

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL,**  
**OF THE CITY OF EASTVALE**  
**Wednesday, May 28, 2014**  
**6:30 P.M.**

**Rosa Parks Elementary School, 13830 Whispering Hills Drive**

**1. CALL TO ORDER:** 6:31 p.m.

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

Council Members present: Council Members Welch, DeGrandpre, Link, Mayor Pro Tem Rush, and Mayor Bootsma.

Staff Members present: City Manager Jacobs, City Attorney Cavanaugh, Public Information Officer Nissen, Planning Director Norris, Assistant Planning Director Perring, Management Analyst Rowe, CEQA Manager Teague, Public Works Director Alvarez, Assistant Police Chief Yates, and Recording Secretary Wuence.

**The Pledge of Allegiance was led by Mayor Bootsma.**

**3. PRESENTATIONS/ANNOUNCEMENTS:**

3.1 Update by Public Safety Commission.

Vice-Chairman Kiltz provided an update on the Public Safety Commission and informed Council that this would be his last meeting as he is relocating and will step down from the Commission. He noted that the new Chairperson on the Committee is Melonee Cruse. Council thanked him for his service and hard work.

3.2 Presentation by the Riverside County Transportation Commission.

Liza Echevarria introduced Lisa DaSilva, Toll Project Manager for I-15 Express Lanes, who provided a PowerPoint presentation on the I-15 Express Lanes.

Ms. DaSilva noted that the project will add one toll express lane in each direction spanning 14.6 miles beginning at Cajalco Rd to State Route 60 and is expected to open in 2020 at an approximate cost of \$425-450 Million.

Mayor Pro Tem Rush inquired about other scenarios that had been considered and why this one was chosen. Ms. DaSilva noted that of the three scenarios presented to the RCTC Commission, this one was the best alternative with a delivery date of 2020 and was the most affordable.

Mayor Bootsma inquired if there would be a connection to the 91 Freeway and where vehicles would exit if not. Ms. DaSilva noted that there would not be a connector from the 15 Freeway south to the 91 Freeway west, so vehicles would have to exit the toll lanes and use the existing connector to the 91 west.

### 3.3 Presentation by CitySourced.

Public Information Officer Nissen provided a PowerPoint presentation on the CitySourced App. The app is a way to report non-emergency issues to JCSD and City of Eastvale. The app would be available for download to smart phones on June 27 and would be launched at Picnic in the Park.

Mayor Pro Tem Rush requested that Staff report back 90 days after the app is launched.

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

Frank Taylor, a resident of Palm Desert, noted that unmanned aerial systems (DRONES) could be used by cities to supplement operations and reduce costs associated with Search & Rescue, Disaster Preparedness, and Public Agency Emergencies. Mr. Taylor requested the opportunity for his company to offer a presentation at a future City Council Meeting.

Rigo Arellano, LEAFF President, noted his concern that the Military Banner Program would be scrapped due to extensive cost of replacing banners recently damaged by high winds. He noted that he found options for \$75 per banner that can withstand 75-85 MPH winds and requested the City look into those options. He believes the program is a positive influence as a show of support for our military and requests the City not scrap the program.

Annalyn Neve-Wiltjer, American Cancer Society, invited everyone to attend the 2<sup>nd</sup> Annual Relay for Life 24-hour event at Roosevelt High School on June 7. The Relay raises funds for cancer research.

Kris Kiltz, Public Safety Commissioner, noted that he presented the Military Banner Program to the City Council in honor of his friend Robert Flores, USMC. Mr. Kiltz, requested that the City do their best to find the funding to keep the banners up as they are a great way to support the military and veteran residents of Eastvale.

Council Member DeGrandpre noted that the Military Banner Program had not been scrapped. City Manager Jacobs noted that Staff suggested looking into alternatives to make the program better and honor our military without banners being damaged and going missing. The alternatives would be brought back to Council at the June 11 meeting and the item would go to JCSD at a meeting on June 4.

5. **CONSENT CALENDAR:**

5.1 **Minutes – May 14, 2014 Regular Meeting.**

Recommendation: Approve the minutes from the Regular Meeting held on May 14, 2014.

**Motion: Moved by DeGrandpre, seconded by Rush to approve the Minutes from the May 14, 2014 Regular Meeting as presented.**

**Motion carried 4-0-1 with Link, DeGrandpre, Welch, and Rush voting aye and Mayor Bootsma abstaining.**

5.2 **Budget Amendment – Fire Station #2.**

Recommendation: Approve Budget Amendment for land acquisition for Fire Station #2.

Council Member Rush requested an update from Staff on why an amendment to the Budget is required.

City Manager Jacobs noted that in addition to the \$570,000 purchase price for the property, there were ancillary costs that had not been included in the budget. Some costs included escrow overages, fencing around the property, and additional soil testing on the property for contamination.

**Motion: Moved by Rush, seconded by Welch to approve the Budget Amendment for land acquisition for Fire Station #2.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush and Mayor Bootsma voting aye.**

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

Recommendation: take the following actions:

1. Adopt Resolution No. 14-21, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING THE ANNUAL REPORT FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED FOR FISCAL YEAR 2014/15.

2. Adopt Resolution No. 14-22, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED FOR THE FISCAL YEAR 2014/15.

**Motion: Moved by DeGrandpre, seconded by Rush to Adopt Resolution No. 14-21 and Resolution No. 14-22.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush and Mayor Bootsma voting aye.**

5.4 **Acceptance of Public Improvements of Tracts 30913, & -1 – Lennar Homes – Northwest Quadrant of River Road and Archibald.**

Recommendation: Adopt Resolution No. 14-23, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ACCEPTING THE SUBDIVISION IMPROVEMENTS FOR PROJECT NO. 10-0119 (TRACTS 30913, & -1) LENNAR HOMES.

**Motion: Moved by DeGrandpre, seconded by Rush to Adopt Resolution No. 14-23.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush and Mayor Bootsma voting aye.**

5.5 **Warrant Register.**

Recommendation: Approve the payment of Warrants (check numbers 12021 through 12023 and 12026 through 12073, wire numbers W00255 to W00268, for a total amount of \$1,211,002.12, and payroll in the amount of \$99,096.11).

**Motion: Moved by DeGrandpre, seconded by Rush to approve the payment of Warrants (check numbers 12021 through 12023 and 12026 through 12073, wire numbers W00255 to W00268, for a total amount of \$1,211,002.12, and payroll in the amount of \$99,096.11).**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush and Mayor Bootsma voting aye.**

**6. PUBLIC HEARINGS:**

**6.1 Request From Burrtec Waste Industries, Inc. For Rate Increase For Fiscal Year 2014-2015.**

Recommendation: Hold Public Hearing and approve the rate increase as requested.

City Manager Jacobs provided the Staff update for the item.

The Public Hearing was opened at 7:17 p.m.

Jessica Flores, a resident, requested clarification on the rate increase.

City Manager Jacobs noted that there are two components to the increase. The CPI adjustment of 1.08% and the tipping fee for Riverside County Landfill Systems of 1.14%, combined for a total rate increase of 2.01%.

The Public Hearing was closed at 7:19 p.m.

**Motion: Moved by Rush, seconded by Link to approve the rate increase as requested.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush and Mayor Bootsma voting aye.**

Council Member DeGrandpre stepped away from dais at 7:19 p.m.

**6.2 Request From Waste Management For Rate Increase For Fiscal Year 2013-2014.**

Recommendation: Hold Public Hearing and approve rate increase request and implementation of new fee for compliance with AB341.

Council Member DeGrandpre returned to dais at 7:21 p.m.

**Motion: Moved by Rush, seconded by Link to continue the item for discussion at a future meeting.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush and Mayor Bootsma voting aye.**

**6.3 Project No. 11-0271 – Environmental Impact Report, General Plan Amendment, Change of Zone, And Specific Plan For An Approximate 205-Acre Site, Tentative Parcel Map For Subdivision Of An Approximately 193-Acre Area Into Five Industrial Parcels, Two Business Park Parcels, and One**

**Commercial Parcel, And A Major Development Plan Review For Development Of 2,714,829 Square Feet On Approximately 117 Acres of Light Industrial Including Four Industrial/Warehouse Buildings.**

Recommendation: Hold Public Hearing and take the following actions:

1. Adopt a resolution certifying the Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA).
2. Adopt a resolution approving a General Plan Amendment from High Density Residential to Light Industrial, Commercial Retail, and Business Park.
3. Adopt an ordinance rescinding the Resort Specific Plan, adopting the Goodman Commerce Center Specific Plan, dated April 2014, and adopting a Change of Zone to implement the Goodman Commerce Center Specific Plan.
4. Adopt a resolution approving Tentative Parcel Map No. 36487 for the subdivision of approximately 193 acres into five industrial parcels, two business park parcels, and one commercial parcel, subject to conditions of approval (Attachment 1).
5. Adopt a resolution approving Major Development Plan Review for the development of four new industrial/warehouse buildings totaling 2,714,829 square feet, subject to conditions of approval.

City Manager Jacobs provided background on the item and introduced Assistant Planning Director Cathy Perring, who provided the Staff report via PowerPoint on the item.

CEQA Manager Teague discussed information just received related to the EIR. Additionally he noted that Staff was prepared to answer any questions relating to a letter received from Briggs Law Corporation on the project.

Brandon Birtcher, CEO of Goodman Birtcher, provided a PowerPoint presentation introducing the newly proposed plan for the Goodman Commerce Center. He highlighted the modifications of the project made since 2011 in response to recommendations by Staff and Planning Commission as well as concerns expressed by stakeholders, including residents, at several meetings regarding the project.

Council Member Link initiated discussion about the amount of projected truck traffic per day, the parameters on initiating construction of the Business Park, why retail commercial would not work here, and why high density housing was not necessary on this project.

Assistant Planning Director Perring noted that commercial retail was being looked at in other places, like the Leal Specific Plan and that the high density housing proposed in the Leal Specific Plan was meant to offset the housing lost on this site.

Council Member Link noted the difference in the total of the Fiscal Impact Report and asked why warehouses, light industrial and office were left off of the equation.

City Manager Jacobs noted that those numbers were left off because there is no guarantee that the buildings would generate revenue. If the buildings do generate revenue, then that is gravy for the City.

Mayor Pro Tem Rush asked what was being done to prevent the queuing of trucks coming off the freeway into the project site backing up onto Cantu Galleano.

Public Works Director Alvarez noted that changes to the plan were made to allow enough distance from the freeway off-ramp to the signal, and the driveways were pushed far enough back to allow trucks to queue onsite as well.

There was discussion about the number of trucks and trips per day to the site as well as peak hours that the trucks would be entering and exiting the site. Mayor Pro Tem Rush requested that the City, the applicant, and the Grainger facility all work together to ensure the trucks don't get pushed to the north side of Cantu Galleano.

Council Member DeGrandpre questioned whether the number of jobs projected was accurate with many logistics jobs being computerized. Mr. Birtcher responded that the numbers were very conservative as many of the e-commerce employee opportunities were left off.

Council Member Welch initiated discussion about the four street signals proposed on Hamner between Bellegrave and Cantu Galleano.

The Public Hearing was opened at 8:26 p.m.

Michael Newell, a resident, representing the Eastvale Estates neighborhood noted that the residents have a lot of concerns regarding the project. He stated that the residents don't see a need for warehouses in the City and requested Council not approve the project but send it back to the developer to give residents additional consideration. He noted that the plan did not line up the four street lights on Hamner with the street lights planned for Ontario's new development and that the developer should have worked with the City of Ontario to line the streets up.

Rania Hamdy, a resident, stated that the Business Park was only put in as a concession to the residents. She noted that the project focuses on warehouses and

that the only item up for approval today was warehouses. She noted the possibility that the applicant would come back at a later date and add more warehouses instead of the Business Park and Hospital. She stated that the residents were not opposed to commercial but only to the warehouses that don't guarantee sales tax revenue. She noted residents' concerns with truck traffic, noise, and environmental issues and urged Council to oppose the project.

Grace Guo, a resident, noted that the residents do not want warehouses, trucks, or truck gas stations that would attract more trucks. She noted the project is not environmentally friendly for a new, young community with children. She proposed high density housing on the land instead of warehouses. She noted that as elected officials, the Council should listen to resident concerns and speak on their behalf.

Scott Jensen, a resident, noted that he is also opposed to the amount of warehouse being proposed. He requested more commercial and retail development as a buffer between the Eastvale Estates community and the warehouses on the project. He noted that the increased trucks and traffic signals would cause delays for residents that use Cantu Galleano for their daily commute. He noted that the warehouses do not guarantee sales tax and many companies are going to full automation and less employees.

Claudia Kunhardt, a resident, noted that a petition with several signatures opposing the project had been submitted to Council. She noted concerns about traffic, pollution, and home values dropping. She noted that when she purchased her home, a school was promised in that area and the City changed their mind.

Leon Swails, representing Lewis Companies, noted that Lewis is a long term holder of real estate in Eastvale. As a stakeholder in the community, Lewis supports the project and thinks it is a great use of the land.

Paul Castaneda, a resident, noted that he is a small business owner in Eastvale. After outgrowing his garage and finding no affordable space in Eastvale, he moved his business to a Goodman Birtcher property in Jurupa Valley. He commended Goodman Birtcher on ensuring the success of small businesses like his and he noted the need for affordable office space for the many small businesses in Eastvale.

Jessica Flores, a resident, noted that the size of the warehouses and number of traffic lights are excessive. She noted concern that the hospital is not guaranteed if Goodman Birtcher does not like the proposals they receive for it. She noted the overcrowding of Eastvale schools and the need for another school site. She questioned whether the landscaping would be part of Phase 1 or 2 and whether the solar would be installed by the developer or the tenants. She questioned whether the traffic would be regulated to a certain time frame.



Mr. Birtcher responded to resident comments and concerns. He noted that once the land is zoned as industrial, Goodman Birtcher cannot re-zone it without Council approval. He noted that the project is designed to meet the needs of a medical user and the site is zoned and ready to accommodate their use now. They are working with the City to get them to move to Eastvale. He noted that the roofs are pre-stressed for solar, however it is up to the customers to take advantage of state and local jurisdictions incentive programs. He noted that the water retention pond would be built as part of Phase 1 along with the infrastructure on the surrounding roads and landscaping.

Assistant Planning Director Perring noted that the Specific Plan puts limitations on the timing of the truck traffic that does not allow it to be 24/7.

Council Member Welch initiated discussion about whether warehouse use or all commercial generates more daily trips. He noted that we all share the same concerns and there is not a perfect solution. He noted that Goodman Birtcher had tried very hard to make concessions in the project. He stated that there will be potential problems developing the site whether warehouses go in or not.

Council Member DeGrandpre noted that he did not like the initial plan presented by Goodman Birtcher and that he lives in the proximity of the project as well. However, a lot of work was done and he is pleased with the Business Park as an option to keep many businesses in Eastvale. He noted that the City has nothing to do with the schools as the school district makes those decisions. He noted the many studies that show 200 acres of retail could not be accommodated in Eastvale, as there are not enough residents nearby to keep them occupied. He noted, however, that there was an 80% increase in retail in the project. He believes that this mix use is the best alternative for the land.

The Public Hearing was closed at 8:55 p.m.

Council Member Link noted that, while the project does have its merits, it would be more popular with the nearby residents if it had more commercial.

Mayor Pro Tem Rush noted that the project had gone through a substantial amount of change from the initial proposal. He noted that while retail is necessary, diversity in the community is important and he believes this project is the best one for the property.

Mayor Bootsma noted that he would like to see the third warehouse on Hamner be done away with and made retail commercial. If a hospital complex were put there instead, the rest of the retail commercial would work.

It was decided that language would be changed in the condition of approval to specify the developer must file for and receive building permit issuance of not less than 100,000 square feet of Business Park building.

Council Member Welch noted that having just received it, he did not have enough time to read and review the letter and disk from the Briggs Law Corporation. Staff and the attorney for the applicant noted that they had reviewed the letter and felt there was nothing in it that wasn't already addressed in subsequent comments in the final EIR or in comments made to the Planning Commission in the plan itself. Staff was prepared to answer any questions on the letter and document.

It was decided that the item would be continued to the next Council Meeting to allow Council Members enough time to review the letter.

**Motion: Moved by Welch, seconded by Bootsma to continue the item to the next Council Meeting on June 11.**

**Motion carried 3-2 with Link, Welch, and Bootsma voting aye and DeGrandpre and Rush voting no.**

**7. OLD BUSINESS:**

There were no Old Business Items.

**8. NEW BUSINESS ITEMS:**

**8.1 Designation of Voting Delegates and Alternate to League of California Cities Annual Conference.**

Recommendation: Designate a Voting Delegate and Alternate for the League of California Cities Conference.

City Manager Jacobs provided an update on this item.

It was decided that Mayor Pro Tem Rush would be the delegate and Council Member DeGrandpre would be the alternate.

**Motion: Moved by Welch, seconded by Rush to designate Mayor Pro Tem Rush as a Voting Delegate and Council Member DeGrandpre as an Alternate for the League of California Cities Conference.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush, and Bootsma voting aye.**

**8.2 Addition of City Clerk and Intern Positions To The City's Job Descriptions.**

Recommendation: Approve the job descriptions for the City Clerk and Intern positions.

City Manager Jacobs provided the update on this item.

**Motion: Moved by Rush, seconded by DeGrandpre to approve the job descriptions for the City Clerk and Intern positions.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush, and Bootsma voting aye.**

**8.3 Appointment of Public Safety Commissioner.**

Recommendation: Mayor Pro Tem Adam Rush to appoint a member to the Public Safety Commission.

Mayor Pro Tem Rush appointed Christian De Costa to the Public Safety Commission.

**Motion: Moved by Rush, seconded by DeGrandpre to appoint Christian De Costa to the Public Safety Commission.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush, and Bootsma voting aye.**

**8.4 Proposed Ordinance To Update Participation In The TUMF Program and Adopt An Amendment To The TUMF Ordinance To Exempt New Specially Adapted Homes For Severely Disabled Veterans.**

Recommendation: Adopt Ordinance No. 2014-07, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING ORDINANCE NO. 2011-13 TO INCLUDE NEW EXEMPTIONS FOR NEWLY CONSTRUCTED SPECIALLY ADAPTED HOMES FOR SEVERELY DISABLED VETERANS UNDER THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM.

City Manager Jacobs provided the Staff report on this item.

**Motion: Moved by Rush, seconded by Link to Adopt Ordinance No. 2014-07.**

**Motion carried 5-0 with Link, DeGrandpre, Welch, Rush, and Bootsma voting aye.**

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

City Manager Jacobs commended the Finance Department on their second Award of Excellence for Financial Reporting from the Government Finance Officers Association.

City Manager Jacobs announced that Ana Montoya would be leaving the City as she is moving to Utah.

**10. STUDENT LIAISON UPDATE:**

There was no Student Liaison Update.

**11. COUNCIL COMMUNICATIONS:**

Council Member DeGrandpre requested an occasional report from the Eastvale Community Foundation to the City Council.

Council Member DeGrandpre noted concern about a newspaper report that stated that the City decided not to continue the contract with the lobbyist for the VLF fees. He noted that the item had not been discussed or voted on by the Council.

City Manager noted that the reporting was inaccurate. She noted that her comments to the reporter were that the draft budget did not include additional funding for the VLF; however, there had not been discussion about the contract either way and nothing was final until the Council approves the contract on June 11.

Mayor Pro Tem Rush suggested a possible alternative to the individual voting at Council Meetings for Motions. He noted that other commissions take roll at the beginning of the meetings and then use a consensus for voting.

City Attorney Cavanaugh noted that the new revision to the Brown Act was made to get each member vote on the record of a yes or no on every action taken and recommended the Council continue to vote individually until something changes.

Mayor Bootsma noted that he would like to add an agenda item for a future meeting to discuss the possibility of having the Eastvale Community Foundation take over the Military Banner Program. Staff would discuss the possibility with the Foundation and report back to Council.

**12. CLOSED SESSION:**

There were no Closed Session Items.

**13. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:22 p.m.

*Submitted by Margo Wuence, Recording Secretary  
Reviewed and edited by Carol Jacobs, City Manager/City Clerk*