TH STREET
INCLUDING ACCEPTANCE OF OFFERS OF DEDICATION,
ACCEPTANCE OF IMPROVEMENT BONDS AND AGREEMENTS AND
SURVEY MONUMENTATION BOND AND AGREEMENT (DA XIONG
AND LI JUAN ZHENG)**

1. Requested Action: That the City Council approve Parcel Map 32563 and accept the dedications as follows:
 - a. Accept the offers of dedication of easement for street and public utility purposes over Lots “A” through “F” inclusive as shown on Parcel Map 32563.
 - b. Release and relinquishment of abutter’s rights of access along Holmes Avenue, the owners of Parcels 2 and 3 abutting this highway and during such time will have no rights of access except the general easement of travel as shown on Parcel Map 32563.
2. Authorize the Mayor and City Clerk to sign Parcel Map 32563.
3. Approve and authorize the Mayor and City Clerk to execute the Subdivision Improvement Agreement.
4. Accept the cash bond deposit in the amount of \$135,500.

H. RELEASE OF IMPROVEMENT BONDS FOR PARCEL MAP 37005 LOCATED ON THE NORTHWEST CORNER OF DE FOREST CIRCLE AND NOBEL COURT (DAVIS JCR MIRA LOMA INDUSTRIAL LAND INVESTORS, LLC)

1. Requested Action: That the City Council authorize the City Manager to record the Notice of Completion now that public improvements have been accepted by the City Engineer; and
2. Direct the City Engineer to release the Labor and Materials Bond for the street improvements and the Monument Bond 90 days after the recordation of the Notice of Completion unless the City receives a stop notice or other lien; and
3. Direct the City Engineer to release the Performance Bond for the water and sewer improvements.

I. RESOLUTION AMENDING THE APPLICABLE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) APPLICABLE TO ALL DEVELOPMENTS IN THE CITY OF JUJRUPA VALLEY AND AMENDING THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) APPLICABLE TO ALL NEW DEVELOPMENT NOT OTHERWISE EXEMPT IN THE CITY OF JURUPA VALLEY

Requested Action: That the City Council adopt Resolution No. 2020-23, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, AMENDING THE APPLICABLE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) APPLICABLE TO ALL DEVELOPMENTS IN THE CITY OF JURUPA VALLEY

J. AWARD OF CONSTRUCTION AGREEMENT TO ONYX PAVING COMPANY, INC. FOR COREY STREET AND KENNEDY STREET PAVEMENT REHABILITATION, CIP PROJECT NO. 19104 – 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 \$272,000 for the Corey Street and Kennedy Street Pavement Rehabilitation Project (Agreement) for the work included in its proposal, and authorize the City Manager to execute the Agreement in substantially the form and format attached to the staff report and in such final form as approved by the City Attorney; and

2. Authorize the City Manager to execute contract change orders not to exceed 10% 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.

K. APPROVAL OF CONTRACT CHANGE ORDER NO. 1 – TRAFFIC SIGNAL MODIFICATIONS, CIP PROJECT NO. 17-C.2 – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

1. Requested Action: That the City Council authorize the City Manager to execute Contract Change Order No. 1, pursuant to the requirements set forth in the agreement; and
2. That the City Council appropriate \$18,520 of unencumbered Development Impact Fee funds to the project account to fund the total project costs.

L. APPROVAL OF OPTIONAL PROVISIONS TO ICMA-RC TO PROVIDE CORONA-VIRUS RELATED RELIEF – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council approve new optional provisions to ICMA-RC in order to provide Coronavirus-related relief.

A motion was made by Council Member Chris Barajas, seconded by Council Member Micheal Goodland, to approve the Consent Calendar with the exception of Items No. 14.C, 14.D, 14.E, 14.J, 14.K, and 14.L, which were removed for further discussion. A roll call vote was taken.

Roll Call:

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.C ORDINANCE NO. 2020-04

Council Member Brian Berkson requested that Item 14.C be removed from the Consent Calendar so that he could vote “NO” on the Ordinance.

A motion was made by Council Member Chris Barajas, seconded by Council Member Micheal Goodland, to adopt Ordinance No. 2020-04, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE CITY OF JURUPA VALLEY OFFICIAL ZONING MAP CHANGING THE ZONE OF APPROXIMATELY 302.8 GROSS ACRES OF REAL PROPERTY LOCATED AT 1500 RUBIDOUX BOULEVARD (APNS: 175-170-005, PORTIONS OF -006, -027, -028, -030, -036, -040, -042, -043, -045, AND -046; 175-180-001; AND 175-200-001, -002, -003, -004, -005, -007, -008, -009) FROM MANUFACTURING-SERVICE COMMERCIAL (M-SC) AND MANUFACTURING-HEAVY (M-H) ZONES TO SPECIFIC PLAN (SP) ZONE, AND MAKING FINDINGS PURSUANT TO CEQA

A roll call vote was taken.

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

14.D ORDINANCE NO. 2020-05

Council Member Brian Berkson requested that Item 14.D be removed from the Consent Calendar so that he could vote “NO” on the Ordinance.

A motion was made by Council Member Chris Barajas, seconded by Council Member Micheal Goodland, to adopt Ordinance No. 2020-05, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF JURUPA VALLEY AND CRESTMORE REDEVELOPMENT, LLC FOR THE AGUA MANSA COMMERCE PARK PROJECT

A roll call vote was taken.

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

14.E RESOLUTION RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE COVID-19 (CORONAVIRUS) PANDEMIC AND IMPOSING ADDITIONAL REGULATIONS TO DEAL WITH THE PANDEMIC

Council Member Chris Barajas requested that Item 14.E be removed from the Consent Calendar for further discussion. He requested that the language in the

resolution be modified as follows: 1) to be consistent with the Governor's Order; 2) keep the language regarding utility shutoffs and eviction protections; and 3) keep Downey Park closed.

Further discussion followed.

Council Member Goodland suggested an additional modification to the resolution to Section 2(c) that the City Council shall review the local emergency proclamation at least every thirty (30) days instead of every sixty (60) days.

A motion was made by Council Member Chris Barajas, seconded by Council Member Chris Barajas, to adopt Resolution No. 2020-21, as modified, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY RELATING TO THE COVID-19 VIRUS PANDEMIC AND IMPOSING ADDITIONAL REGULATIONS TO DEAL WITH COVID-19 PANDEMIC; AND

A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly

Noes: None

Absent: None

14.J AWARD OF CONSTRUCTION AGREEMENT TO ONYX PAVING COMPANY, INC. FOR COREY STREET AND KENNEDY STREET PAVEMENT REHABILITATION, CIP PROJECT NO. 19104

Mayor Pro Tem Lorena Barajas requested that Item 14.J be removed from the Consent Calendar for further discussion. She requested a list of the proposed streets that are scheduled for pavement rehabilitation for District No. 1.

A motion was made by Mayor Pro Tem Lorena Barajas, seconded by Council Member Micheal Goodland, to approve and award a construction agreement to Onyx Paving Company, Inc. in the amount of \$272,000 for the Corey Street and Kennedy Street Pavement Rehabilitation Project (Agreement) for the work included in its proposal, and authorize the City Manager to execute the Agreement in substantially the form and format attached to the staff report and in such final form as approved by the City Attorney; authorize the City Manager to execute contract change orders not to exceed 10% of the total agreement, pursuant to requirements set forth in the agreement; and authorize the City Manager to record the Notice of Completion upon acceptance of the work by the City Engineer.

A roll call vote was taken.

Roll Call:

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

14.K APPROVAL OF CONTRACT CHANGE ORDER NO. 1 – TRAFFIC SIGNAL MODIFICATIONS, CIP PROJECT NO. 17-C.2

Council Member Brian Berkson requested that Item 14.K 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 Brian Berkson, seconded by Council Member Chris Barajas, to authorize the City Manager to execute Contract Change Order No. 1, pursuant to the requirements set forth in the agreement; and appropriate \$18,520 of unencumbered Development Impact Fee funds to the project account to fund the total project costs.

A roll call vote was taken.

Roll Call:

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

14.L APPROVAL OF OPTIONAL PROVISIONS TO ICMA-RC TO PROVIDE CORONA-VIRUS RELATED RELIEF

Mayor Pro Tem Lorena Barajas requested that Item 14.L be removed from the Consent Calendar for further discussion.

Connie Cardenas, Administrative Services Director, provided additional information and responded to Council's questions.

A motion was made by Mayor Pro Tem Lorena Barajas, seconded by Council Member Micheal Goodland, to approve new optional provisions to ICMA-RC in order to provide Coronavirus-related relief.

A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly

Noes: None

Absent: None

16. PUBLIC HEARINGS

- A. PUBLIC HEARING TO CONSIDER CALLING A SPECIAL ELECTION; DECLARING THE RESULTS OF THE ELECTION; AND APPROVING FORMATION AND LEVY OF SPECIAL TAXES FOR CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. 2019-001 (PARADISE KNOLLS) GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LIMONITE AVENUE AND DOWNEY STREET, TRACT NO. 36822**

Steve Loriso, City Engineer, presented the staff report.

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

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

A motion was made by Council Member Micheal Goodland, seconded by Council Member Brian Berkson, to adopt Resolution Nos. 2020-24 and 2020-25, entitled:

A RESOLUTION OF FORMATION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, TO ESTABLISH CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. 2019-001 (PARADISE KNOLLS), TO ESTABLISH AN APPROPRIATIONS LIMIT THEREFORE, TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN, AND TO SUBMIT THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT AND THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS THEREOF; AND

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, CALLING A SPECIAL ELECTION AND SUBMITTING TO THE QUALIFIED ELECTORS OF CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. 2019-001 (PARADISE KNOLLS) PROPOSITIONS REGARDING THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT AND THE ANNUAL LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT

A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly

Noes: None

Absent: None

Mayor Kelly asked the City Clerk to tabulate the ballots.

The City Clerk responded that one owner cast one ballot. All votes cast were in favor of the special tax.

A motion was made by Council Member Micheal Goodland, seconded by Council Member Brian Berkson, to adopt Resolution No. 2020-26, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ELECTION IN CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. 2019-001 (PARADISE KNOLLS) AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN

A roll call vote was taken.

Roll Call:

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 Brian Berkson, to introduce Ordinance No. 2020-06, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO. 2019-001 (PARADISE KNOLLS) AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN

A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly

Noes: None

Absent: None

B. PUBLIC HEARING TO CONSIDER THE APPEAL OF THE PLANNING COMMISSION'S DECISION ON MA18239 (CUP NO. 18011) FOR THE APPROVAL OF THE CONSTRUCTION OF A 15,000 SQUARE-FOOT CONCRETE TILT-UP INDUSTRIAL BUILDING AND THE ESTABLISHMENT OF A TRUCKING OPERATION PROPOSED ON RUBIDOUX BOULEVARD, NORTH OF 28TH STREET (APN: 178-222-010) CASE NUMBER: MA20063 (AP20002), (APPLICANT: COUNCILMEMBER CHRIS BARAJAS)

Chris Mallec, Associate Planner, presented the staff report. He reported that the applicant's Conditional Use Permit was approved by the Planning Commission at their April 8, 2020 meeting. Council Member Chris Barajas filed an appeal on April 15, 2020 asking that the CUP application be heard by the entire City Council. Mr. Mallec outlined the proposed uses which include administrative offices, a maintenance facility, and a truck/trailer parking area. The hours of operation will be Monday through Friday with approximately 25 truck trips per week.

Mayor Pro Tem Lorena Barajas asked for clarification regarding the proposed site improvements and landscaping.

Daver Rodriguez, representing JNB Transport (applicant) spoke in support of the CUP application, stating that Federal Express is their client and they will be mainly utilizing bobtail trucks except during the peak season (October through January) when they will offer trailers that leave in October and return back to their facility by January. He reported that their operation covers 16 routes and they outsource all the main truck repairs to Ryder.

Greg Lord, representing Lord Constructors, Inc. (representing the applicant) provided additional information and responded to Council's questions.

Council Member Brian Berkson asked Staff to provide information about the zoning of the surrounding properties and where the truck trailers will be stored during the off-season.

Daver Rodriguez, representing JNB Transport (applicant) responded that there are 10 spaces for the truck trailers. Their plans are to go full electrical in the future.

Council Member Micheal Goodland expressed a concern that the one driveway out of the facility be restricted to right-turns only.

Further discussion followed.

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

Leslie Altamirano commented that as a trucking business owner, she strongly opposes a truck yard near her home. She noted that she and her four-year old were

recently diagnosed with asthma since moving to Rubidoux. Having more trucks parked and attracting that type of business will continue to severely impact the air quality and she would like to see some programs like the one in Riverside where they give vouchers for planting trees. She stated that the City's air quality is in dire need of help and she is opposed to bringing in more pollution.

Daver Rodriguez, representing JNB Transport (applicant), stated that they have had issues with homeless activity in their yard, noting that there was a fire set recently. Their goal is to build this project using responsible environmental practices, to hire locally, and to keep the area clean and secure.

Further discussion followed.

Council Member Brian Berkson asked whether there were any plans to build a higher perimeter wall on the south side to protect against noise impacts from the adjacent homes and adding electrical outlets for all truck parking stalls.

Further discussion followed.

Mayor Pro Tem Lorena Barajas stated that she appreciates that the applicant is moving his project towards the green side by transitioning to electric trucks and installing solar panels.

Council Member Chris Barajas stated that truck yards are currently in demand; however, they provide no tax revenue where land can be better suited. He stated that there are homes and apartments on Rubidoux and this project will create negative impacts such as air pollution, noise, and road deterioration. He asked whether a truck yard will build up this neighborhood. He stated that this project is located too close to homes and it will create too many negative environmental impacts. It will also create a loss of valuable frontage in Rubidoux that could actually benefit the residents.

Daver Rodriguez, representing JNB Transport (applicant), advised that he is a small operator. His contract with Federal Express allows a maximum of 15 units. He stated that he intends to build a beautiful building that will keep out the transients who are currently living there and littering the property. He stated that he has been a contractor since 2008 and he has had the same amount of trucks.

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 direct staff to prepare a resolution rescinding the Planning Commission's action.

A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, B. Berkson, M. Goodland

Noes: L. Barajas, A. Kelly

Absent: None

17. COUNCIL BUSINESS

A. COUNCIL INITIAL CONSIDERATION OF SUBMITTING A BALLOT MEASURE FOR THE VOTERS TO ADOPT NEW REGULATIONS GOVERNING COMMERCIAL CANNABIS ACTIVITIES IN THE CITY, INCLUDING THE SALE, MANUFACTURE, TESTING, AND CULTIVATION OF CANNABIS AND TO INCREASE THE TAX ON COMMERCIAL CANNABIS ACTIVITY IN THE CITY

City Attorney Peter Thorson presented the staff report and summarized the new regulations governing commercial cannabis businesses in the proposed ballot measure.

City Manager Rod Butler acknowledged the good work of the City Attorney's Office in putting forth this measure. He outlined what the proposed measure would do as far as providing a strong, thorough regulatory system that would also produce some additional revenue for the City. He suggested implementing a well-structured educational campaign that complies with the law.

Further discussion followed.

Brandon Vargas commented that he owns several commercial properties in Jurupa Valley for which he pays his fair share of property taxes. He also holds a cannabis license in the City of Jurupa Valley. He outlined California's Prop 64 which was approved in 2016 and legalized the adult use of cannabis statewide. Prop 64 also created a state excise tax of 15% for retail dispensaries. He outlined the issues for the cannabis industry and their struggles to pay income taxes while competing with the black market to stay competitive.

Mark Anderson commented that he is the owner of multiple local cannabis licenses that will soon open. As a cannabis owner and operator, he is faced with significant regulatory expenses; increased real estate expenses; and a multitude of standard business expenses that are also non-deductible. He indicated that he must operate on one of the thinnest margins a business can face, while at the same time having to compete with the black market. He urged the Council to maintain the prior voted tax measure to allow him to offer more employment and value for the local economy.

Braelee Conticchio commented that she is a local resident who currently uses cannabis for medical reasons. The 25% tax that she is charged now causes strain on her budget. If there is an additional tax added, it will make it even harder for her to ensure she can afford cannabis so she can work on a normal basis and lead a healthy, happy life. She urged the Council to vote against the extra tax.

Geoff Faila commented that he is a consultant for cannabis companies locally and across the state. A lot of business decisions and capital has been deployed under the prior taxes set locally and an increase will impact all beneficiaries of the local economy in a negative way. As taxes increase on an already highly regulated industry that expense will have to be passed through reduced employment, increased cost for patients, decreased sales, less improvements to existing real estate, and less real estate being utilized to operate. He urged the Council to allow cannabis businesses to operate under reasonable taxation to provide jobs and local economic flow.

Scotty Hewitt commented that he is the license holder and operator of the Remedy Room located at 8642 Limonite. He has budgeted and calculated expenses based on the current tax laws previously voted and passed locally. These taxes are in addition to other state taxes that are burdens to those operating in cannabis statewide. His goal is to provide a much-needed service to local residents at a reasonable cost as most use cannabis for underlying medical issues and to hire locally and provide much-needed jobs. He indicated that he would be interested in working with the City as well as other cannabis operators and owners to develop a solution that is in the best interests of all involved.

Following discussion, the Council provided direction to Staff as to provisions to be included in the new regulations and tax.

B. INTRODUCTION OF AN ORDINANCE OF THE CITY OF JURUPA VALLEY PROVIDING FOR THE PROTECTION OF HEALTH AND SAFETY ON PUBLIC PROPERTY, INCLUDING PROHIBITING CERTAIN CONDUCT ON PUBLIC PROPERTY AND THE REMOVAL AND CLEAN-UP OF TRASH, DEBRIS AND ABANDONED PERSONAL PROPERTY

City Attorney Peter Thorson presented the staff report.

A motion was made by Council Member Micheal Goodland, seconded by Council Member Chris Barajas, to introduce Ordinance No. 2020-06, entitled:

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ADDING CHAPTERS 11.75 AND 11.80 TO THE JURUPA VALLEY MUNICIPAL CODE PROVIDING FOR THE PROTECTION OF HEALTH AND SAFETY ON PUBLIC PROPERTY, INCLUDING PROHIBITING LIVING IN VEHICLES, HINDERING FREE PASSAGE OF

PEDESTRIANS, CERTAIN BODILY FUNCTIONS, AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY AND PROVIDING FOR THE REMOVAL AND CLEAN-UP OF TRASH, DEBRIS AND ILLEGALLY STORED OR ABANDONED PERSONAL PROPERTY; AND

That the City Council adopt a revised Administrative Procedure regarding the Removal of Unlawful Campsites and Personal Property.

A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly

Noes: None

Absent: None

- C. FORMATION OF AN AD HOC COMMITTEE TO ADVISE THE CITY COUNCIL ON THE USE AND ALLOCATION OF THE FUTURE FUNDS FROM THE DEVELOPMENT AGREEMENT FOR THE “AGUA MANSA COMMERCE PARK PROJECT” MASTER APPLICATION (MA) NO. MA16170 [GPA16003, CZ16008, SP16002, DA16002, TPM37528 & SDP18044]**

City Manager Rod Butler presented the staff report. Mr. Butler outlined the purpose of the Ad Hoc Committee which is to advise the Council on the use of the funds that come from the Development Agreement. The Ad Hoc Committee would comprise two members of the City Council that would report back to the full City Council.

Kim Jarrell Johnson commented that she does not agree with the formation of this committee as an Ad Hoc Committee would cause twice the work and cause staff to spend twice the time on this issue. She would prefer that the entire Council made these monetary decisions, not just receive what an Ad Hoc Committee wants them to see.

Further discussion followed.

A motion was made by Mayor Anthony Kelly, seconded by Council Member Micheal Goodland, to approve the formation of an Ad Hoc Committee to advise the City Council concerning the City’s use and allocation of the funds received pursuant to the “Development Agreement between the City of Jurupa Valley and Crestmore Redevelopment, LLC for the Agua Mansa Commerce Park Project” and appoint Mayor Anthony Kelly and Mayor Pro Tem Lorena Barajas, to the Ad Hoc Committee, with the City Manager, the Deputy City Manager, and the Administrative Services Director serving as the staff to the Ad Hoc Committee.

A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly

Noes: None

Absent: None

D. DISCUSSION OF SHOPPING CART REGULATORY ORDINANCE (AT THE REQUEST OF COUNCIL MEMBER CHRIS BARAJAS)

City Attorney Peter Thorson presented the staff report.

Council Member Chris Barajas clarified why he brought this item forward. He noted that such an ordinance would help reduce the number of abandoned shopping carts that create blight throughout the City.

Council Member Brian Berkson noted that there is wheel-locking technology to help deter the removal of shopping carts and he would like that alternative to be made part of the ordinance.

Further discussion followed.

A motion was made by Council Member Chris Barajas, seconded by Council Member Micheal Goodland, to direct Staff to prepare an ordinance regulating the use of shopping carts in the City. A roll call vote was taken.

Roll Call:

Ayes: C. Barajas, L. Barajas, B. Berkson, M. Goodland, A. Kelly

Noes: None

Absent: None

E. CONSIDERATION OF A JURUPA VALLEY COVID-19 (CORONAVIRUS) SMALL BUSINESS STIMULUS PROGRAM

City Manager Rod Butler presented the staff report. He reported that due to the COVID-19 crisis, the City is expected to receive funding through the Corona Virus Relief Act (CARES Act). He outlined the City's available options for a small business stimulus program which includes either a grant program to be funded with Community Development Block Grant (CDBG) monies, or a loan program funded with General Fund reserves.

Sean McGovern, Management Analyst, provided additional information regarding the Community Development Block Grant program and how a small business assistance program would be structured using the CDBG grant management program.

Further discussion followed.

Council Member Brian Berkson suggested that the small business assistance program should be made available to only those businesses that have maintained a City business registration prior to the COVID-19 crisis.

Council Member Chris Barajas suggested an additional eligibility requirement that would mandate a minimum number of employees.

Further discussion followed.

Council Member Chris Barajas proposed a grant of \$100,000 be made to the Path of Life for their rent and utility assistance program and \$300,000 for a grant for the small business stimulus program.

Sean McGovern, Management Analyst clarified how the funding mechanism will need to be spent according to the CARES Act requirements. He added that the grant funding will also be required to go through the annual action plan and public service grant process.

The Council provided direction to staff preferring a grant program to be funded with supplemental Community Development Block Grant (CDBG) monies.

18. CITY ATTORNEY'S REPORT

City Attorney Peter Thorson had no report.

19. COUNCIL MEMBER REPORTS AND COMMENTS

Council Member Chris Barajas announced that Western Community Energy went live last week and several residents even opted for the green energy alternative.

Mayor Pro Tem Lorena Barajas requested a weekly video update on the COVID-19 pandemic that could be posted to the City's social media platforms to keep residents informed during this evolving situation.

Council Member Micheal Goodland urged residents to stay safe and take a Vitamin D supplement.

Council Member Brian Berkson announced that Burrtec Waste is changing their pick-up schedule. He urged residents to stay safe during the current pandemic and stay at home as much as they can.

Mayor Anthony Kelly thanked City staff. He urged residents to be safe and practice social distancing. He announced that he hosted an Instagram Live Chat regarding the approach to graduations this year. In light of the COVID-19 crisis, he suggested a light show at Mt.

Rubidoux which may help lift the spirits of the 2020 graduates. He announced that he will provide a live update every Monday on Instagram.

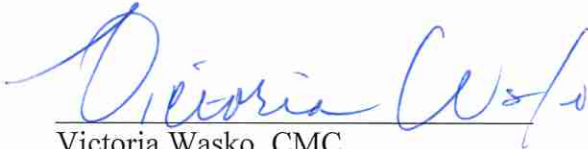
Discussion followed regarding the Mayor's social media updates.

20. ADJOURNMENT

There being no further business before the City Council, Mayor Kelly adjourned the meeting at 11:13 p.m.

The next meeting of the Jurupa Valley City Council will be held May 21, 2020 at 7:00 p.m. at the City Council Chamber, 8930 Limonite Avenue, Jurupa Valley, CA 92509.

Respectfully submitted,



Victoria Wasko, CMC
City Clerk