

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**OF THE CITY OF EASTVALE**  
**Wednesday August 14, 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 present – Council Members Welch, Howell, DeGrandpre, Mayor Pro Tem Rush and Mayor Bootsma.

Invocation led by Pastor Rick Morris, with The Crossings Church.

Mayor Bootsma led the Pledge of Allegiance.

Staff present – City Manager Jacobs, City Attorney Cavanaugh, Public Information Officer Nissen, City Engineer Alvarez, Senior Engineer Indrawan, Chief Building Official Steenson, Finance Director Montoya, Code Enforcement Officer Engelking, Police Captain Feltenberger and Assistant City Clerk Hall.

City Manager Jacobs asked to add an item to the agenda under New Business regarding a letter of opposition to SB439.

**3. PRESENTATIONS/ANNOUNCEMENTS:**

There were no presentations.

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

Loren Meissner, author of History of Eastvale, announced events where the books would be available for purchase and that he had provided copies for the City Council Members, City Manager Jacobs and Public Information Officer Nissen. Mayor Bootsma thanked him for his work.

Daniella McClister, with the Eastvale Chamber of Commerce, updated the City Council on the events of the Eastvale Chamber.

**5. CONSENT CALENDAR:**

**5.1 Minutes – July 24, 2013 Regular Meeting.**

Recommendation: Approve the minutes from the Regular Meeting held on July 24, 2013.

- 5.2 **Project No. 13-0486 – Tentative Parcel Map for the subdivision of a 7.15-acre site that contains the 24-Hour Fitness building and a retail building (Shop 2) into two parcels so that each building will be situated on its parcel.**

Recommendation: Receive and file.

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

**Motion carried 5-0.**

6. ***PUBLIC HEARINGS:***

- 6.1 **Public Hearing and Resolution establishing new fees for various City services and receiving the User Fee Study Findings Report.**

Recommendation: 1) Open the Public Hearing on consideration of a Resolution 13-26, establishing new fees for various City services 2) Receive User Fee Study Findings Report and take public testimony 3) Continue item to September 25, 2013 to adopt Resolution 13-26, establishing and adopting certain City fees for various City services.

Deputy Finance Director Montoya provided the staff report for the item.

There was discussion regarding the changes in the fees and the calculations used.

**Motion: Moved by Howell, seconded by Rush to continue item.**

**Public Hearing opened at 6:55 p.m.**

Nathan Miller, with the Building Industry Association, thanked City Manager Jacobs for the extension of time for the agency to review the study and stated that the agency would be having their own consultant review the fee study.

Lea Petersen, Public Affairs Manager with Southern California Gas, stated she was thankful for the additional time to review the study.

Ray Hicks, with Southern California Edison, also thanked the City for the extension of time to review the study.

**Motion: Moved by Howell, seconded by Rush to continue to the September 25<sup>th</sup> meeting.**

**Motion carried 5-0.**

7. **OLD BUSINESS ITEMS:**

7.1 **Solid Waste Collection and Disposal Ordinance.**

Recommendation: Staff recommends continuing this item to the August 28, 2013 City Council Meeting.

City Manager Jacobs stated that Staff had been trying to get in touch with Waste Management but had not heard back from them, so they recommended continuing the item.

There was discussion regarding whether or not the August 28<sup>th</sup> date was certain.

**Motion: Moved by Rush, seconded by Howell to continue the item to August 28<sup>th</sup> meeting.**

**Motion carried 5-0.**

8. **NEW BUSINESS ITEMS:**

8.1 **Consultant Agreement for Professional Small Business Services.**

Recommendation: Approve the attached Professional Services Agreement with California Small Business Development Center (SBDC) in the amount of \$10,000.

City Manager Jacobs provided staff report for this item.

Council Member DeGrandpre inquired if the Chamber of Commerce offered the same services that the City was considering contracting for.

City Manager Jacobs stated that the services would be specific to the business asking for assistance, not focused on large groups or networking.

Council Member Rush reported that he met with Mr. McCoy at the SBDC office, and that he felt the money would be well spent on the contract and that the SBDC offers more confidential and financial guidance to small businesses.

There was discussion regarding the use of the services and how businesses that used the service would be tracked.

**Motion: Moved by Rush, seconded by Howell to approve the Professional Services Agreement with California Small Business Development Center (SBDC) in the amount of \$10,000.**

**Motion carried 5-0.**

**8.2 Selection of Consultant for Design Engineering Services.**

Recommendation: Approve the attached Consultant Agreement with K&A in the amount of \$73,200 for Design Engineering Services.

City Engineer Alvarez provided staff report for this item.

**Motion: Moved by DeGrandpre, seconded by Rush to approve the Consultant agreement with K & A in the amount of \$73,200.**

**Motion carried 5-0.**

**8.3 Code Enforcement Staff Report (Jan 1<sup>st</sup> 2013 to June 30<sup>th</sup> 2013).**

Recommendation: Receive and file.

Code Enforcement Officer Engelking provided the staff report for this item.

There was discussion regarding the numbers presented in the report and what items were being tracked.

There was discussion regarding the actual amount of fines collected by the City. Staff would look into the matter and provide the City Council a figure.

There was discussion regarding the remedies that could be pursued if notices and citations were not effective.

**8.4 Business Registration Certification Program.**

Recommendation: Hold first reading of 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.

City Attorney Cavanaugh provided the staff report for this item.

There was discussion regarding the effect the program would have on sales tax, the fees, public outreach to get people to register, the effects on mobile businesses, registrations for businesses participating in temporary events, and the late fee for renewals.

Kathy Walker, with the Inland Gateway Realtors Association, expressed concern with having realtors, property managers and property owners register. She requested that Item 8.4 and 8.5 be tabled to provide her with an opportunity to work with City Staff on the items.

There was discussion regarding the cost of registering properties and various provisions of the Ordinance.

The Council expressed that the item was part of the 90-day No Tolerance Policy that had been set and needed to move forward to meet the deadlines.

**Motion: Moved by Rush, seconded by Howell to hold the first reading of Ordinance 2013-12 with staff's recommendations.**

**Motion carried 4-0-1 with DeGrandpre voting no.**

## 8.5 Renter's Ordinance.

Recommendation: Hold first reading of 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.

City Attorney Cavanaugh provided the staff report for this item. He added that he recommended changing the provision that required landlords to notice the tenants when an inspection would occur, the City would send a notice instead. He went to add that the business registration for the property would be held until after the inspection was passed. He stated that Tim Johnson, with the California Apartment Association of the Inland Empire had offered to host informational workshops for landlords.

There was discussion regarding the inspections that would occur and the general process of the program.

There was discussion regarding the Crime-Free Lease Addendum and the Self-Certification program.

Council Member DeGrandpre stepped away from the dais at 8:45 p.m.

There was discussion regarding the annual renewal of registrations.

Council Member DeGrandpre returned to the dais at 8:47 p.m.

There was discussion regarding the various methods that the City could use to receive permission to conduct inspections.

Mayor Pro Tem Rush stepped away from the dais at 8:55 p.m.

Police Captain Feltenberger and City Attorney Cavanaugh discussed the process for receiving warrants to inspect properties.

Mayor Pro Tem Rush returned to the dais at 8:58 p.m.

There was discussion regarding how the program would be a tool to reduce crime in the City.

Kathy Walker, with the Inland Gateway Realtors Association, asked for a delay in approving the item in order for her to work with Staff to review the program. She went on to discuss the screening of potential tenants and her opinion that the program could violate property rights.

Manny DeSilvia, a Realtor/Property Manager, stated that he felt the ordinance would create a police state and that asking for a copy of the lease would be registering tenants' names. He indicated that the City already has the power to stop illicit activities.

Tim Johnson, with the California Apartment Association of the Inland Empire, stated that he worked with City Attorney Cavanaugh on the program and he felt it would be a useful tool to maintain the quality of life in the City.

Danny Kimble, with the Inland Gateway Association of Realtors, stated that he had concerns with the program, and felt that it would profile tenants and landlords as having additional instances of crime. He requested additional time to work with the City on the program.

John Start, with Crime Free Partners of California, stated that he worked with many crime-free organizations and had produced the Crime-Free Lease addendum that was included in the proposed program. He added that he was also a part of the Fair Housing Authority.

There was discussion regarding whether or not this program would help police in fighting the crime issue in the City.

There was discussion regarding who from the community was involved in drafting the program.

There was discussion regarding the Fair Housing Authority and if the program would have any provisions that would violate people's rights.

**Motion: Moved by Welch, seconded by DeGrandpre to continue the item to the September 25<sup>th</sup> City Council Meeting, and to have staff meet with the Realtor Association, Council Member Welch and Mayor Pro Tem Rush to review the program.**

**Motion carried 5-0.**

**8.6 Medical Marijuana SB439 Opposition Letter**

Public Information Officer Nissen provided staff report for this item.

Council Member Howell stepped away from dais at 9:36 p.m.

**Motion: Moved by DeGrandpre, seconded by Welch.**

**Motion carried 4-0-1 with Howell absent.**

**9. COUNCIL COMMUNICATIONS:**

Mayor Pro Tem Rush thanked Mayor Bootsma and Building Industry Association for the recent luncheon he had attended.

Council Member Howell returned to dais at 9:39 p.m.

Council Member Howell reported that the schools summit meeting was good and she also announced the upcoming Community Foundation Golf Tournament.

Council Member DeGrandpre stated that he was moving forward on SB56 efforts to restore the Motor Vehicle License funding back to the City and he would be traveling to Sacramento in September.

Mayor Bootsma reported that he attended two meetings that day, prior to the City Council meeting.

**10. CITY MANAGER'S REPORT:**

City Manager Jacobs stated that she would like to create a Legislative Ad Hoc Committee at next meeting to respond to proposal bills.

Mayor Pro Tem Rush recommended that Committee make legislative platform for future.

**11. CLOSED SESSION:**

City Council Members entered Closed Session at 9:44 p.m.

**11.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO SECTION 54957:**

Title: City Manager and City Attorney.

City Council Members returned from Closed Session at 10:00 p.m. with no reportable action.

12. ***ADJOURNMENT:***

There being no further business, the meeting was adjourned at 10:00 p.m.

Prepared by Office Assistant Katrina Aragon  
Reviewed and Approved by Assistant City Clerk Ariel Hall, CMC