

**MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
September 3, 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 Kelly called the closed session meeting to order at 6:01 p.m.

2. CONVENE TO CLOSED SESSION

A. PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEM

There were no public comments regarding the closed session item.

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS.** The City Council met in closed session pursuant to Government Code Section 54956.8 regarding the potential purchase of real property located at 5293 Mission Boulevard, Jurupa Valley 92509 (former Riverside County Fleet Services building). The parties to the negotiations for the purchase of the property were: City of Jurupa Valley and County of Riverside. Negotiators for the City of Jurupa Valley were: Rod Butler, George Wentz and Peter Thorson. Under negotiation are the price and terms of payment for the potential purchase of the property.

3. RECONVENE IN OPEN SESSION

A. ANNOUNCEMENT OF ANY REPORTABLE ACTIONS IN CLOSED SESSION

City Attorney Peter Thorson announced that there were no reportable actions taken.

4. 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 7:08 p.m. Mayor Pro Tem Lorena Barajas participated via teleconference.

5. INVOCATION was given by Pastor Jeremy Williams, Grace Fellowship Church.

6. PLEDGE OF ALLEGIANCE was led by City Attorney Peter Thorson.

7. APPROVAL OF AGENDA

A motion was made by Council Member Micheal Goodland, seconded by Council Member Chris 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

8. PRESENTATIONS

A. UPDATE ON JURUPA AREA RECREATION AND PARK DISTRICT PROJECTS AND PROGRAMS – PRESENTED BY COLBY DIUGUID, GENERAL MANAGER

Colby Diuguid, General Manager of the Jurupa Area Recreation and Park District provided an update on the COVID-19 (coronavirus) pandemic and its effect on the JARPD's parks and programs. He provided an update on upcoming recreation programs that will be available for residents to enjoy. He noted that a cooling center will be open this weekend due to the excessive heat that is expected. He announced that a food distribution program is operating in conjunction with the Eddie Dee Smith Senior Center which is providing quality and nutritional food to those in need. He provided an update on some of their new facilities and their planned opening dates.

9. PUBLIC APPEARANCE/COMMENTS

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10. INTRODUCTIONS, ACKNOWLEDGEMENTS, COUNCIL COMMENTS AND ANNOUNCEMENTS

Mayor Anthony Kelly encouraged everyone to continue to practice social distancing and to wear a facemask as it keeps everyone safe. He noted that this upcoming Labor Day will honor and celebrate the achievements of American workers.

11. 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 Committee meeting of September 2, 2020.**

12. CITY MANAGER'S UPDATE

City Manager Rod Butler announced that City Hall will be closed in observance of Labor Day on Monday, September 7, 2020. City Hall will resume regular office hours on Tuesday, September 8, 2020.

A. AUTHORIZATION TO RESTORE IN-PERSON PUBLIC COMMENT AT CITY COUNCIL MEETINGS WITH APPROPRIATE SOCIAL DISTANCING MEASURES

City Manager Rod Butler presented the staff report.

Council Member Chris Barajas voiced support of opening the Council Chamber as it will allow those who feel strongly about an issue to make in-person public comments.

Council Member Brian Berkson requested that City staff should be prepared to manage large crowds with audio speakers outside the Council Chamber should that need arise.

Mayor Pro Tem Lorena Barajas questioned what the planned capacity would be for the safety of residents and the safety of City staff.

Further discussion followed.

A motion was made by Mayor Pro Tem Lorena Barajas, seconded by Council Member Chris Barajas, the City Council directed staff to plan for restoring in-person public comments with social distancing protections beginning with the September 17, 2020 meeting. This would include close monitoring of the number of audience members and would include the

option of electronic public comments for those who wish to continue with the current practice of having the City Clerk to read the public comments aloud. A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

13. APPROVAL OF MINUTES

A. AUGUST 18, 2020 SPECIAL MEETING

B. AUGUST 20, 2020 REGULAR MEETING

A motion was made by Mayor Pro Tem Lorena Barajas, seconded by Council Member Micheal Goodland, to approve the Minutes of the August 18, 2020 special meeting and the August 20, 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

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 \$ 2,266,513.55 – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council ratify the check registers dated July 30 and August 6, 13, and 20, 2020 as well as the payroll registers dated July 24, 31 and August 7, 2020.

C. ACCEPTANCE OF OFFERS OF DEDICATION AND ABUTTER'S RIGHTS FOR THE VERNOLA MARKETPLACE APARTMENT COMMUNITY LOCATED ON THE NORTH SIDE OF 68TH STREET BETWEEN PATS RANCH ROAD AND CALTRANS RIGHT OF WAY AND ON THE WEST SIDE OF PATS RANCH ROAD NORTH OF 68TH STREET (APPLICANT: BMF IV CA JURUPA VALLEY CROSSROADS, LLC)

1. Requested Action: That the City Council accept the dedication as follows:
 - a. Accept the offer of dedication of an easement for public road and drainage purposes including public utility and public services purposes over Parcel "A" as shown in the staff report as Exhibit B of DED20-001.
 - b. Accept the offer of dedication of abutter's rights over Parcel "A" as shown in the staff report as Exhibit B of DED20-001.
2. Authorize the Director of Public Works and City Clerk to sign the Acceptance of Dedication.

D. APPROVAL OF AGREEMENTS WITH REACH OUT AND THE JURUPA VALLEY CHAMBER OF COMMERCE FOR FY 2020-21 FUNDING – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council approve the Reach Out and Jurupa Valley Chamber of Commerce Agreements for FY 2020/21 funding, and authorize the Mayor to execute the Agreements.

E. BIENNIAL REVIEW OF THE CITY OF JURUPA VALLEY'S CONFLICT OF INTEREST CODE

Requested Action: Direct the City Manager to initiate the 2020 Biennial Review of the City's Conflict of Interest Code to determine if there is a need to amend the Code.

A motion was made by Council Member Micheal Goodland, seconded by Council Member Chris Barajas, to approve the Consent Calendar, with the exception of Items Nos. 14.B and 14.D. A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

15. CONSIDERATION OF ANY ITEMS REMOVED FROM THE CONSENT CALENDAR

14.B CONSIDERATION OF CHECK REGISTER IN THE AMOUNT OF \$2,266,513.55

Council Member Brian Berkson requested that Item 14.B 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 Brian Berkson, to ratify the check registers dated July 30 and August 6, 13, and 20, 2020 as well as the payroll registers dated July 24, 31 and August 07, 2020.

A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

14.D APPROVAL OF AGREEMENTS WITH REACH OUT AND THE JURUPA VALLEY CHAMBER OF COMMERCE FOR FY 2020-21 FUNDING

Council Member Brian Berkson requested that Item 14.D be removed from the Consent Calendar for further discussion. Council Member Chris Barajas suggested that there be concrete goals and objectives made part of each agreement.

Further discussion followed.

Connie Cardenas, Administrative Services Director, 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 table this item to the October 1, 2020 meeting to allow Reach Out and the Chamber of Commerce to provide goals and objectives as part of their scope of work.

A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

16. PUBLIC HEARINGS

- A. 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) LOCATION: NORTHEAST CORNER OF MISSION BOULEVARD AND CRESTMORE ROAD (APNS: 179-330-002, 003, 004, 005 & 006) (APPLICANT: NORTHTOWN HOUSING DEVELOPMENT CORPORATION) (CONTINUED FROM THE AUGUST 6, 2020 MEETING)**

Mayor Pro Tem Lorena Barajas announced that she would recuse herself from this matter as her company _____. She turned off her microphone and exited the meeting room.

Rocio Lopez, Senior Planner, presented the staff report.

Mayor Kelly opened the public hearing.

A motion was made by Council Member Micheal Goodland, seconded by Council Member Brian Berkson, to continue the public hearing to the October 1, 2020 meeting in order to allow the applicant additional time to address the Council's comments and revise plans accordingly.

A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

Abstained: L. Barajas

Mayor Pro Tem Lorena Barajas returned to the meeting.

B. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING SECTION 7.50.010 OF THE JURUPA VALLEY MUNICIPAL CODE RELATED TO UNDERGROUNDING EXISTING AND NEW UTILITY LINES AND DETERMINING THAT THE PROPOSED MUNICIPAL CODE AMENDMENT IS EXEMPT FROM CEQA

Steve Loriso, City Engineer, presented the staff report.

Following discussion, Council Member Brian Berkson suggested various language modifications to the proposed ordinance.

Further discussion followed.

George Wentz, Deputy City Manager, provided additional information and responded to Council's questions.

Mayor Kelly opened the public hearing.

There were no public comments.

A motion was made by ____, seconded by ____, to continue the public hearing to the September 17, 2020 meeting and direct staff to prepare a revised ordinance with the suggested changes. A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

17. COUNCIL BUSINESS

A. INTRODUCTION OF AN ORDINANCE AMENDING THE JURUPA VALLEY MUNICIPAL CODE BY ADDING CHAPTER 11.75 TO REGULATE SMOKING IN CERTAIN AREAS INCLUDING MULTI-UNIT RESIDENCES, HOTELS, PUBLIC AREAS, PRIVATE PLAZAS, AND OUTDOOR BUSINESS AREAS

City Attorney Peter Thorson presented the staff report. Mr. Thorson clarified that this ordinance was requested by Council Member Chris Barajas.

Further discussion followed.

[Public Comments]

At the request of Council Member Chris Barajas, City Attorney Peter Thorson clarified that the proposed ordinance would govern common interest developments such as Country Village. The process would mandate that each owner would designate their unit as smoking or non-smoking. If the resident vacates that unit it would automatically be designated as non-smoking. The remedy uses the court system to enforce the non-smoking provisions.

Council Member Chris Barajas spoke in support of the proposed ordinance as it includes a measured approach to its implementation and it will also prevent evictions.

Council Member Micheal Goodland stated that he was in favor of banning smoking in public places; however he believes that the proposed ordinance may be an overreach of local government's authority over a private residence.

Council Member Brian Berkson raised several questions regarding the proposed ordinance, stating that it could be very controversial. He requested that the Council further study the provisions in the ordinance as there is vagueness concerning the cost of enforcement, how and when citations will be issued, whether the ordinance would apply to all city parks and county libraries, and how the proposed ordinance would impact the two existing hotels in the city. He asked for clarification as to whether there have been any legal challenges to similar ordinances.

Mayor Pro Tem Lorena Barajas spoke in support of the proposed ordinance, stating that there are thousands of residents that choose not to smoke because of its harmful effects. She noted that the Council is charged with keeping its residents safe and smoking is one of the three leading causes of preventable death. She understands that the ordinance needs some further work; however, this is not a far-fetched idea as there are many other cities that have passed similar ordinances.

Further discussion followed.

Mayor Kelly stated that this is a good start and he is looking forward to working towards a finalized ordinance that addresses some of the comments made this evening.

City Attorney Peter Thorson offered to bring back the ordinance to address the issues that the Council discussed.

B. CONSIDERATION OF AN URGENCY ORDINANCE ALLOWING RESTAURANTS AND OTHER BUSINESSES TO USE PRIVATE PARKING LOTS AND OTHER AREAS FOR EXPANDED DINING AND SALES AREAS

City Attorney Peter Thorson presented the staff report.

A motion was made by Mayor Pro Tem Lorena Barajas, seconded by Council Member Micheal Goodland, to adopt Urgency Ordinance No. 2020-14, entitled:

A REVISED URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY CREATING A TEMPORARY OUTDOOR USE PERMIT FOR RESTAURANTS AND BUSINESSES TO USE PRIVATE PARKING LOTS

A roll call vote was taken.

Roll Call:

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

Noes: None

Absent: None

18. CITY ATTORNEY’S REPORT

City Attorney Peter Thorson had no report. He clarified that the Council will need to call a special meeting next week to address the sale of the Aqua Mansa Project.

19. COUNCIL MEMBER REPORTS AND COMMENTS

Council Member Chris Barajas requested that staff bring back the mobile vending ordinance that deals with food truck vendors to determine if the vendors could be prohibited from residential areas.

Mayor Anthony Kelly reminded residents to participate in the U.S. Census as the 2020 Census will conclude data collection operations on September 30, 2020.

Council Member Brian Berkson announced that Metrolink has introduced a new 5-Day Flex Pass that responds to how workers’ commuting patterns have changed due to the COVID-19 health crisis. The 5-Day Flex Pass provides five one-day passes customers can use whenever they need to travel, over a 30-day period. Further information is available at: www.metrolink.com

Council Member Micheal Goodland gave an update on the Healthy Jurupa Valley Meeting of September 1, 2020. He discussed AB 262 which deals with the responsibility of local health officials during a public health crisis due to a communicable disease and AB 329 which has to do with mandated sexual health education and HIV prevention education.

Mayor Pro Tem Lorena Barajas wished everyone a safe weekend.

20. ADJOURNMENT

There being no further business before the City Council, Mayor Kelly adjourned the meeting at 10:27 p.m.

The next meeting of the Jurupa Valley City Council will be held September 17, 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