

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

Wednesday October 9, 2013

6:30 P.M.

Rosa Parks Elementary School, 13830 Whispering Hills Drive

1. CALL TO ORDER: 6:37 p.m.

2. ROLL CALL/INVOCATION /PLEDGE OF ALLEGIANCE:

Council Members present – Council Members Howell, DeGrandpre, and Mayor Pro Tem Rush.

Council Members absent – Council Member Welch and Mayor Bootsma.

Board Member DeGrandpre led the Pledge of Allegiance.

Staff present – City Manager Jacobs, City Attorney Cavanaugh, Public Information Officer Nissen, City Engineer Alvarez, Finance Director Shea, Deputy Finance Director Gitmed, Police Captain Feltenberger, Lieutenant Yates, Management Analyst Rowe and Assistant City Clerk Hall.

3. PRESENTATIONS/ANNOUNCEMENTS:

There were no Presentations or Announcements.

4. PUBLIC COMMENT/CITIZEN PARTICIPATION:

5. CONSENT CALENDAR:

5.1 Minutes – September 17, 2013 Special Meeting.

Recommendation: Approve the minutes from the Special Meeting held on September 17, 2013.

5.2 Minutes – September 25, 2013 Regular Meeting.

Recommendation: Approve the minutes from the Regular Meeting held on September 25, 2013.

5.3 Proclamation – Freedom from Workplace Bullies Week.

Recommendation: Receive and file.

5.4 Business Registration Certification Program.

Recommendation: Hold second reading and Ordinance No. 2013-12, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING CHAPTER 6.72 IN ITS ENTIRETY TO THE EASTVALE MUNICIPAL CODE ESTABLISHING A BUSINESS REGISTRATION CERTIFICATION PROGRAM.

5.5 Single-Family Residential Rental Registration, Inspection and Crime-Free Rental Housing Program. *PULLED FROM CONSENT CALENDAR FOR DISCUSSION*****

Recommendation: Hold second reading and adopt Ordinance No. 2013-13, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ADDING CHAPTER 110.32 TO TITLE 110 OF THE EASTVALE MUNICIPAL CODE ESTABLISHING A SINGLE-FAMILY RESIDENTIAL RENTAL REGISTRATION, INSPECTION AND CRIME-FREE RENTAL HOUSING PROGRAM.

5.6 Solid Waste Collection and Disposal Ordinance.

Recommendation: Hold second reading and adopt Ordinance No. 2013-15, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ENACTING CHAPTER 16.05 OF TITLE 16 OF THE CITY OF EASTVALE MUNICIPAL CODE RELATING TO SOLID WASTE COLLECTION AND DISPOSAL.

5.7 Delegation of Authority to the City Manager of his/her Designee to Execute Right-Of-Way Certifications.

Recommendation: Adopt Resolution 13-31, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, DELEGATING AUTHORITY TO THE CITY MANAGER OR HIS/HER DESIGNEE TO EXECUTE RIGHT OF WAY CERTIFICATIONS.

5.8 Resolution of intent to Vacate a Portion of Schleisman Road.

Recommendation: Adopt Resolution 13-29, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, DECLARING ITS INTENTION TO VACATE A PORTION OF SCHLEISMAN ROAD AND SETTING A PUBLIC HEARING THEREON AND DIRECTING NOTICE THEREOF TO BE POSTED AND PUBLISHED.

5.9 **Acceptance of Easement Dedication for Right-Of-Way Purposes – John C. Leal & Elizabeth Leal Trust.**

Recommendation: Adopt Resolution 13-30, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ACCEPTING EASEMENT FOR RIGHT-OF-WAY PURPOSES RELATED TO TRACT MAP 32821 – JOHN C. LEAL & ELIZABETH LEAL TRUST.

Motion: Moved by DeGrandpre, seconded by Howell to approve the Consent Calendar as presented, excluding Item 5.5.

Motion carried 3-0-2 with Welch and Bootsma absent.

City Attorney Cavanaugh provided a brief overview of Item 5.5.

Council Member DeGrandpre discussed the basis for his objection to the ordinance. He did not feel that the ordinance provided enough punishment for those caught with illegal marijuana grow operations in their homes. He discussed various programs that were similar in other cities. He suggested that an alternative to the proposed ordinance and program was to fine homeowners as a penalty for owning a home that was used as an illegal grow house.

There was discussion in regards to continuing this item until all Council Members would be present to discuss.

Motion: Moved by Howell, seconded by Rush to continue the item to the October 23rd meeting.

Motion carried 3-0-2 with Welch and Bootsma absent.

There was additional discussion regarding the ordinance.

There was discussion regarding the courts not being willing to uphold fines for homeowners. The City Attorney stated that the ordinance was as aggressive as it could be without compromising the ability to be upheld in court.

There was discussion regarding the Council's ability to make changes to the ordinance after a future adoption, if the program was not working in the intended manner.

6. ***PUBLIC HEARINGS:***

There were no Public Hearings.

7. OLD BUSINESS ITEMS:

There were no Old Business items.

8. NEW BUSINESS ITEMS:

8.1 Account Application/Client Agreement, Authorized Persons and Enabling Resolution/Morgan Stanley.

Recommendation: 1) Approve the Account Application and Client Agreement 2) Approve Authorized Signers 3) Adopt Resolution No. 13-32, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE AUTHORIZING ESTABLISHMENT OF A CUSTODIAL BANK ACCOUNT WITH MORGAN STANLEY SMITH AND BARNEY AND DESIGNATING THE PERSONS AUTHORIZED TO EXECUTE THE AGREEMENT.

City Manager Jacobs provided the staff report for this item.

There was discussion regarding Morgan Stanley, and the risks and benefits in starting an account.

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

Motion carried 3-0-2 with Welch and Bootsma absent.

8.2 Implementation and Task Force Agreements – Riverside County Storm Water Program.

Recommendation: Approve amended Storm Water Implementation Agreement and TMDL Task Force Agreement, and authorize City Manager to execute on behalf of the City.

City Manger Jacobs provided the staff report for this item.

Motion: Moved by DeGrandpre, seconded by Howell to approve the Implementation and Task Force Agreements as presented.

Motion carried 3-0-2 with Welch and Bootsma absent.

8.3 Renewal of Contract with Riverside County Fire Department for Fire Protection Services in the Amount of \$2,688,037.77 for Fiscal Year 2013-14.

Recommendation: Approve Cooperative Agreement between the County of Riverside and the City of Eastvale in the amount of \$2,688,037.77.

City Manager Jacobs provided staff report for this item.

There was discussion regarding the source of funds and the cost of operating the second fire station.

Motion: Moved by DeGrandpre, seconded by Howell to approve the Renewal of Contract with the Riverside County Fire Department as presented.

Motion carried 3-0-2 with Welch and Bootsma absent.

9. COUNCIL COMMUNICATIONS:

Council Member DeGrandpre reported that he recently found out that one of his future grandchildren was going to be a boy.

Mayor Pro Tem Rush requested that staff begin the process of bringing the sign ordinance to the Planning Commission for review and then to City Council for approval.

10. CITY MANAGER'S REPORT:

10.1 Update on Neighborhood Meeting (Schleisman Vacation).

City Manager Jacobs provided an update on the Neighborhood Meeting for Schleisman Vacation, as well as an update on "Walk to School Day".

11. CLOSED SESSION:

There were no Closed Session items.

12. ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:59 p.m.