

**MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
June 4, 2020**

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

1. 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 7:04 p.m.

2. INVOCATION was given by Pastor Jeremy Williams from Grace Fellowship Church.

3. PLEDGE OF ALLEGIANCE was led by George Wentz.

4. 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

5. PRESENTATIONS

6. PUBLIC APPEARANCE/COMMENTS

There were no public comments.

7. INTRODUCTIONS, ACKNOWLEDGEMENTS, COUNCIL COMMENTS AND ANNOUNCEMENTS

Mayor Anthony Kelly thanked all who are watching tonight's meeting. He stated that he had the opportunity to attend one of the protests over the death of George Floyd. He urged everyone to work together during this painful time. He congratulated the class of 2020.

Council Member Chris Barajas congratulated all Jurupa Valley graduates this year, noting that he is a Jurupa Valley High School alumnus.

Mayor Pro Tem Lorena Barajas congratulated the class of 2020. She commented that as protests over the death of George Floyd sweep the community, she urged residents to please respect and honor one another. She added that the residents need to be safe during the protests as the coronavirus pandemic is still a threat to the public's safety.

Council Member Micheal Goodland voiced support of the protests over the death of George Floyd; however, he does not support the rioting and those who were killed during the protests. He urged residents to be safe and bring God back into their lives to help heal and honor those lost.

Council Member Brian Berkson congratulated the class of 2020. He congratulated his wife Samantha who recently graduated from Riverside Community College and was accepted to Cal Poly Pomona. He expressed his views over the tragic death of George Floyd who died while in police custody and the protests which have allowed people to let their voices be heard. He voiced support of the protestors and their right to bring about positive change.

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

A. MAYOR ANTHONY KELLY, JR.

- 1. Mayor Kelly gave an update on the Riverside Transit Agency Board of Director's meeting of May 28, 2020.**

B. MAYOR PRO TEM LORENA BARAJAS

- 1. Mayor Pro Tem Barajas announced that the Western Riverside County Regional Conservation Authority meeting of June 1, 2020 was cancelled.**

C. COUNCIL MEMBER MICHEAL GOODLAND

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

9. CITY MANAGER'S UPDATE

City Manager Rod Butler reported that at the suggestion of Council Berkson, he has lined up two cannabis industry experts for a Council workshop on June 18, 2020 at 5:00 p.m. He asked if there was any desire for the Council to cancel any of their summer meetings. Following discussion, there was a vote of 3/2 to keep the regular Council meeting schedule.

10. APPROVAL OF MINUTES

A. MAY 21, 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 May 21, 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

11. 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 \$580,387.99

Requested Action: That the City Council ratify the check registers dated May 14 and 21, 2020 as well as the payroll register dated May 16, 2020.

C. ORDINANCE NO. 2020-09

Requested Action: That the City Council conduct a second reading and adopt Ordinance No. 2020-09, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ADDING CHAPTER 11.75 TO THE JURUPA VALLEY MUNICIPAL CODE REGULATING THE USE AND STORAGE OF SHOPPING CARTS AND PROVIDING FOR THE RECOVERY OF LOST, STOLEN, OR ABANDONED SHOPPING CARTS

D. CONSIDERATION OF A RESOLUTION CONFIRMING THE REPORT OF DELINQUENT SOLID WASTE FEES AND INITIATING THE PROCEEDINGS TO MAKE DELINQUENT SOLID WASTE COLLECTION SERVICES FEES A SPECIAL ASSESSMENT AND LIEN AGAINST CERTAIN PARCELS OF PROPERTY SITUATED WITHIN THE CITY AND SETTING THE PUBLIC HEARING FOR JULY 16, 2020 (BURRTEC SOLID WASTE INDUSTRIES, INC.)

Requested Action: That the City Council adopt Resolution No. 2020-36, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, RECEIVING THE REPORT OF DELINQUENT ACCOUNTS FOR SOLID WASTE SERVICES PROVIDED BY BURRTEC SOLID WASTE INDUSTRIES, INC. AND SETTING THE PUBLIC HEARING FOR ESTABLISHING A LIEN ON CERTAIN PROPERTIES IN THE AMOUNT OF DELINQUENT SOLID WASTE COLLECTION FEES DUE FROM THE PROPERTIES

- E. CONSIDERATION OF A RESOLUTION CONFIRMING THE REPORT OF DELINQUENT SOLID WASTE FEES AND INITIATING THE PROCEEDINGS TO MAKE DELINQUENT SOLID WASTE COLLECTION SERVICES FEES A SPECIAL ASSESSMENT AND LIEN AGAINST CERTAIN PARCELS OF PROPERTY SITUATED WITHIN THE CITY AND SETTING THE PUBLIC HEARING FOR JULY 16, 2020 (USA WASTE OF CALIFORNIA, INC.)**

Requested Action: That the City Council adopt Resolution No. 2020-37, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, RECEIVING THE REPORT OF DELINQUENT ACCOUNTS FOR SOLID WASTE SERVICES PROVIDED BY USA WASTE OF CALIFORNIA, INC. AND SETTING THE PUBLIC HEARING FOR ESTABLISHING A LIEN ON CERTAIN PROPERTIES IN THE AMOUNT OF DELINQUENT SOLID WASTE COLLECTION FEES DUE FROM THE PROPERTIES

- F. CONSIDERATION OF RESOLUTIONS REGARDING THE ANNUAL ASSESSMENTS FOR CITY OF JURUPA VALLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED (JV L&LMD NO. 89-1-C) – CITYWIDE**

1. Requested Action: That the City Council adopt Resolution No. 2020-38, entitled:

A RESOLUTION OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ORDERING THE PREPARATION OF THE ENGINEER’S REPORT REGARDING PROPOSED ASSESSMENTS TO BE LEVIED AND COLLECTED FOR FISCAL YEAR 2020-21 WITHIN 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, K, L, M, N, AND O; AND STREET LIGHTING ZONES 5, 7, 15, 17, 19, 39, 41, 62, 69, 86, 91, 93, 94, 102, 2-A, 2-B, 2-C, 2-D, 2-E, AND 2-F OF CITY OF

**JURUPA VALLEY LANDSCAPE AND LIGHTING
MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF
1972**

2. That the City Council adopt Resolution No. 2020-39, entitled:

A RESOLUTION OF THE CITY OF JURUPA VALLEY, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN 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, K, L, M, N, AND O; AND STREET LIGHTING ZONES 5, 7, 15, 17, 19, 39, 41, 62, 69, 86, 91, 93, 94, 102, 2-A, 2-B, 2-C, 2-D, 2-E, AND 2-F OF THE CITY OF JURUPA VALLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF LANDSCAPING, MULTI-PURPOSE TRAILS, FENCING, FOSSIL FILTERS, BIO-SWALES, GRAFFITI ABATEMENT, TRAFFIC SIGNALS, BRIDGE LIGHTS, AND STREET LIGHTS FOR FISCAL YEAR 2020-21; AND GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNUAL ASSESSMENT AND ORDERING NOTICE OF THE PUBLIC HEARING TO BE PUBLISHED

G. COMPLIANCE REPORT FOR AB 1600 DEVELOPMENT IMPACT FEES

Requested Action: That the City Council receive and file the annual compliance report for Development Impact Fees.

A motion was made by Mayor Pro Tem Lorena Barajas, seconded by Council Member Micheal Goodland, to approve the Consent Calendar. A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

12. CONSIDERATION OF ANY ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the Consent Calendar.

13. PUBLIC HEARINGS

A. PUBLIC HEARING TO CONSIDER ADOPTION OF JURUPA VALLEY ENVIRONMENTAL REVIEW GUIDELINES TO PROVIDE IMPLEMENTATION PROCEDURES AND ESTABLISH THRESHOLDS OF SIGNIFICANCE, INCLUDING VEHICLE MILES TRAVELED METHODOLOGY IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Tamara Campbell, Principal Planner, presented the staff report. Ms. Campbell summarized the new state environmental guidelines that call for the use of a broader measure called Vehicle Miles Traveled (VMT), which measures the total amount of driving over a given area. This new methodology will determine how developments mitigate their transportation impacts.

Ernie Perea, the City’s Environmental Consultant provided additional information and explained that the purpose of the VMT is to reduce greenhouse gas emissions and will be contained the CEQA documentation. He indicated that the City will still maintain the level of service methodology because it is contained in the General Plan. It is also used to determine circulation issues and capital improvements.

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

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

Following discussion, a motion was made by Council Member Chris Barajas, seconded by Mayor Pro Tem Lorena Barajas, to adopt Resolution No. 2020-40, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ADOPTING THE PROPOSED ENVIRONMENTAL REVIEW GUIDELINES AND THRESHOLDS OF SIGNIFICANCE

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 FOR THE AMENDED COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN (2019-2020) ALLOCATING CDBG-CV FUNDS AND THE AMENDED CITIZEN PARTICIPATION PLAN

Sean McGovern, Management Analyst, presented the staff report.

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

At the request of Council Member Micheal Goodland, Sean McGovern gave an overview of the process of how the small business stimulus program will be administered.

Mayor Pro Tem Lorena Barajas questioned how the rental assistance program will be administered. Mr. McGovern explained that the application process is now closed and will be brought before the Council for the final decision.

At the request of Council Member Chris Barajas, Sean McGovern clarified how local businesses will be selected for the small business stimulus program.

Council Member Chris Barajas requested that there be a date of March 1, 2020 as the date of operation to qualify a business for the stimulus program and a storefront should be a qualifying factor for prioritization.

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 Chris Barajas, to receive and file the amended 2019-2020 Annual Action Plan; receive and file the amended Citizen Participation Plan; and adopt Resolution No. 2020-41, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING A SUBSTANTIAL AMENDMENT TO THE 2018-2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN

A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

14. COUNCIL BUSINESS

A. COUNCIL 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.

Kenny Parada, representing the United Food and Commercial Workers Union, Local 1167, spoke in support of their efforts to unionize cannabis employees by entering into a Labor Peace Agreement (LPA). He requested that the Council reconsider their proposal for a lottery system for retail cannabis applicants and instead use a merit system for applicants based on points that are awarded to sections of the application based on criteria that is important to the City's residents.

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

B. CONSIDERATION OF RATE ADJUSTMENT REQUESTS FROM BURRTEC WASTE INDUSTRIES, INC., INCLUDING REQUEST FOR EXTRAORDINARY ADJUSTMENT DUE TO INCREASED COSTS OF PROCESSING RECYCLABLE MATERIAL

Sean McGovern, Management Analyst, presented the staff report.

Mike Arragan, Vice President, Burrtec Waste Industries detailed the issues related to processing recyclables. He reported that organics, recyclable material, and solid waste are strictly regulated by CalRecycle. He stated that while they must still collect and separate the material there is no more offset of the processing costs as the value of the material has dramatically declined.

Further discussion followed.

Council Member Brian Berkson suggested approving the increase for a twelve-month period. The waste hauler would then need to come back next year to present their findings to determine whether the increase should be continued.

Council Member Chris Barajas suggested following Alternative No. 1, which would allow the Council to mitigate the immediate financial impact on ratepayers, by phasing in the full rate increase over a specified period of time within the 2020-21 franchise year.

Further discussion followed.

Sean McGovern, Management Analyst explained the flexibility of Alternative No. 1 which would implement the standard rate increase on July 1, 2020 and the 2.21% extraordinary adjustment on January 1, 2021.

Council Member Chris Barajas asked staff to look at the administration fees to determine if those costs could be reduced.

Council Member Brian Berkson suggested that if the increase is phased-in over a six month period, he would like to ensure there is no cumulative effect of the increases when Burrtec comes back for a cost of living increase in the next cycle.

Further discussion followed.

Mike Arragan, Vice President, Burrtec Waste Industries explained the methodology for the rate increase.

A motion was made by Council Member Brian Berkson, seconded by Council Member Chris Barajas, to approve the annual increase (over a six-month phased-in period) in the rate ceiling of 5%, per Section 13.8.1 of the Solid Waste Franchise Agreement between the City and Burrtec Waste Industries, Inc., consisting of a 3.51% increase for 2020/2021, and a 1.49% increase due to the carryover from the 2019/2020 rate adjustment process; and approve an additional, 2.21% extraordinary adjustment of the rate ceiling, per Section 13.8.3 of the Franchise Agreement, due to the increased costs of processing recyclable material.

A roll call vote was taken.

Roll Call:

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

15. CITY ATTORNEY'S REPORT

City Attorney Peter Thorson had no report.

16. COUNCIL MEMBER REPORTS AND COMMENTS

Council Member Chris Barajas requested that there be a moratorium placed on any truck yards or logistics for one year. This would allow staff to study the General Plan and the City's zoning to determine whether these uses belong in certain areas. He voiced support of the George Floyd protests as they are an important constitutional right. He suggested various police reform measures during the demonstrations as long as the protesters remain peaceful.

Council Member Micheal Goodland voiced support of the George Floyd protests as long as they remain peaceful. He added that the first rock or bottle that gets thrown should be met with an appropriate police response.

Mayor Anthony Kelly voiced support of the peaceful demonstrations, noting that the four officers have been charged in the death of George Floyd.

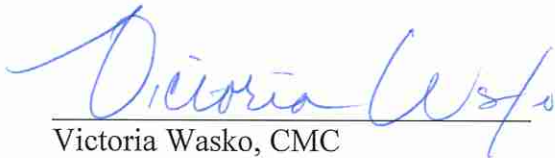
Mayor Pro Tem Lorena Barajas shared the following quote by Dom Câmara: “Without justice and love, peace will always be a great illusion.”

17. ADJOURNMENT

There being no further business before the City Council, Mayor Kelly adjourned the meeting at 9:58 p.m.

The next meeting of the Jurupa Valley City Council will be held June 18, 2020 at 7:00 p.m. at the City Council Chamber, 8930 Limonite Avenue, Jurupa Valley, CA 92509.

Respectfully submitted,

A handwritten signature in blue ink that reads "Victoria Wasko". The signature is written in a cursive style and is positioned above a horizontal line.

Victoria Wasko, CMC
City Clerk