

**MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
August 6, 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 COUNCIL WORKSHOP

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

Mayor Kelly called the Council Workshop to order at 6:00 p.m.

2. COUNCIL WORKSHOP – CITYWIDE PAVEMENT MANAGEMENT PROGRAM

A. PRESENTED BY PUBLIC WORKS DEPARTMENT

Chase Keys, CIP Manager, gave a presentation on the Citywide Pavement Management Program. He responded to Council's questions.

3. 7:00 P.M. - 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 Kelly called the regular meeting to order at 7:00 p.m. Mayor Pro Tem Lorena Barajas participated via teleconference.

4. INVOCATION was given by Pastor Alejandro Rios, Iglesia Cristiana Bautista Nueva Esperanza.

5. PLEDGE OF ALLEGIANCE was led by George Wentz.

6. APPROVAL OF AGENDA

A motion was made by Council Member Brian Berkson, seconded by Mayor Pro Tem Lorena Barajas, to approve the Agenda. A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

7. PRESENTATIONS

8. PUBLIC APPEARANCE/COMMENTS

Colin Markovich, Field Representative for Assemblymember Sabrina Cervantes, gave a legislative update. He provided information on AB 1457, which would establish a network of regional business training centers. The Assemblymember's office staff are also continuing to assist individuals with any difficulties they may have with their unemployment claims. Anyone seeking assistance with their application is encouraged to contact their office at (951) 371-6860.

9. INTRODUCTIONS, ACKNOWLEDGEMENTS, COUNCIL COMMENTS AND ANNOUNCEMENTS

Mayor Anthony Kelly welcomed everyone to tonight's meeting. He urged members of the public to continue to practice social distancing and continue to look after one another in light of the COVID-19 pandemic.

Council Member Chris Barajas asked for an update from City staff on the progress of the construction on both of the Chandi Group's AM/PM sites. He expressed concern that if the public cannot attend Council meetings, applicants should not be able to attend either. He stated that the City's residents should have the same opportunity to comment in real time and suggested allowing public participation via the telephone to allow interaction during the public comment portion of the Agenda.

Council Member Brian Berkson discussed the continuing COVID-19 pandemic. He thanked everyone who is practicing social distancing and using face coverings to protect themselves and others. He thanked the Jurupa Unified School District for their efforts to create a successful distance learning environment while keeping students safe during these very difficult times.

Council Member Micheal Goodland concurred with Council Member Chris Barajas to open up the City Council meetings to the public.

Mayor Pro Tem Lorena Barajas suggested that it is not the time to open up Council meetings to the public as the COVID-19 (Coronavirus) continues to rise in Riverside County. She noted that Council Member Chris Barajas' concern was that there be a more equitable public participation process during Council meetings and that should be looked at. She noted that COVID-19 is a serious health issue and protecting public health must be the City's top priority during the current health emergency.

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

A. COUNCIL MEMBER BRIAN BERKSON

- 1. Council Member Brian Berkson gave an update on the Riverside County Transportation Commission – Western Riverside Programs and Projects Committee meeting of July 27, 2020.**

B. COUNCIL MEMBER MICHEAL GOODLAND

- 1. Council Member Micheal Goodland gave an update on the Western Riverside Council of Governments meeting of August 3, 2020.**

11. CITY MANAGER’S UPDATE

City Manager Rod Butler had no report.

12. APPROVAL OF MINUTES

A. JULY 16, 2020 REGULAR MEETING

A motion was made by Council Member Micheal Goodland, seconded by Council Member Chris Barajas, to approve the Minutes of the July 16, 2020 regular meeting. A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

13. 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 \$8,322,361.84

Requested Action: That the City Council ratify the check registers dated June 25, 30 and July 2, 9, 16, and 23, 2020 as well as the payroll registers dated June 27, 30 and July 10, 2020.

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

Roll Call:

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

14. CONSIDERATION OF ANY ITEMS REMOVED FROM THE CONSENT CALENDAR

15. PUBLIC HEARINGS

A. CONTINUED PUBLIC HEARING TO CONSIDER MASTER APPLICATION (MA) NO. 20100 (AP20003): AN APPEAL OF THE DECISION OF THE PLANNING COMMISSION TO DENY MA19211: CONDITIONAL USE PERMIT (CUP) NO. 19004 FOR MCKINNEY SEMI-TRAILER RENTAL, SALES AND SERVICE FACILITY LOCATED AT 5610 MARKET STREET (APN: 178-330-016) (APPELLANT: MAYOR ANTHONY KELLY) (CONTINUED FROM THE JULY 16, 2020 MEETING)

Rocio Lopez, Senior Planner, presented the staff report.

City Attorney Peter Thorson provided clarification remarks and advised that if any of the Council Members have met with the applicant that information should be disclosed.

Mayor Kelly disclosed that he had the opportunity to meet with the applicant when he visited their current site. He outlined his reason for appealing the application.

Council Member Micheal Goodland disclosed that he met with the applicant on July 14, 2020. He also visited their current site where he witnessed the current operation of the facility.

Council Member Brian Berkson disclosed that on July 10, 2020, he met with the developer and visited their current site.

Mayor Kelly opened the public hearing.

Eric Morrison, Branch Manager for McKinney Trailer Rentals, gave a presentation on their business operations which provides semi-trailer rental and leasing. He noted that they have been operating for the past 30 years across the West Coast, Texas, Arizona, Colorado, and Utah. He described their participation in local communities through various charitable organizations. He outlined their commitment to the environment by utilizing a zero tolerance policy for truck idling in their yards and using EPA compliant engines for their yard hustlers. He projected their sales which would result in significant tax revenue for the City.

Jeremy Krout, EPD Solutions, Inc., (representing the applicant), spoke in support of the application. He gave an overview of how the current contaminated site would be improved through enhanced landscaping and sidewalks. He provided information on the proposed site operations and their hours of operation which will be from 7 am to 6 pm. He detailed the route that their customers would be utilizing. He responded to Council's questions.

Jessica Saucedo, Clara Saucedo, Vanessa Saucedo, Jorge Saucedo, Gerardo Cortez, and Marissa Rodriguez voiced opposition to the appeal, as it will add 465 daily trips to an area that is already overburdened with pollution. Their concerns relayed that the large concentration of logistics centers and truck operation centers in the City of Jurupa Valley contributes to high levels of traffic congestion and to the "worst air ozone pollution in the nation."

Hakan Jackson voiced opposition to the appeal. He stated that he lives in the Rubidoux area, near the Flabob Airport and he is strongly opposed to a semi-trailer service facility around the corner from where he lives. He noted that there is already a lot of trucks illegally parked in his neighborhood. He voiced concerns regarding the air pollution that this project would bring to the community.

Mayra Jackson voiced opposition to the appeal. She stated that she lives in the Rubidoux area and residents there already deal with enough air pollution. She urged the Council to deny the appeal.

Jeremy Krout, EPD Solutions, Inc., addressed some of the concerns expressed during public comments. He clarified that the proposed trailer sales business would create significantly less air pollution than the existing rock crushing operations on the site. He discussed the benefits of the project and provided information on the amount of the taxable sales and projected revenue for the city.

Further discussion followed.

Ernie Perea, the City's environmental consultant, provided additional information on the assessment of air quality impacts and how they are evaluated. He responded to Council's questions.

Thomas Merrell, Planning Director, clarified the process to approve a Conditional Use Permit for uses that are likely to generate truck traffic. This special standard was approved by the Council back in 2012 and is a higher standard than the typical CUP.

Further discussion followed.

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

A motion was made by Mayor Anthony Kelly, seconded by Council Member Micheal Goodland to repeal the decision of the Planning Commission to deny Conditional Use Permit No. 19004 for a semitrailer sales and rental facility with ancillary service and repairs on approximately 16.8 acres of real property located at 5610 Market Street (APN: 178-330-016), and approve the appeal. A roll call vote was taken.

Roll Call:

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

A motion was made by Council Member Chris Barajas, seconded by Mayor Pro Tem Lorena Barajas, to adopt Resolution No. 2020-53, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, SUSTAINING THE DECISION OF THE PLANNING COMMISSION TO DENY CONDITIONAL USE PERMIT NO. 19004 FOR A SEMITRAILER SALES AND RENTAL FACILITY WITH ANCILLARY SERVICE AND REPAIRS ON APPROXIMATELY 16.8 ACRES OF REAL PROPERTY LOCATED AT 5610 MARKET STREET (APN: 178-330-016), AND DENYING THE APPEAL

A roll call vote was taken.

Roll Call:

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

B. CONTINUED PUBLIC HEARING TO CONSIDER MASTER APPLICATION (MA) NO. 16224: GENERAL PLAN AMENDMENT (GPA) NO. 16006, CHANGE OF ZONE (CZ) NO. 16011, TENTATIVE PARCEL MAP (TPM) NO. 37126 AND SITE DEVELOPMENT PERMIT (SDP) NO.

16043 FOR MISSION GATEWAY PLAZA & MISSION GATEWAY VILLAS (A MIXED-USE PROJECT CONSISTING OF COMMERCIAL AND 68-UNIT MULTI-HOUSING DEVELOPMENT) LOCATED AT THE NORTHEAST CORNER OF MISSION BOULEVARD AND CRESTMORE ROAD (APNS: 179-330-002, 003, 004, 005 & 006); (APPLICANT: NORTHTOWN HOUSING DEVELOPMENT CORPORATION) (CONTINUED FROM THE JULY 16, 2020 MEETING)

City Attorney Peter Thorson announced that Mayor Pro Tem Lorena Barajas will abstain from voting on this matter because of a conflict of interest as her firm has contracts with the applicant's firm.

Mayor Pro Tem Lorena Barajas turned off her microphone and exited the room.

Rocio Lopez, Senior Planner, presented the staff report.

Thomas Merrell, Planning Director clarified the airport land use issue, noting that he has been in contact with the members of the Airport Land Use Commission and the discussions have been amicable. He explained that the issue has to do with the City's desire to meet its goal for affordable housing opportunities which is required by the California Department of Housing and Community Development which mandates the Housing Element and Regional Housing Needs Allocation, or RHNA. He added a letter from the Airport Land Use Commission has been included as part of the public record. He noted that in order to overrule the Airport Land Use Commission's determination, it will require all four of the participating Council Members to approve the application.

Mayor Kelly opened the public hearing.

Darrell Brown, representing Northtown Housing Development Corporation, (applicant) spoke in support of the project. He gave an overview of the benefits of the project which will provide affordable home ownership, benefits and amenities for its residents, and opportunities for commercial development.

Curtis Dally, architect for the Northtown Housing Development Corporation, (applicant) summarized the features that have been incorporated into the proposed commercial building.

Doug Goodman, representing the applicant addressed a question regarding the boundary as shown on the site map and how that parcel would be developed.

Further discussion followed regarding the parking analysis and the proposed parking plans.

Darrell Brown, representing Northtown Housing Development Corporation, (applicant) clarified the delivery routes and access for the commercial buildings.

Further discussion followed regarding placing a monument at the corner of Mission Boulevard and Crestmore as the project will provide a gateway entrance to the City of Jurupa Valley.

Darrell Brown, representing Northtown Housing Development Corporation, (applicant) clarified their requirement to build a minimum number of housing units as a portion of the site is owned by the County of Riverside’s housing agency.

Further discussion followed.

Debi Myers, Housing Project Manager, Northtown Housing Development Corporation (applicant) suggested that members of the Council visit some of their apartment complexes in Rancho Cucamonga to see what they have built in other communities.

Further discussion followed regarding eliminating or reducing the offsite parking, and considering an option for permit parking for the residents.

A motion was made by Mayor Anthony Kelly, seconded by Council Member Chris Barajas, to continue this matter to the September 3, 2020 meeting. A roll call vote was taken.

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

C. CONTINUED PUBLIC HEARING REGARDING THE ANNEXATION OF TERRITORY (ZONE R) TO THE CITY OF JURUPA VALLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED (THE “DISTRICT”) AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY; LOCATED AT THE NORTHWEST CORNER OF RUBIDOUX BOULEVARD AND 30TH STREET (RUBIDOUX CARWASH) (CONTINUED FROM THE JULY 16, 2020 MEETIN)

Steve Loriso, City Engineer, presented the Staff Report. Mr. Loriso explained that the annexation of Zone R is no longer required as the City and the developer have come to an alternative agreement in lieu of forming an LLMD.

A motion was made by Council Member Micheal Goodland, seconded by Council Member Chris Barajas, to table this item indefinitely. A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

16. COUNCIL BUSINESS

A. APPROVAL OF A RESOLUTION AND BALLOT ARGUMENT IN SUPPORT OF A BALLOT MEASURE TO ADOPT NEW REGULATIONS GOVERNING COMMERCIAL CANNABIS ACTIVITY IN THE CITY AND TO INCREASE THE TAX ON COMMERCIAL CANNABIS ACTIVITY IN THE CITY

City Attorney Peter Thorson presented the staff report. He summarized the rules regarding advocacy of ballot measures under state law. Mr. Thorson noted that a special Council meeting will be required to approve the rebuttal argument in favor of Measure U.

Further discussion followed.

Council Member Chris Barajas noted that one of the biggest changes that the proposed ballot measure will provide is that it will include a provision to prohibit commercial cannabis businesses near schools, daycare centers, religious facilities, and parks. He thanked staff for their excellent work on the measure.

Council Member Brian Berkson requested an amendment to the Ballot Argument that would revise the words “fair tax” to “reasonable tax.” He thanked City Manager Rod Butler and the City Attorney’s Office for their guidance on this issue.

A motion was made by Council Member Brian Berkson, seconded by Mayor Kelly, to pass and adopt Resolution Nos. 2020-68 as amended and 2020-69, entitled:

RESOLUTION NO. 2020-68 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, SUPPORTING VOTER APPROVAL OF THE PROPOSED CANNABIS REGULATORY AND TAX MEASURE ON THE NOVEMBER 3, 2020 BALLOT; AND

RESOLUTION NO. 2020-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING A BALLOT ARGUMENT IN SUPPORT OF VOTER APPROVAL OF THE PROPOSED CANNABIS REGULATORY AND TAX MEASURE ON THE NOVEMBER 3, 2020 BALLOT

A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

B. AGREEMENT FOR CONSULTANT SERVICES FOR PROVIDING A COST ALLOCATION PLAN AND A COST OF SERVICES STUDY FOR ALL CITY DEPARTMENTS

Keith Clarke, Building Department Director, presented the staff report.

Further discussion followed.

A motion was made by Mayor Anthony Kelly, seconded by Council Member Micheal Goodland, to approve the Agreement for Consultant Services between the City of Jurupa Valley and Revenue and Cost Specialists, LLC (RCS) for a cost of services study. A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

C. CONSIDERATION OF A RESOLUTION RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY AND IMPOSING ADDITIONAL REGULATIONS DUE TO THE COVID-19 (CORONAVIRUS) PANDEMIC

City Attorney Peter Thorson presented the staff report.

A motion was made by Council Member Chris Barajas, seconded by Mayor Pro Tem Lorena Barajas, to adopt Resolution No. 2020-70, 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 THE COVID-19 PANDEMIC

A roll call vote was taken.

Roll Call:

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

Noes: M. Goodland

Absent: None

17. CITY ATTORNEY'S REPORT

City Attorney Peter Thorson had no report.

18. COUNCIL MEMBER REPORTS AND COMMENTS

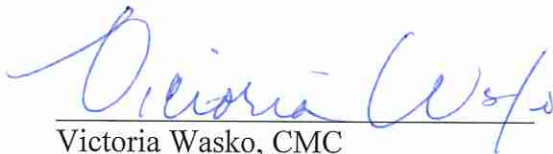
Mayor Anthony Kelly provided closing comments. He thanked his colleagues on the Council and City staff.

19. ADJOURNMENT

There being no further business before the City Council, Mayor Kelly adjourned the meeting at 12:02 a.m.

The next meeting of the Jurupa Valley City Council will be held August 20, 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