

For further information on an agenda item, please contact the City at 12363 Limonite Ave.
Suite 910, Eastvale, CA 91752

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF EASTVALE
Wednesday April 10, 2013
6:30 P.M.
Rosa Parks Elementary School, 13830 Whispering Hills Drive

1. **CALL TO ORDER:** 6:30 p.m.

2. **ROLL CALL/INVOCATION /PLEDGE OF ALLEGIANCE:**

Council Members – Ric Welch, Kelly Howell, Jeff DeGrandpre
Mayor Pro Tem – Adam Rush
Mayor – Ike Bootsma

Invocation led by Pastor Rob Norris with The Crossings Church.

3. **PRESENTATIONS/ANNOUNCEMENTS:**

At this time, the City Council may recognize citizens and organizations that have made significant contributions to the community and it may accept awards on behalf of the City.

3.1 Presentation to Joey Clarke for his achievement of Eagle Scout.

3.2 Presentation of Proclamation declaring April Child Abuse Prevention Month in the City of Eastvale.

4. **PUBLIC COMMENT/CITIZEN PARTICIPATION:**

This is the time when any member of the public may bring a matter to the attention of the Mayor and the City Council that is within the jurisdiction of the City Council. The Ralph M. Brown act limits the Mayor's, City Council's and staff's ability to respond to comments on non-agendized matters at the time such comments are made. Thus, your comments may be agendized for a future meeting or referred to staff. The City Council may discuss or ask questions for clarification, if desired, at this time. Although voluntary, we ask that you fill out a "Speaker Request Form", available at the side table. The completed form is to be submitted to the City Clerk prior to being heard. Public comment is limited to two (2) minutes each with a maximum of six (6) minutes.

5. **CONSENT CALENDAR:**

Consent Calendar items are normally enacted in one motion. The Mayor or City Council may remove a Consent Calendar item for separate action. Public comment is limited to two (2) minutes each with a maximum of (6) minutes.

5.1 **Minutes – March 27, 2013 Regular Meeting.**

Recommendation: Approve the minutes from the Regular Meeting held March 27, 2013.

6. PUBLIC HEARINGS:

*The public is encouraged to express your views on any matter set for public hearing. It is our procedure to first receive the staff report, then to ask for public testimony, first from those in favor of the project followed by testimony from those in opposition to it, and if there is opposition, to allow those in favor, rebuttal testimony only as to the points brought up in opposition. To testify on the matter, you need to simply come forward to the speaker's podium at the appropriate time, give your name and address and make your statement. After a hearing is closed, you may not further speak on the matter unless requested to do so or are asked questions by the Mayor or a Member of the City Council. **Public comment is limited to two (2) minutes each with a maximum of six (6) minutes.***

There are no Public Hearings.

7. OLD BUSINESS ITEMS:

*Public comment will be called for each item. Please keep comments brief so that everyone who wishes to speak has the opportunity to do so. After public comment is closed you may not further speak on the matter unless the City Council requests further clarification of your statement. **Public comment is limited to two (2) minutes with a maximum of six (6) minutes.***

There are no Old Business Items.

8. NEW BUSINESS ITEMS:

*Public comment will be called for each non-hearing item. Please keep comments brief so that everyone who wishes to speak has the opportunity to do so. After public comment is closed, you may not further speak on the matter unless the Mayor or City Council requests further clarification of your statement. **Public Comment is limited to two (2) minutes with a maximum of six (6) minutes.***

8.1 Ordinance adopting Official City Seal, Logo and Name.

Recommendation: Hold the first reading of Ordinance No. 2013-04, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING IN ITS ENTIRETY CHAPTER 1.02 ADOPTING AN OFFICIAL CITY SEAL, LOGO, AND NAME

9. COUNCIL COMMUNICATIONS:

(Committee Reports, Agenda Items, Meeting Requests and Review etc.)

This is an opportunity for the Mayor and City Council Members to report on their activities and the actions of the Committees upon which they sit, to bring a matter to the attention of the full Council and staff, and to request agenda items. Any matter that was considered during the public hearing portion is not appropriate for discussion in this section of the agenda. NO ACTION CAN BE TAKEN AT THIS TIME.

10. CITY MANAGER'S REPORT:

11. CLOSED SESSION:

11.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO SUBDIVISION (B) OF SECTION 54656.8:

Property: Potential Fire Station Sites

Negotiating Parties: City of Eastvale

Under Negotiation: Site Location and Viability

11.2 CONFERENCE WITH LEGAL COUNSEL-SIGNIFICANT EXPOSURE TO LITIGATION

Subdivision (b) (1) of Section 54956.9

No. of Case(s): 1

12. ADJOURNMENT:

The next regular meeting of the Eastvale City Council will be held on April 24, 2013 at 6:30 p.m. at Rosa Parks Elementary School.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City of Eastvale. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

POSTING STATEMENT:

I, Ariel M. Hall, Assistant City Clerk or my designee hereby certify that a true and correct, accurate copy of the foregoing agenda was posted April 4, 2013, seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:

Eastvale City Hall 12363 Limonite Ave. Suite 910

Rosa Parks Elementary School 13830 Whispering Hills Drive

Eastvale Library 7447 Cleveland Avenue

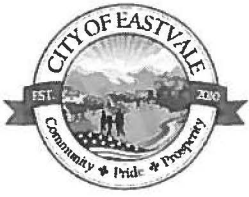
City of Eastvale Website, www.eastvaleca.gov



City of Eastvale
City Council Meeting Agenda
Staff Report

MEETING DATE: APRIL 10, 2013

1. CALL TO ORDER



City of Eastvale
City Council Meeting Agenda
Staff Report

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2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

The City of Eastvale

recognizes

Joey Clarke

*For his accomplishment of achieving the rank of Eagle Scout
on this 24th day of March, 2013.*



Ike Bootsma

Ike Bootsma

Mayor

PROCLAMATION

PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, DECLARING APRIL 2013 AS CHILD ABUSE PREVENTION MONTH

WHEREAS, children deserve a safe, stable and permanent home in order to become productive members of our society; and

WHEREAS, child abuse is found in families of all social and economic classes and every racial and ethnic group; and

WHEREAS, child abuse impacts the entire community and finding solutions depends on community involvement to nurture family growth and inspire future generations; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious organizations, law enforcement agencies and the business community; and

WHEREAS, through the continued work of volunteers, parents, community partners, policy makers and professionals, child abuse may be eradicated, giving our children a bright, successful future; and

WHEREAS, Prevent Child Abuse Riverside County works in collaboration with the Department of Public Social Services to educate the public to reduce the incidence of child abuse and provide other services to help alleviate its effects; and

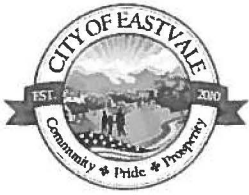
WHEREAS, all citizens should become more aware of child abuse and its prevention within the community, and become more involved in supporting parents to raise their children in a safe, nurturing environment.

NOW, THEREFORE, LET IT BE KNOWN, that the City Council of the City of Eastvale does hereby proclaim the month of April 2013, as

CHILD ABUSE PREVENTION MONTH

And urges all the residents to become more aware of this nationwide problem and to take necessary actions to prevent child abuse in their communities.

Ike Bootsma, Mayor



City of Eastvale
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Staff Report

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4. PUBLIC COMMENT/CITIZEN PARTICIPATION

MINUTES
REGULAR MEETING OF THE CITY COUNCIL,
OF THE CITY OF EASTVALE

Wednesday, March 27, 2013

6:30 P.M.

Rosa Parks Elementary School 13830 Whispering Hills Drive

1. CALL TO ORDER: 6:30 p.m.

2. ROLL CALL/PLEDGE OF ALLEGIANCE/INVOCATION:

Council Members present: Council Members Welch, Howell, DeGrandpre, and Mayor Bootsma.

Council Members absent: Mayor Pro Tem Rush.

Mayor Pro Tem Rush arrived to the meeting at 6:50 p.m.

Staff Members present: City Manager Jacobs, City Attorney Cavanaugh, City Engineer Alvarez, Deputy Finance Director Gitmed, Public Information Officer Nissen and Assistant City Clerk Hall.

Invocation was presented by Mark Lee with Vantage Point Church.

The Pledge of Allegiance was led by Council Member Welch.

There was a moment of silence to honor Gilbert Cortez, a Corrections Officer who had passed away that week in an accident.

3. PRESENTATIONS/ANNOUNCEMENTS:

There were no presentations or announcements.

4. PUBLIC COMMENT/CITIZEN PARTICIPATION:

Phillip Stokes, with Eastvale Mustangs Football, spoke regarding his concern about the method the Eastvale Community Foundation had awarded Recreational Scholarship funds.

5. CONSENT CALENDAR:

5.1 Minutes – March 13, 2013 Regular Meeting.

Recommendation: Approve the minutes from the Regular Meeting held March 13, 2013.

5.2 **Proclamation Declaring April 7-13, 2013 Childhood Cancer Awareness Week.**

Recommendation: Approve proclamation.

5.3 **Landscaping and Lighting Maintenance District No. 89-1 Consolidated.**

Recommendation: Adopt Resolution No. 13-08, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, INITIATING PROCEEDINGS FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ANNUAL REPORT FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED FOR FISCAL YEAR 2013-14.

5.4 **Warrant Register.**

Recommendation: Approve the payment of the warrants (check numbers 11329, 11333-11370 and wire numbers W000113 to W000125) in the amount of \$1,299,214.20 and payroll in the amount of \$21,598.80.

Motion: Moved by DeGrandpre, seconded by Welch to approve the Consent Calendar as presented.

Motion carried 4-0-1 with Rush absent.

6. ***PUBLIC HEARINGS:***

6.1 **Continued Public Hearing – Floodplain Management Ordinance.**

Recommendation: 1. Adopt Resolution No. 13-07, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, DECLARING THE CITY'S INTENT TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM AND AUTHORIZING APPLICATION FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM

2. Hold second reading and adopt Ordinance No. 2013-03, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING CHAPTER 110.80 IN ITS ENTIRETY TO THE EASTVALE MUNICIPAL CODE REGULATING FLOOD HAZARD AREAS AND IMPLEMENTING THE NATIONAL FLOOD INSURANCE PROGRAM.

City Engineer Alvarez provided the staff report for this item. He announced that the representative from the Orange County Flood Control District was running late due to traffic on the 91 freeway, but hoped to be at the meeting shortly.

There was a brief discussion and it was decided that the item would be addressed when the representative arrived.

After Item 7.1 this item was continued.

City Engineer Alvarez introduced Lance Natsuhara with Orange County Flood Control District (District).

There was discussion regarding the process that the District and the Army Corp of Engineers used to determine what properties in the flood zone would be purchased, which would have easement acquired and which would have flood control construction built to protect. Mr. Natsuhara stated that the District preferred to minimize acquisition of property and had a practice of trying to not influence land use or development in cities, but would work with alternate methods instead.

There was discussion regarding possible lease backs of land that the District purchased. Mr. Natsuhara indicated that it was possible as long as the use was compatible with the Prado Dam operations.

Staff was asked to provide the City Council with a comparative map of the General Plan Map and Zoning Map, as well as the most recent flood zone map.

Mayor Bootsma opened the Public Hearing at 7:15 p.m.

There being no comments, the Public Hearing was closed at 7:15+ p.m.

Motion: Moved by Rush, seconded by DeGrandpre to approve the item as presented.

Motion carried 5-0.

7. OLD BUSINESS:

7.1 Attendance at the International Conference of Shopping Centers (ICSC).

Recommendation: Provide direction.

City Manager Jacobs provided the staff report for the item.

Mayor Bootsma stated that he asked for the item to be readdressed because he would like to have the attendees changed to the Mayor or Mayor Pro Tem and for the travel plans to be changed to the representatives arriving on Sunday night to avoid the rush of arriving the same time that there were early morning meetings.

Motion: Moved by Howell, seconded by Bootsma for the Mayor Pro Tem to attend, with the Mayor serving as a back-up in the event the Mayor Pro Tem could not attend, to arrive at the convention on Sunday evening, and for one staff member to attend.

There was discussion regarding the prior International Conference of Shopping Centers event in Las Vegas.

Mayor Pro Tem Rush arrived at 6:50 p.m.

There was additional discussion regarding who should attend the conference and the prior event.

A roll call vote was conducted.

The motion failed with Council Members Welch, DeGrandpre and Mayor Pro Tem Rush abstaining, and Council Member Howell and Mayor Bootsma voting aye.

8. *NEW BUSINESS ITEMS:*

There were no New Business Items.

9. *COUNCIL COMMUNICATIONS:*

Mayor Pro Tem Rush asked that a presentation to Eastvale's first Eagle Scout be added to the next meeting's agenda.

Council Member DeGrandpre provided an update on Western Riverside Council of Government's HERO program.

There was a brief discussion on solar panels.

Council Member Welch stated that he appreciated seeing youth sport volunteers present at the meeting.

Mayor Bootsma discussed the various meetings he had with warehouse companies during the prior weeks and that he had attended a wet lands tour.

At this point a Public Speaker was recognized.

Eddie Galana, a resident, stated that he had concerns with the controls in place for the Eastvale Community Foundation's disbursement of Recreational Scholarship funds.

Council Member Howell asked that Mr. Galana email staff suggested criteria for disbursement to City staff.

Council Member DeGrandpre stated that the Eastvale Community Foundation met on the first Tuesday of the month and welcomed him to attend.

10. CITY MANAGER'S REPORT:

There was no report.

11. CLOSED SESSION:

City Attorney Cavanaugh announced the Closed Session items and stated that item 11.1 would not be addressed.

The City Council went into Closed Session at 7:26 p.m.

11.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO SUBDIVISION (B) OF SECTION 54656.8:

Property: Potential Fire Station Sites

Negotiating Parties: City of Eastvale

Under Negotiation: Site Location and Viability

11.2 CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION:

Initiation of litigation pursuant to subdivision (c) of Section 54956.9:

Number of Cases: One (1)

The City Council exited Closed Session 8:35 p.m. with no action taken.

12. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:35 p.m.



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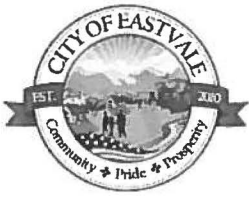
6. PUBLIC HEARINGS



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7. *OLD BUSINESS ITEMS*



City of Eastvale
City Council Meeting Agenda
Staff Report

MEETING DATE: APRIL 10, 2013

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: CITY SEAL AND LOGO ORDINANCE

RECOMMENDATION: HOLD FIRST READING OF ORDINANCE NO. 2013-04 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING IN ITS ENTIRETY CHAPTER 1.02 ADOPTING AN OFFICIAL CITY SEAL, INAUGURAL LOGO, LOGO AND NAME

BACKGROUND:

The City of Eastvale became incorporated on October 1, 2010 wherein it also adopted its Logo that celebrated inaugural cityhood. Thereafter, the City created its official City Seal and Logo which represent the unique character of the community.

Because the City Seal, Inaugural Logo, Logo and official name of the City of Eastvale represent the City exclusively, it is incumbent for the City Council to adopt this Ordinance in order to protect its identity which is illustrated through these unique graphic marks.

The attached Ordinance amends Chapter 1.02 in its entirety to reflect that the Official City Seal, Inaugural Logo, Official Logo and City name are for the exclusive use and enjoyment of the City. The Ordinance prohibits any unauthorized use of these designs without written permission of the City Council.

A violation of any provision of the Ordinance or a failure to comply with any mandatory requirements of this Ordinance is subject to prosecution as a misdemeanor under the Eastvale Municipal Code and may be enforced through criminal, civil, administrative, injunctive or other relief available by law. Criminal penalties for violations of the provisions of this Ordinance may result in actions up to a misdemeanor citation for each day in violation, punishable by a maximum of one year in jail and a one thousand dollar (\$1,000.00) fine.

FISCAL IMPACT:

None

ATTACHMENTS:

1. Ordinance No. 2013-04

ORDINANCE NO. 2013-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING IN ITS ENTIRETY CHAPTER 1.02 ADOPTING AN OFFICIAL CITY SEAL, INAUGURAL LOGO, LOGO AND NAME

THE CITY COUNCIL OF THE CITY OF EASTVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 1.02 OF THE EASTVALE MUNICIPAL CODE IS AMENDED IN ITS ENTIRETY TO READ AS FOLLOWS:

“OFFICIAL CITY SEAL, INAUGURAL LOGO, LOGO AND NAME”

Sections:

<u>1.02.010</u>	City Seal
<u>1.02.020</u>	City Logo
<u>1.02.030</u>	City Inaugural Logo
<u>1.02.040</u>	Official City Name Adopted
<u>1.02.050</u>	Violations

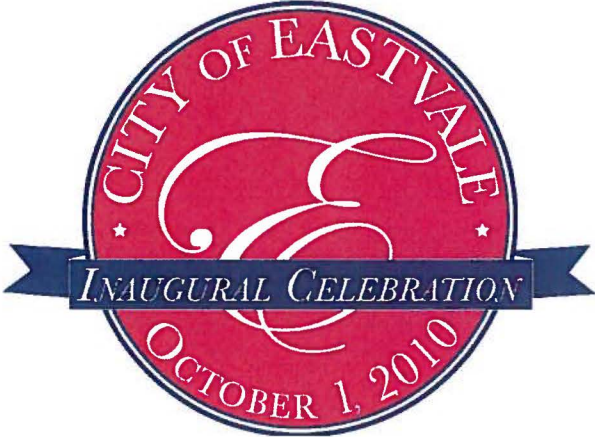
1.02.010. City Seal.

The following symbol with the inscription thereupon constitutes and is adopted as the official seal of the City.



1.02.020. City Inaugural Logo

The following symbol with the inscription thereupon constitutes and is adopted as the official insignia of the City.



1.02.030. City Logo.

The following symbol with the inscription thereupon constitutes and is adopted as the official logo of the City.



1.02.040. Official City Name Adopted.

The official name for the City shall be the "City of Eastvale", and constitutes and is adopted as the official name for the City. The name "Eastvale" shall also constitute a secondary official name for the City.

1.02.050. Violations.

A. The City seal, Inaugural Logo, Logo, and Official Name, are for the exclusive use by the City, and their commissions, officials and employees, in the course and scope of their official duties.

B. No person shall use or allow to be used the official seal, inaugural logo, logo or official name of the City of Eastvale, or any cut, facsimile, or reproduction of said seal, or make or use any design which is an imitation of said seal or of the design thereof, or which may be mistaken for the seal, inaugural logo or logo of this City or the design thereof, for malicious or commercial purposes, or for any purpose other than for City purposes or for the purposes of any officer, board or department thereof, without the express prior written consent of the City Council of the City of Eastvale.

C. The City Council may authorize the use or reproduction thereof of the official seal, inaugural logo, logo or official name for commercial purposes or for any other use.

D. A violation of any provision of this Chapter or a failure to comply with any mandatory requirements of this Chapter is subject to prosecution as a misdemeanor under the Eastvale Municipal Code and may be enforced through criminal, civil, administrative, injunctive or other relief available by law. Criminal penalties for violations of the provisions of this Chapter may result in up to a misdemeanor citation for each day in violation, punishable by a maximum of one year in jail and a one thousand dollar (\$1,000.00) fine.

SECTION 2. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

SECTION 3. EFFECTIVE DATE: This Ordinance shall become effective 30 days from the date of its adoption.

PASSED, APPROVED AND ADOPTED THIS 24th DAY OF APRIL 2013.

Ike Bootsma, Mayor

Attest:

Ariel M. Hall, Assistant City Clerk

Approved as to form:

John E. Cavanaugh, City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF EASTVALE)

I, Ariel M. Hall, ASSISTANT CITY CLERK OF THE CITY OF EASTVALE, DO HEREBY CERTIFY that the foregoing Ordinance Number 2013-04 was duly and regularly adopted by the City Council of the City of Eastvale at a REGULAR meeting held the 24th day of April, 2013, by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Assistant City Clerk, Ariel M. Hall



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9. COUNCIL COMMUNICATIONS



City of Eastvale
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10. CITY MANAGER'S REPORT



City of Eastvale
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MEETING DATE: APRIL 10, 2013

11. CLOSED SESSION:

**11.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO
SUBDIVISION (B) OF SECTION 54656.8:**

Property: Potential Fire Station Sites

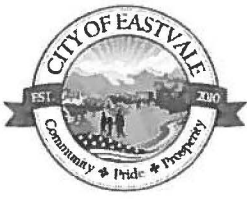
Negotiating Parties: City of Eastvale

Under Negotiation: Site Location and Viability

**11.2 CONFERENCE WITH LEGAL COUNSEL-SIGNIFICANT EXPOSURE TO
LITIGATION**

Subdivision (b) (1) of Section 54956.9

No. of Case(s): 1



City of Eastvale
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12. ADJOURNMENT