

MINUTES
REGULAR MEETING OF THE CITY COUNCIL,
OF THE CITY OF EASTVALE
Wednesday, August 27, 2014
6:30 P.M.
Rosa Parks Elementary School
13830 Whispering Hills Drive
Eastvale, CA 92880

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

2. ROLL CALL/PLEDGE OF ALLEGIANCE/INVOCATION

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

Staff Members present: City Manager Jacobs, City Attorney Cavanaugh, Public Information Officer Nissen, Police Chief Horton, and City Clerk Donohue.

Invocation was led by Tim Eaton with Edgewater Lutheran Church.

The Pledge of Allegiance was led by Councilmember Link.

3. PRESENTATIONS/ANNOUNCEMENTS

3.1 Certificate of Appreciation – National Night Out Participants

Mayor Bootsma presented certificates of appreciation to the National Night Out Sponsors and Sheriff volunteers.

3.2 Presentation regarding School Board Boundaries

Rollin Edmunds provided an update on the potential change of school boundaries.

3.3 Update by the Community Foundation

Sharyn Link provided an update on the Community Foundation.

3.4 Update by the Public Safety Commission

City Manager Jacobs provided an update on the Public Safety Commission.

4. PUBLIC COMMENT/CITIZEN PARTICIPATION

Manjee Dhiman Rios, 88 Impact Foundation, presented a check to the Community Foundation for their Military Banner Program.

Dickie Simmons, resident, discussed the synchronization of traffic lights. He suggested that the City Council consider a policy that does not allow the change of the City Manager sixty days before and sixty days after an election.

5. CONSENT CALENDAR

5.1 Minutes – August 6, 2014 Special Meeting.

RECOMMENDATION: Approve the minutes from the Special Meeting held on August 6, 2014.

5.2 Minutes – August 13, 2014 Regular Meeting.

RECOMMENDATION: Approve the minutes from the Regular Meeting held on August 13, 2014.

5.3 Proclamation – Childhood Cancer Awareness Month

RECOMMENDATION: Approve the proclamation of Childhood Cancer Awareness Month, September 2014.

5.4 Warrant Register

RECOMMENDATION: Approve the payment of Warrants (check numbers 12184 through 12231 and wire numbers W00297 to W00303 and W00375 to W00383), for a total amount of \$1,210,990.97, and payroll in the amount of \$67,438.03 (paid on 07/03/14 and 07/18/14).

5.5 Statement of Revenue & Expense (Unaudited) – June 2014 and July 2014

RECOMMENDATION: Receive and file.

5.6 E-Citizen App Update

RECOMMENDATION: Receive and file.

Motion: Moved by Mayor Pro Tem Rush, seconded by Councilmember Tessari to approve Consent Calendar items 5.1 - 5.6.

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

6. PUBLIC HEARINGS – None

7. OLD BUSINESS

- 7.1 Agreement for Professional Services with California Small Business Development Center (SBDC) in the amount of \$10,000

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

City Manager Jacobs provided the staff report for this item.

Robert Usher, SBDC, introduced himself and asked if the City Council had any specific questions about the program.

Councilmember Tessari asked if there is any prevailing opinion from clients on how the City can make their experience better when they are starting or continuing their business.

Mr. Usher stated that more retail space has been discussed.

Motion: Moved by Mayor Pro Tem Rush, seconded by Councilmember Link to approve the recommended action.

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

- 7.2 Landscaping and Lighting Maintenance District No. 2014-1 (Tract 36382)

RECOMMENDATION: Adopt the following resolutions:

1. RESOLUTION NO. 14-51, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, PRELIMINARILY APPROVING A REPORT OF THE ENGINEER IN CONNECTION WITH PROPOSED CITY OF EASTVALE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 2014-1 (TRACT 36382), AND
2. RESOLUTION NO. 14-52, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE FORMATION OF PROPOSED CITY OF EASTVALE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 2014-1 (TRACT 36382) PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND IN ACCORDANCE WITH ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND SETTING A PUBLIC HEARING THEREON

City Manager Jacobs provided the staff report for this item.

Councilmember Welch requested that staff bring back a recommendation regarding the credit of reserves.

Motion: Moved by Mayor Pro Tem Rush, seconded by Councilmember Link to approve the recommended action.

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

7.3 Benefit Assessment District No. 2014-2 (Tract 32821 & 32821-1)

RECOMMENDATION: Adopt the following resolutions:

1. RESOLUTION NO. 14-53, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, PRELIMINARILY APPROVING A REPORT OF THE ENGINEER IN CONNECTION WITH PROPOSED CITY OF EASTVALE BENEFIT ASSESSMENT DISTRICT NO. 2014-2 (TRACTS 32821 & 32821-1), AND
2. RESOLUTION NO. 14-54, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE FORMATION OF PROPOSED CITY OF EASTVALE BENEFIT ASSESSMENT DISTRICT NO. 2014-2 (TRACTS 32821 & 32821-1) PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982 AND IN ACCORDANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION, AND SETTING A PUBLIC HEARING THEREON

City Manager Jacobs provided the staff report for this item.

Motion: Moved by Mayor Pro Tem Rush, seconded by Councilmember Link to approve the recommended action.

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

7.4 Landscape and Lighting Maintenance District No. 2014-3 (Tract 36423)

RECOMMENDATION: Adopt the following resolutions:

1. RESOLUTION NO. 14-55, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, PRELIMINARILY APPROVING A REPORT OF THE ENGINEER IN CONNECTION WITH PROPOSED CITY OF EASTVALE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 2014-3 (TRACT 36423), AND

2. RESOLUTION NO. 14-56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE FORMATION OF PROPOSED CITY OF EASTVALE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 2014-3 (TRACT 36423) PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND IN ACCORDANCE WITH ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND SETTING A PUBLIC HEARING THEREON

City Manager Jacobs provided the staff report for this item.

Motion: Moved by Councilmember Welch, seconded by Councilmember Link to approve the recommended action.

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

7.5 Landscape and Lighting Maintenance District No. 2014-4 (PM 35865)

RECOMMENDATION: Adopt the following resolutions:

1. RESOLUTION NO. 14-57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, PRELIMINARILY APPROVING A REPORT OF THE ENGINEER IN CONNECTION WITH PROPOSED CITY OF EASTVALE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 2014-4 (PM 35865), AND
2. RESOLUTION NO. 14-58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE FORMATION OF PROPOSED CITY OF EASTVALE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 2014-4 (PM 35865) PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND IN ACCORDANCE WITH ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND SETTING A PUBLIC HEARING THEREON

City Manager Jacobs provided the staff report for this item.

Motion: Moved by Councilmember Link, seconded by Mayor Pro Tem Rush to approve the recommended action.

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

8. NEW BUSINESS ITEMS

- 8.1 Execute A Professional Services Agreement for Architectural and Engineering Services with WLC Architects, Inc. For City of Eastvale Fire Station No. 2 and Fire Services Training Operations Center

RECOMMENDATION: Authorize the execution of a professional services agreement for architectural and engineering services with WLC Architects, In. for City of Eastvale Fire Station No. 2 and Fire Services Training Operations center in the amount of \$436,000.

City Manager Jacobs provided the staff report for this item.

Mayor Pro Tem Rush asked who the ultimate decision maker was in rejecting STK's protest letter.

City Manager Jacobs stated that it was a combination of staff and the City Attorney.

Motion: Moved by Councilmember Welch, seconded by Councilmember Tessari to approve the recommended action.

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

- 8.2 Records Retention Day

RECOMMENDATION: Authorize staff to close City hall to the public on Columbus Day annually for records retention day.

City Manager Jacobs provided the staff report for this item.

Councilmember Welch suggested adjusting schedules or have staff work overtime to come in on a Friday.

Councilmember Link asked how many staff members it would take to complete the task.

City Manager Jacobs stated that it would require everyone from the Building, Planning, Public Works, Finance, and City Clerk departments.

Councilmember Link asked if there was an overtime cost estimate.

City Manager Jacobs stated that she does not have that information at the moment.

Mayor Bootsma asked if it would be possible to get a cost estimate.

City Manager Jacobs answered affirmatively.

Motion: Moved by Mayor Pro Tem Rush, seconded by Councilmember Link to continue the item to the next City Council meeting.

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

8.3 Code Enforcement Services

RECOMMENDATION: Approve Eastvale Code Enforcement Manual and direct staff to hire the approved part-time code enforcement technician position.

City Manager Jacobs provided the staff report for this item.

Councilmember Link suggested eliminating the courtesy notice from violations. He asked if that would cut down labor by twenty-five percent.

Code Enforcement Officer Engelking answered affirmatively.

Mayor Bootsma asked what kind of response Code Enforcement gets from the initial courtesy notice.

Code Enforcement Officer Engelking stated that responses are varied. He noted that a few of the responses consists of resident being unaware that there is a code violation.

Councilmember Tessari asked if the letter of non-compliance mailed out to the offender.

Code Enforcement Officer Engelking stated that it is placed on their door.

Councilmember Welch suggested educating the residents with the municipal code. He also suggested that the Code Enforcement staff meet with members of the City Council.

Councilmember Link reiterated Councilmember Welch's thoughts.

Councilmember Tessari suggested asking surrounding municipalities about their success rate with citation collections.

Councilmember Welch asked if the part-time Code Enforcement Technician is paid hourly.

City Manager Jacobs answered affirmatively.

Mayor Pro Tem Rush noted that Code Enforcement is a constant education process.

Motion: Moved by Councilmember Welch, seconded by Mayor Pro Tem Rush to approve the recommended action.

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

8.4 Consider adoption of Tree Management Policy and Repeal Chapter 12.24 and Section 12.08.270 of Chapter 12.08 of the Eastvale Municipal Code

RECOMMENDATION: Approve adoption of Tree Management Policy and repeal chapter 12.24 and section 12.08.270 of chapter 12.08 of the Eastvale municipal code relating to tree removal.

Councilmember Welch recused himself from the item.

City Manager Jacobs provided the staff report for this item.

Mayor Pro Tem Rush asked if there is a difference between the tree and the landscaping within the public right-of-way interior tracts as opposed to along the parkway on Limonite Avenue and Archibald Street.

City Manager Jacobs stated that the Jurupa Community Services District (JCSD) only maintain trees or landscaping in the public right-of-way and not in the neighborhoods.

Mayor Pro Tem Rush stated that he sees homeowners maintaining trees on corner lots as well as the ground cover on the landscaping.

City Manager Jacobs stated that it's a very grey area. She noted that staff will bring a policy on the maintenance of parkways to the City Council in the near future.

Councilmember Link stated that under the tree removal criteria, he would like to add if the tree is dead or dying, that the tree is deemed hazardous and if its upheaving masonry walls, sidewalks, curbs, gutters, or streets.

Motion: Moved by Councilmember Mayor Pro Tem Rush, seconded by Mayor Bootsma to approve the recommended action with the added changes.

Motion carried 4-0-1 with Link, Tessari, Rush, and Mayor Bootsma voting aye and Councilmember Welch recusing himself.

8.5 Appointment of Public Safety Commissioner

RECOMMENDATION: Council Member Joe Tessari select a member to the Public Safety Commission.

Councilmember Tessari selected Sean E. Parilla to serve on the Public Safety Commission.

Motion: Moved by Mayor Pro Tem Rush, seconded by Councilmember Tessari to ratify the appointment.

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

8.6 Appointment of Planning Commissioner

RECOMMENDATION: Mayor Ike Bootsma select a member of the Planning Commission.

Mayor Bootsma selected William Van Leeuwen to serve on the Planning Commission.

Motion: Moved by Councilmember Tessari, seconded by Mayor Pro Tem Rush to ratify the appointment.

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

Mayor Pro Tem Rush left the meeting at 7:54 p.m.

8.7 Economic Development Website

RECOMMENDATION: Provide direction to issue the request for proposal for a dedicated economic development website.

City Manager Jacobs provided the staff report for this item.

Motion: Moved by Councilmember Welch, seconded by Councilmember Tessari to continue the item to approve the recommended action.

Motion carried 4-0 with Link, Tessari, Welch, and Mayor Bootsma voting aye and Mayor Pro Tem Rush absent.

8.8 Eastvale Community Foundation Addition of Board Members

RECOMMENDATION: Appoint Greg Coker and Carolyn Anderson to the Board of Directors

Sharyn Link, Executive Director, Eastvale Community Foundation, requested that the City Council appoint Greg Coker and Carolyn Anderson to the Board.

Motion: Moved by Councilmember Welch, seconded by Councilmember Tessari to ratify the appointments.

Motion carried 4-0 with Link, Tessari, Welch, and Mayor Bootsma voting aye and Mayor Pro Tem Rush absent.

9. CITY MANAGER'S REPORT

City Manager Jacobs announced that the Chandler Community Plan meeting will take place on Saturday, August 30, 2014 from 9 a.m. to 11 p.m.

City Manager Jacobs asked if the City Council would like to do the September 11 Remembrance Event on an annual basis or every five years.

By consensus, the City Council decided to have the event annually.

10. COUNCIL COMMUNICATIONS

Councilmember Tessari thanked everyone who applied for the Public Safety Commission vacancies. He encouraged the applicants to stay interested in the City. He thanked the public safety services for their work during all the tragic events from the past few weeks.

Councilmember Welch welcomed the two new Commissioners. He noted that he will be out of town and will return on the 8th of September.

Mayor Bootsma encouraged everyone to attend the Chandler Community Plan meeting.

Mayor Pro Tem Rush re-entered the meeting at 7:59 p.m.

Mayor Pro Tem Rush expressed his condolences for the recent drowning's in the community. He requested that staff look into the municipal code relating to safety and fencing. He noted that there has been a request for low cost CPR classes.

Mayor Bootsma adjourned to closed session at 8:01 p.m.

11. CLOSED SESSION

11.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9

11.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Government Code Section 54957(b)(1)

Title: City Manager

The City Council reconvened in open session at 10:04 p.m. City Attorney Cavanaugh stated that City Manager Jacobs submitted her resignation effective immediately. The City Council voted 4-0, with Councilmember Tessari recusing himself, to accept her resignation. There was no other reportable action.

12. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:05 p.m.

Submitted by Marc Donohue, City Clerk

Reviewed and edited by John Cavanaugh, Acting City Manager/City Attorney