

MINUTES

**SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF EASTVALE
Friday October 1, 2010
3:15 P.M.**

**Roosevelt High School Theatre
7447 Cleveland Avenue
Eastvale, CA 91752**

CALL TO ORDER:

The Special Meeting of the City Council of the City of Eastvale was called to order at 3:22 p.m. by Chairman Rush

ROLL CALL:

Interim City Clerk Haughney called the roll

Present: Chairman Rush, Council Members Elect Bootsma, DeGrandpre, Howell and Welch

Staff Members Present: Interim City Manager Van Nort, Interim City Attorney Cavanaugh, Interim Finance Director Terry Shea, Director of Municipal Services Michael Kashiwagi, Captain Danny Feltenberger, Lt. Jason Horton, Doug Van Gelder and Interim City Clerk Judy Haughney

1. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Assembly Member Jeff Miller Seventy-First District

2. SWEARING IN OF COUNCIL MEMBERS

Supervisor John Tavaglione conducted the swearing in ceremony and administered the Oath of Office to the 5 Council Members of the City of Eastvale.

3. SELECTION OF MAYOR AND MAYOR PRO-TEM

Council Member/Chairman Adam Rush opened the nominations for Mayor of the City of Eastvale.

Council Member Ric Welch nominated Adam Rush for the position of Mayor. Council Member Jeff DeGrandpre seconded the nomination. The nomination and second were carried unanimously by the City Council.

Mayor Adam Rush opened the nominations for the position of Mayor Pro-Tem. Council Member Ike Bootsma nominated Council Member Jeff DeGrandpre for the position of Mayor Pro-Tem. Council Member Ric Welch seconded the nomination. The nomination and second were carried unanimously.

4. PRESENTATIONS:

The City of Eastvale received presentations from the following:

A presentation was made to Mayor Adam Rush by Interim City Manager of a gavel on behalf of City Staff members Interim City Manager Van Nort, Interim City Attorney John Cavanaugh, Director of Municipal Services Michael Kashiwagi and Interim City Clerk Judy Haughney

Mayor Adam Rush read a proclamation on behalf of Governor Arnold Schwarzenegger.

A proclamation was presented by Assembly Member Jeff Miller who noted that it was an honor to represent the State Assembly and that he was thrilled with the accomplishments of the Council and noted the City had a tremendous future. He stated that a City that invests in its children and families is a City that has an opinion about its future.

A proclamation was presented by Supervisor John Tavaglione. He offered congratulations to the Mayor and Mayor Pro Tem adding that it is a great and challenging job and he know they will do a wonderful job. He stated that the proclamation was truly from the heart of himself as well as his colleagues on the Board of Supervisors who have all watched the effort to Cityhood. He noted that it has been wonderful and cool to see an area that was dairy land become a city and offered congratulations to all.

A proclamation was presented by Mayor Karen Spiegel of the City of Corona who noted that it was really exciting to watch the progress and the desire to grow. She added that the Council should be proud and noted that their names will be part of history.

A plaque was presented by Mayor Pro Tem Berwin Hanna of the City of Norco who offered congratulations and good luck running the new City.

A Resolution was presented by Director Cathy Bogart of Jurupa Community Services District who noted that it was an exciting day for Eastvale and an honor to be present.

Mayor Adam Rush called for a 10 minute recess

The City Council reconvened at 3:59 p.m.

Mayor Adam Rush noted that he was speechless at the monumental task that had been undertaken over the last 3 ½ to 4 years. He offered his thanks to everyone who had helped get this

to this point. He added that the staff was absolutely fantastic, great people and that all bring strengths that make this the best City in California.

Mayor Pro-Tem DeGrandpre noted that it was a great day and there would be a lot of fun coming up. He added that he would like to echo the Mayor in saying that it was a great group effort by a lot of people.

Council Member Howell expressed that it is the people who do the right thing that makes a community a pleasant place to be. She then offered thanks to the police department and it's Members, as well as Captain Danny Feltenberger and Lt. Jason Horton for their efforts in the set up for the celebration. She also extended her thanks to the residents of Eastvale.

Council member Welch noted that he was humbled by the responsibility they are dealing with and the faith extended to the Council to carry it out.

Council Member Bootsma extended his thanks to everyone for being there and noted that he would work to make this the best community ever.

Mayor Adam Rush noted the celebration that was scheduled for that evening to start at 6:30 p.m.

5. PUBLIC COMMENT:

There was no public comment

6. NEW BUSINESS:

Waiver of reading

Waive reading of the full text of the ordinances which follow and read by title only.

Mayor Rush called for a motion and a second to waive the reading of the full text of the Ordinances and read by title only.

Moved by DeGrandpre and Seconded by Bootsma to waive the reading of the full text Of the Ordinances and read by title only

Mayor Rush asked the Interim City Clerk to conduct a roll call vote

Interim City Clerk Haughney conducted a roll call vote

Ayes: Howell, Welch, Bootsma, DeGrandpre and Rush
 Noes; None
 Absent: None
 Abstain: None

6.1. Ordinance No. 2010.01 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ADOPTING ALL ORDINANCES AND RESOLUTIONS OF THE COUNTY OF RIVERSIDE (INCLUDING LAND USE ORDINANCES AND RESOLUTIONS) TO REMAIN IN FULL FORCE AND EFFECT AS CITY ORDINANCES FOR A PERIOD OF ONE HUNDRED TWENTY DAYS OR UNTIL OTHERWISE SUPERSEDED BY THE CITY ORDINANCES, AND DECLARING THE URGENCY THEREOF

Mayor Rush asked Interim City Clerk Haughney to read the title of Ordinance 2010-01 into the record.

Interim City Clerk Haughney read the title of Ordinance 2010-01 into the record.

Mayor Rush asked for a motion and a second to adopt Ordinance number 2010-01

Moved by DeGrandpre and Seconded by Bootsma to adopt Ordinance 2010-01

Mayor Rush asked Interim City Clerk Haughney to conduct a roll call vote.

Interim City Clerk Haughney conducted a roll call vote

**Ayes: Howell, Welch, Bootsma, DeGrandpre and Rush
 Noes; None
 Absent: None
 Abstain: None**

6.2 Ordinance No. 2010-02 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ESTABLISHING THE EASTVALE MUNICIPAL CODE AND ENACTING TITLES 1-3 RELATING TO GENERAL ADMINISTRATION, FINANCES AND CONTRACTING, AND DECLARING THE URGENCY THEREOF

Mayor Rush asked Interim City Clerk Haughney to read the title of Ordinance 2010-02 into the record.

Interim City Clerk Haughney read the title of Ordinance 2010-02 into the record.

Mayor Rush asked for a motion and a second to adopt Ordinance number 2010-02

Moved by Welch Seconded by Howell to adopt Ordinance 2010-02

Mayor Rush asked Interim City Clerk Haughney to conduct a roll call vote.

Interim City Clerk Haughney conducted a roll call vote

Ayes: Howell, Welch, Bootsma, DeGrandpre and Rush

Noes: None

Absent: None

Abstain: None

6.3 Ordinance No. 2010-03 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ESTABLISHING AN INTERIM PLANNING COMMISSION AND APPOINTING THE CITY COUNCIL MEMBERS AS THE INTERIM PLANNING COMMISSION; APPOINTING THE CITY MANAGER OR HIS DESIGNEE AS THE PLANNING DIRECTOR, ZONING ADMINISTRATOR AND CODE ENFORCEMENT ADMINISTRATOR; AND CONFIRMING THAT THE CITY COUNCIL MEMBERS WILL ACT AS THE APPEALS BODY FOR ANY PLANNING, ZONING OR CODE ENFORCEMENT APPEALS.

Mayor Rush asked Interim City Clerk Haughney to read the title of Ordinance 2010-03 into the record.

Interim City Clerk Haughney read the title of Ordinance 2010-03 into the record.

Mayor Rush asked for a motion and a second to adopt Ordinance number 2010-03

Moved by Bootsma and Seconded by Welch to adopt Ordinance 2010-03

Mayor Rush asked Interim City Clerk Haughney to conduct a roll call vote.

Interim City Clerk Haughney conducted a roll call vote

Ayes: Howell, Welch, Bootsma, DeGrandpre and Rush

Noes: None

Absent: None

Abstain: None

6.4 Ordinance No. 2010-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ESTABLISHING A (BRADLEY-BURNS) SALES AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION*

*This ordinance is not urgency because a vote on general taxes takes effect immediately.

Interim city Manager Van Nort requested that the Council note a correction on page 1 Section 3 and page 4 Section 17 and amend the date to reflect October 1, 2010.

Mayor Rush asked Interim City Clerk Haughney to read the title of Ordinance 2010-04 into the record.

Interim City Clerk Haughney read the title of Ordinance 2010-04 into the record.

Mayor Rush asked for a motion and a second to adopt Ordinance number 2010-04 as amended

Moved by Howell and Seconded by Bootsma to adopt Ordinance 2010-04 as amended

Mayor Rush asked Interim City Clerk Haughney to conduct a roll call vote.

Interim City Clerk Haughney conducted a roll call vote

Ayes: Howell, Welch, Bootsma, DeGrandpre and Rush

Noes; None

Absent: None

Abstain: None

6.5 Ordinance No. 2010-05 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ESTABLISHING A SPECIAL GAS TAX STREET IMPROVEMENT FUND AND DECLARING THE URGENCY THEREOF

Mayor Rush asked Interim City Clerk Haughney to read the title of Ordinance 2010-05 into the record.

Interim City Clerk Haughney read the title of Ordinance 2010-05 into the record.

Mayor Rush asked for a motion and a second to adopt Ordinance number 2010-05

Moved by Bootsma and Seconded by DeGrandpre to adopt Ordinance 2010-05

Mayor Rush asked Interim City Clerk Haughney to conduct a roll call vote.

Interim City Clerk Haughney conducted a roll call vote

Ayes: Howell, Welch, Bootsma, DeGrandpre and Rush

Noes; None

Absent: None

Abstain: None

7. CONSENT CALENDAR:

It was requested that item 7.30 be pulled for further discussion

7.1 Resolution No. 10-01 – A Resolution of the City Council of the City of Eastvale, California, Requesting Continuation of Services by the County of Riverside and Authorizing county officials to enforce laws in the City during the transition period.

7.2 Resolution No. 10-02 – A Resolution of the City Council of the City of Eastvale, California, Establishing Rules of Decorum and Procedures for Conduct for City Council Meetings.

7.3 Resolution No. 10-03 – A Resolution of the City Council of the City of Eastvale, California, Authorizing Filing of Documents with State and County Offices and Officers.

7.4 Resolution No. 10-04 – A Resolution of the City Council of the City of Eastvale, California, Designating the Time, Date and Location of City Council meetings; Designating Locations for Posting Agendas, Ordinances and/or Resolutions; and Establishing an Address for the Receipt of the United States Mail.

7.5 Resolution No. 10-05 – A Resolution of the City Council of the City of Eastvale, California, Authorizing the Mayor, City Manager and City Clerk to prepare, Execute and File the Statement of Boundary Creation and Other Necessary Documents.

7.6 Resolution No. 10-06 – A Resolution of the City Council of the City of Eastvale, California, Ratifying the Appointment of Interim City Manager, Approving the InterWest Consulting Agreement and Ratifying and Affirming the Actions of the Interim City Manager and Various Consultants.

7.7 Resolution No. 10-07 – A Resolution of the City Council of the City of Eastvale, California, Ratifying the Appointment of Interim City Attorney and the Interim City Attorney Services Agreement, and Ratifying and Affirming Attorney Actions.

7.8 Resolution No. 10-08 – A Resolution of the City Council of the City of Eastvale, California, Confirming that the City Manager will Appoint an interim City Engineer, and Transferring All surveying Duties Currently Performed by the County Surveyor to the City.

7.9 Resolution No. 10-09 – A Resolution of the City Council of the City of Eastvale, California, Providing for the Enforcement of State Laws and Regulations Relating to Public Health by the County Health Officer.

7.10 Resolution No. 10-10 – A Resolution of the City Council of the City of Eastvale, California, Authorizing the City Attorney to Allow the County Counsel for the County of Riverside to Represent the City of Eastvale's Interests in Certain Property Tax Refund Matters within Certain Parameters.

7.11 Resolution No. 10-11 – A Resolution of the City Council of the City of Eastvale, California, Designating the County of Riverside as its Agent for Service of Process for Actions under the Revenue and Taxation Code.

7.12 Resolution No. 10-12 – A Resolution of the City Council of the City of Eastvale, California, Consenting to Cancellation of Uncollected Taxes, Penalties and Costs Based on the Consent of the County Legal Advisor.

7.13 Resolution No. 10-13 – A Resolution of the City Council of the City of Eastvale, California, Authorizing the Mayor to Execute an Agreement with the California State Board of Equalization Providing for State Administration of Local Sales and Use Taxes.

7.14 Resolution No. 10-14 – A Resolution of the City Council of the City of Eastvale, California, Authorizing State Examination of Sales and Use Tax Records.

7.15 Resolution No. 10-15 – A Resolution of the City Council of the City of Eastvale, California, Adopting the Budget for Fiscal year 2010-2011.

7.16 Resolution No. 10-16 – A Resolution of the City Council of the City of Eastvale, California, Ratifying the provisional Appropriations Limit for the City Set by the Local Agency Formation Commission of Riverside County.

7.17 Resolution No. 10-17 – A Resolution of the City Council of the City of Eastvale, California, Authorizing Reimbursements for Pre-Incorporation and Post-Incorporation Expenses and Ratifying all Prior Actions of the City Council-Elect.

7.18 Resolution No. 10-18 – A Resolution of the City Council of the City of Eastvale, California, Authorizing and Ratifying Banking Services with Citizens Business Bank and Designating the Persons Authorized to Transact Business on Behalf of the City.

7.19 Resolution No. 10-19 – A Resolution of the City Council of the City of Eastvale, California, Continuing the Levy and Collection of Previously Authorized Charges, Fees, Assessments and Taxes and Making Findings Therefore.

7.20 Resolution No. 10-20 – A Resolution of the City Council of the City of Eastvale, California, Confirming and Accepting all Public Streets, Roads, Bridges and highways or portions thereof within the City of Eastvale into the City Street System.

7.21 Resolution No. 10-21 – A Resolution of the City Council of the City of Eastvale, California, Accepting the Transfer and Assignment to the City of the County of Riverside's Interest in and to all Franchises Existing within the City of Eastvale.

7.22 Resolution No. 10-22 – A Resolution of the City Council of the City of Eastvale, California, Requesting membership in the Public Entity Risk Management Authority (PERMA) and Participation in the Liability Program.

7.23 Resolution No. 10-23 – A Resolution of the City Council of the City of Eastvale, California, Adopting an Illness and Injury Prevention Program.

7.24 Resolution No. 10-24 – A Resolution of the City Council of the City of Eastvale, California, Approving Membership in the Western Riverside Council of Governments.

7.25 Resolution No. 10-25 – A Resolution of the City Council of the City of Eastvale, California, Approving Membership in the Riverside County Transportation Commission (RCTC).

7.26 Resolution No. 10-26 – A Resolution of the City Council of the City of Eastvale, California, Approving Membership in the Western Riverside County Regional Conservation Authority.

7.27 Resolution No. 10-27 – A Resolution of the City Council of the City of Eastvale, California, Approving Membership in Riverside Transit Authority.

7.28 Resolution No. 10-28 – A Resolution of the City Council of the City of Eastvale, California, Approving Membership in any Mandatory Local Commission, Joint Powers Authority or Other Entity Required by Governing Law.

7.29 Approve Lease Agreement for City Hall with Lewis Operating Corp.

7.31 Approve Loan Agreement between City of Eastvale and County of Riverside.

7.32 Approve Agreement between City of Eastvale and Rogers, Anderson, Malody and Scott, LLP for City Financial Services and to act as City's Finance Director/Treasurer.

7.33 Approve Agreement between City of Eastvale and Judy L. Roseen-Haughney, CMC for City Clerk Services.

7.34 Approve Agreement between City of Eastvale and HdL Companies to identify, monitor and ensure accuracy of all sales and use tax generators within the City of Eastvale jurisdictional boundaries.

Mayor Rush asked for a motion and a second to approve the balance of the Consent Calendar

Moved by DeGrandpre and Seconded by Bootsma to approve the balance of the Consent Calendar

Mayor Rush asked Interim City Clerk Haughney to conduct a roll call vote.

Interim City Clerk Haughney conducted a roll call vote

Ayes: Howell, Welch, Bootsma, DeGrandpre and Rush

Noes; None

Absent: None

Abstain: None

7.30 Approve Agreement for Law Enforcement Services between the City of Eastvale, California and the County of Riverside including appointment of the Captain of the Jurupa Valley Station as the City Police Chief.

Interim City Attorney Cavanaugh noted that this item had been discussed at the City Council Elect Work session held on September 29, 2010. After discussion direction was given to staff to bring back language that reflected the concerns of the Council. Interim City Attorney Cavanaugh stated that the Council is aware that the City of Eastvale is required by law to continue services at the level prior to incorporation. However, in the case of the Sherriff contract there is concern on the methodology for determining what that level of service is for the City of Eastvale. He went on to note that staff recommends that the Council move to conditionally approve the contract with the County of Riverside's Sheriff's Department for law enforcement services upon verification and confirmation by staff of the methodology that determined the level of service for the City. He also added that the City Council reserves the right to later amend the Contract.

Council Member DeGrandpre inquired if this was for 94 service hours per day and 19.5 positions. Interim City Manager Van Nort confirmed.

Mayor Rush asked for a motion and a second to approve item 7.30

Moved by Howell and Seconded by Welch to approve item 7.30 with the conditions as stated by Interim City Attorney Cavanaugh

Mayor Rush asked Interim City Clerk Haughney to conduct a roll call vote.

Interim City Clerk Haughney conducted a roll call vote

Ayes: Howell, Welch, Bootsma, DeGrandpre and Rush

Noes; None

Absent: None

Abstain: None

CONCLUDING REMARKS BY MAYOR

Interim City Manager Van Nort indicated that this would be the appropriate time for Mayor Rush to make his appointments to the various outside and local agencies, committees and commissions

Mayor Rush made the following appointments

WRCOG

Mayor Pro-Tem DeGrandpre-Delegate/Mayor Rush-Alternate

SCAG

Mayor Pro-Tem DeGrandpre-Delegate/Mayor Rush-Alternate

RTA

Council Member Bootsma-Delegate/Mayor Rush-Alternate

RCTC

Mayor Rush-Delegate/Council Member Bootsma-Alternate

RCA

Mayor Adam Rush-Delegate/Council Member Welch-Alternate

Finance Committee

Council Members Howell and Welch

City Office Location Committee

Mayor Pro-Tem DeGrandpre and Council Member Bootsma

Mayor Rush then announced that the next regular meeting of the

Council would be held at Rosa Parks Elementary School on October 13th at 6:30 p.m.

ADJOURNMENT

The meeting was unanimously adjourned at 4:18 p.m.

Moved by Welch and Seconded by Bootsma