

MINUTES

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF EASTVALE
Wednesday, February 23, 2011
6:30 P.M.**

**Rosa Parks Elementary School
13830 Whispering Hills Drive
Eastvale, CA 92880**

1. *CALL TO ORDER:*

The Regular Meeting of the City Council of the City of Eastvale was called to order at 6:32 p.m. by Mayor Rush.

2. *ROLL CALL/PLEDGE OF ALLEGIANCE:*

Interim City Clerk Haughney called the roll.

Present: Mayor Rush, Mayor Pro Tem DeGrandpre, Council Members Bootsma, Howell and Welch.

Staff Members Present: Interim City Manager Van Nort, Interim City Attorney Cavanaugh, Interim Finance Director Shea, City Engineer Kashiwagi, Assistant to the City Manager Williams, IT Volunteer Van Gelder, and Interim City Clerk Haughney.

The Pledge of Allegiance was led by Mayor Rush.

3. *ADDITIONS/DELETIONS TO THE AGENDA:*

Mayor Rush announced that additional information had been received for Item 7.1.

There were no other deletions or additions to the agenda.

4. *PRESENTATIONS/ANNOUNCEMENTS*

- 4.1 Presentation by Gary Johnson regarding Liberty Quarry and consideration of Resolution 11-13, entitled:

RESOLUTION 11-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, IN SUPPORT OF THE NEED FOR AND BENEFITS OF LIBERTY QUARRY

Mayor Rush excused himself from the dais for the presentation and consideration of the item.

Mayor Pro Tem DeGrandpre asked Mr. Johnson to come forward and begin his presentation.

Mr. Johnson provided a presentation and stated that the Environmental Impact Report for the quarry had been released over a year ago. He discussed the various benefits that having a local quarry would offer, and stated that it would create approximately 99 on site jobs and 127 indirect jobs in the local area. He cited the environmental benefits as well as the traffic benefits the quarry would have on local freeways.

There was discussion about the types of measures the company was taking in order to reduce the quarry's impact on the environment and the surrounding area.

There was additional discussion about the type of support the quarry was receiving and the various meetings that were being held to address the project.

Irene Long, a resident, spoke in favor of the item. Ms. Long went on to speak about how the type of aggregate the quarry would produce is needed for building roads and other critical infrastructure, and it would benefit the area because in the event of a disaster it would be beneficial for this type of facility to be nearby. She felt it would help with recovery after an incident.

Dickie Simmons, a resident, stated that it may be a little premature to support the project because the only other supporters were outside the immediate area of the quarry. He suggested that instead of a resolution being approved a letter of support should be written. Mr. Simmons stated that he thought the Council should hear both sides and they hadn't yet heard from the cities bordering the project.

Irene Long stated that she had lived in a city previously that was near a Granite Construction site and went on to say that the company was a good community citizen and was well respected.

There was a brief discussion about the land and which jurisdiction it was in. It was clarified that the resolution was only in support of the benefits of the quarry.

Motion: Moved by Bootsma, seconded by Welch to approve the resolution.

Council Member Howell stated that she thought the project was wonderful and was needed, but she agreed with Dickie Simmons that she did not want the City Council to get ahead of itself. She discussed her thoughts on the project and stated that she would rather wait for the final Environmental Impact Report and for the Council to get more information and have the resolution come back.

Council Member Welch stated that he also agreed that the City Council should not try to affect something in another city, but he felt that the language in the resolution did not force a project upon another City. He stated that he felt it was appropriate that the opinions of cities around Riverside County because the project was located in un-incorporated Riverside County and the truck traffic and other elements would affect the City.

Council Member Bootsma stated that he felt the City should support the quarry in the location it was in.

Interim City Clerk Haughney conducted a roll call vote.

Ayes: Council Members Bootsma, Howell, Welch and Mayor Pro Tem DeGrandpre.

Noes: None

Absent: None

Abstain: Mayor Rush

Motion carried 4-1, with Mayor Rush abstaining.

Mayor Rush returned to the dais at 6:54 p.m.

5. PUBLIC COMMENT

Jorge Razo, a representative from the Eastvale Chamber of Commerce, introduced the board members of the Eastvale Chamber of Commerce.

Michael Armijo, a representative from the Eastvale Chamber of Commerce and Editor of Eastvale Community News, stated that the Chamber of Commerce had a diverse and experienced board. There would be a calendar coming out soon. Mr. Armijo stated that they would like to work with the Economic Development Community and the City Council. He went on to say that in the Chamber of Commerce there were no paid positions in the Chamber and the members were there to serve.

Marie Valdez, a representative of the Eastvale Chamber of Commerce, stated that she was planning a digital and printed directory for the Chamber of Commerce. She noted other events that would be happening, various ribbon cuttings and the business of the month program.

Irene Long, a resident, announced the Shakeout event that would be held on October 20th at 10:20. She stated that it had been cancelled the previous year due to rain. Ms. Long asked that the City work together with the schools so everyone knew what to do in that type of event.

6. APPROVAL OF MINUTES

6.1 Approval of the minutes of the meeting held on February 9, 2011.

Motion: Moved by DeGrandpre, seconded by Bootsma to approve the minutes with the mentioned changes.

Motion carried 5-0.

7. CONSENT CALENDAR

Mayor Pro Tem DeGrandpre asked that Item 7.6 be pulled for discussion. Council Member Welch asked that Item 7.1 be pulled for discussion.

7.1 Consideration of declaring Public Convenience and Necessity for Sale of Beer and Wine at the Chevron Gas Station located at 12464 Limonite Avenue ** REMOVED FOR DISCUSSION

7.2 Consideration of second reading and adoption of Ordinance 2011-03, entitled:

ORDINANCE 2011-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ADDING CHAPTER 2.18 OF TITLE 2 OF THE CITY OF EASTVALE MUNICIPAL CODE RELATING TO THE PUBLIC SAFETY COMMISSION

- 7.3 Consideration of Resolution 11-10, entitled:

RESOLUTION 11-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE ORDERING THE ANNEXATION OF ZONE 151 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE CITY OF EASTVALE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 151 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2011-12; AND AUTHORIZE THE COUNTY OF RIVERSIDE TO ADMINISTER THE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED BUDGET FOR FISCAL YEAR 2011-12

- 7.4 Consideration of Resolution 11-11, entitled:

RESOLUTION 11-11

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, ORDERING THE ANNEXATION OF ZONE 156 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE CITY OF EASTVALE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 156 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2011-12; AND AUTHORIZE THE COUNTY OF RIVERSIDE TO ADMINISTER THE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED BUDGET FOR FISCAL YEAR 2011-12

- 7.5 Consideration of Resolution 11-12, entitled:

RESOLUTION 11-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA IN OPPOSITION TO THE ADMINISTRATION'S PROPOSAL TO ABOLISH REDEVELOPMENT AGENCIES IN CALIFORNIA

- 7.6 **Consideration of awarding a contract for City Logo Services to Design Lingo **REMOVED FOR DISCUSSION**

- 7.7 Consideration of Warrants, check numbers 10095 to 10123 and wire numbers W00006 to W00008 in the amount of \$356,354.32 and payroll in the amount of \$32,272.59

Motion: Moved by DeGrandpre, seconded by Welch to approve the consent calendar with the exception of Item 7.1 and Item 7.6.

Motion carried 5-0.

Planning Director Norris provided a brief overview of Item 7.1.

Council Member Welch asked for a clarification of the budget impact portion of the report because staff stated that the City would see an increase in sales tax revenue.

Interim City Manager Van Nort stated that the City would receive a portion of tax money for each gallon sold at the gas station, as well as a portion of tax money from the sales inside.

Council Member Welch stated that the City had already approved the same type of item for the CVS Pharmacy and did not think it was likely that the City would see a net increase in sales tax.

Interim City Manager Van Nort stated that the increase in sales tax funds was not the primary reason for the item. He stated that it would spread out the customers between the two stores and help with traffic circulation. Interim City Manager Van Nort noted the necessity of the sales and stated that it would be used a lot.

Council Member Welch stated that he did not like the word necessity being used in relationship to the sale of beer and wine because he did not see it as a necessity to have.

Mike Brewer, a representative of Chevron Gas Stations, stated that they appreciated the time he was allowed to speak before the City Council, and understood the reluctance to call the sale of alcohol at the station a necessity. He went on to state that the sale of alcohol was not the station's main sale and that he has learned that if it was not offered at the station, customers would just go get it somewhere else. He added that Chevron was a responsible retailer, they held extensive training for their employees to hold them to a higher standard. He went on to say that the station would not have neon signs and cashiers would be age 21 or older after 10 p.m.

Mayor Rush asked what the projected opening date was.

Mr. Brewer stated that he would find that information out for the City Council.

Motion: Moved by Welch, seconded by Howell.

Motion carried 5-0.

Planning Director Norris explained Item 7.6. He stated that staff had circulated the Request For Proposals to twelve companies. The City had received three proposals as a result and had three separate people rank each proposal that had been received. Design Lingo had been the highest ranked. Design Lingo's proposal was within the budget that had been given and the company would start the work as soon as the contract was approved.

Mayor Pro Tem DeGrandpre asked about the various ways that Design Lingo could conduct the survey to get the public's input on the Logo design.

Jermaine Richards, a representative of Design Lingo, stated that they could add additional places for survey cards to be taken.

There was additional discussion about the survey for the logo and the market planning capabilities of the company. Council Member Howell asked that the company work very closely with staff on the marketing plan for the City to ensure that efforts would not be doubled in the future.

Mayor Rush asked Mr. Richards to elaborate on the website for the logo.

Mr. Richards discussed the capabilities that the company had to host the survey online.

Council Member Howell asked what the timeline was for the City's website.

Interim City Manager Van Nort stated that he gave the City website project to Doug Van Gelder to look into. He went on to state that it looked like Mr. Van Gelder would be able to develop the website for three to four thousand dollars versus the twenty thousand that was proposed before. He stated that staff should have something to bring to the Council in the next month.

There was discussion about the timing of the website and the logo. It was stated that the website should be completed before the logo.

Motion: Moved by DeGrandpre, seconded by Howell to approve the item as staff recommended, with a cost not to exceed \$9,000.

Motion carried 5-0.

8. PUBLIC HEARINGS

There were no Public Hearing items.

9. NEW BUSINESS ITEMS

9.1 Consideration of installation of fence along Limonite.

City Engineer Kashiwagi stated that there was a need for a fence along Limonite near one of the dairy ponds. There was not a requirement for a fence to be put in along the roadway but staff would like to have a fence installed. City Engineer Kashiwagi went on to say that staff had received bids on the installation of the fence and would like direction from the Council about whether they should proceed or not. The fence would be funded by the Gas Tax that was collected for the City.

There was discussion about why staff wanted to put the fence up, and why the owner was not installing the fence. Staff stated that a fence was not required, but would increase the safety of the road.

The City Council asked why the County was not paying for the fence because it was perceived that there was a fence there until the County had widened the road. Interim City Manager Van Nort stated that the County had photos of the area before the road was widened and there was no fence. He went on to explain that the owner did not feel that he should have to pay for a fence, and staff had been in contact with the County for several months and there was no resolution reached. Interim City Manager Van Nort stated that staff felt that it would be beneficial to take care of the problem, and that the fence could be funded through the Gas Tax and Measure A funds and would not impact the General Fund.

There was discussion about the strength and type of fence that would be put up. Staff explained that the fence would not be strong enough to hold back a car because that would be much more expensive, but the fence would have reflectors and serve as a visual barrier.

There was discussion about whether or not there was development planned in the immediate area. Council Member Bootsma stated that there was no development planned in the area where the fence would be, and he was

concerned that if a car did drive into the dairy pond no one would know unless they saw it happen.

Council Member Howell stated that she agreed that the fence was necessary and even though the City may not be responsible for putting up the fence, it was necessary to protect the residents and the City should take that into account and put the fence up.

There was discussion about whether the City would incur liability if a fence was put up that would not hold back a car. Interim City Attorney Cavanaugh stated that the City would be granted immunity in its attempt to mitigate the danger.

Council Member Welch asked Captain Feltenberger if he thought there was a problem in that area. Captain Feltenberger stated that he couldn't say unless he looked at the area.

The City Council came to the consensus that staff should continue with putting up a fence at the location, using the lowest bidder for the project.

9.2 Consideration of nomination for National Volunteer Recognition Week.

Mayor Rush stated that he was contacted by Bill Newberry to present volunteer awards to volunteers in the City who have made significant contributions. He went on to say that there would be a free dinner on April 14th at 7 p.m. at Roosevelt High School for the individuals.

Council Member Welch agreed that the recognition was a great idea; he thought that the City or School District should have an event that recognized all volunteers because there were hundreds of volunteers in the City. He was not sure who else was involved, but would like to see an Eastvale wide event.

Council Member Bootsma agreed that the City should recognize all of its volunteers, but thought that the event was a step in the right direction.

Mayor Rush agreed and stated that as far as he understood the event was being put on by the School District.

Council Member Bootsma agreed and stated that there were many volunteers in the area.

Council Member Howell thought that this type of event would be a good thing for the Non-Profit Community Foundation to handle.

10. ***OLD BUSINESS ITEMS***

10.1 Information regarding the formation of a City Sponsored Non-Profit Community Foundation.

Interim City Attorney Cavanaugh stated that the City Council had previously given staff the green light to move forward with establishing a Non-Profit Community Foundation. He noted several legal issues and stated that part of staff recommendation was for the Mayor to appoint an ad hoc committee to take on the task of determining the scope of the Foundation. He asked that the Mayor consider making those appointments.

Mayor Rush asked what the time frame was to have the Foundation up and running.

Interim City Attorney Cavanaugh stated that it typically would take approximately four to seven months. It would take seven months for the process with the Internal Revenue Service (IRS), but the Foundation would be able to begin receiving funds before that process was completed.

Council Member Howell asked when the Foundation would be able to begin operating.

Interim City Attorney Cavanaugh stated that it could begin operating two months after the City Council's approval. The additional timeline was the time it would take for the IRS to give the Foundation a tax-exempt status.

Council Member Bootsma stated that he did not understand why the Foundation was needed and what benefits it would provide. He felt that they were trying to take control and taking on too much.

Mayor Rush asked Interim City Attorney Cavanaugh is it was common for the same type of organization to exist in other cities.

Interim City Attorney Cavanaugh stated that non-profit foundations were very common in cities.

Mayor Rush asked Interim City Manager Van Nort what the typical scope of this type of foundation was in other cities.

Interim City Manager Van Nort stated that the purpose was to try to bring together all the non-profit and charity groups and not have a duplication of efforts. He had received information from another city that had a non-profit foundation and they given direction on their non-profit foundation for about one year and then allowed it to run on its own.

Mayor Rush thought the Foundation would be a good support for the community and stated that the ad hoc committee would be to determine the scope of the Foundation. Mayor Rush appointed Mayor Pro Tem DeGrandpre and Council Member Howell to the ad hoc committee.

It was determined that the issue would come back to the City Council for discussion in approximately 30 days.

Council Member Welch thought that if the Foundation's purpose was to find a way to serve all the various groups that are already out there that it would be good, but he agreed with Council Member Bootsma that it should not be done to take control.

Council Member Howell thought that good points had been brought up, she hoped that the Foundation would bring the groups together. She stated that the purpose of the Foundation was not to take away from the existing groups. She asked that residents contact her if there were concerns or needs in the City, so they could be address by the Foundation.

Mayor Pro Tem DeGrandpre inquired if the City would be providing the seed money to start the Foundation.

Interim City Attorney Cavanaugh stated that that was a question that the ad hoc committee could look into.

Mike Armijo, a resident, stated that he was involved in 15 non-profit organizations and asked what the Foundation's focus would be for the funds it received.

Mayor Rush stated that everything was exploratory at this point and the City was exploring options, and that the City Council would be happy to use Mr. Armijo's expertise in this type of organization.

Council Member Welch stated that he was glad that the issue was brought up because the direction of the Foundation may scare the local groups. So far there have been a lot of fundraising events in the City, and now it may look like those events and funds would have to be funneled through the City first. He did not feel that this was a good direction for the City to take at this point.

Interim City Attorney Cavanaugh stated that now that the appointments had been made, he would begin work on the Foundation and would report back to the City Council in 30 days.

10.2 Information regarding the “In God We Trust” program.

Interim City Manager Van Nort stated that he had spoken to Bill Newberry at the school district and felt confident that the banner would not be a problem. He proposed that the wording be printed on a modesty screen along with “City of Eastvale”, and he needed direction about the color of the modesty screen.

Mayor Rush stated that he had also spoken with Mr. Newberry, and it was his understanding that Bill Newberry cannot give approval for the banner, but instead he acts as a liaison between the City and the School District.

Mayor Pro Tem DeGrandpre stated that he felt the City should wait for the logo to be completed before printing, that way the logo could also be printed, because the City would have the banner for a long time.

Council Member Howell agreed.

Mayor Rush stated that he would like to see something in writing from the School District and asked staff to bring it back for the color selection when the logo was complete.

11. COUNCIL COMMUNICATIONS/CORRESPONDENCE

Mayor Pro Tem DeGrandpre thanked staff and stated that he was amazed at how much they were getting done.

Council Member Howell asked that the Public Safety Commission Stipend Resolution for \$50.00 be put on the next agenda. She went on to congratulate the Mayor on his new baby girl.

Council Member Bootsma asked that the resolution for the Public Safety Commission Stipend be brought to the March 23rd meeting because he would not be there at the next meeting. He announced that he had attended a town hall style meeting on development in Temecula and thought that staff and Planning Commissioner Nissen had done a great job with the presentation.

Council Member Welch stated that he appreciated the people attending the meeting and reminded everyone of the free children’s fingerprinting event taking place at the local Johnny Carino’s on March 5th. He went on to say that the Planning Commission had their first meeting and thanked all the local volunteers.

Mayor Rush stated that he and some members of staff had a meeting scheduled for the following day with Congressman Calvert. He asked the other members of the Council for any issues they would like to have addressed in the meeting. Mayor Rush stated that a number of transportation issues would be discussed at

the meeting. Mayor Rush went on to state that he had a meeting the previous Monday with the mayors from Corona and Norco regarding the Limonite and 15 freeway interchange. They would also be working together and pooling resources to address other issues, such as the Hamner Avenue bridge. He would be attending the Unity Awards event the following day for another volunteer recognition event.

12. CITY MANAGER'S REPORT

Interim City Manager Van Nort asked City Engineer Kashiwagi to update the City Council on a County Project.

City Engineer Kashiwagi wanted to bring to the City Council's attention that the County had completed the design and awarded a contract to complete the landscaping that was currently unfinished. Work would begin in the first week of March, there would also be Class 2 Bike Lanes awarded along Hamner from Schleisman to Limonite and along Sumner.

Council Member Welch stated that the City was currently looking at the General Plan and asked why the County was moving forward without taking a look at where the City was going. He stated that the bike lane on 65th Street caused a big issue and asked them to give additional thought to the ramification to parking on those streets.

City Engineer Kashiwagi stated that he would contact the County.

Council Member Welch stated that he appreciated all the County was doing, and appreciated that they were completing the median that was previously planned, but did not like the fact that the County was planning for bike lanes in the area without consulting any other agencies.

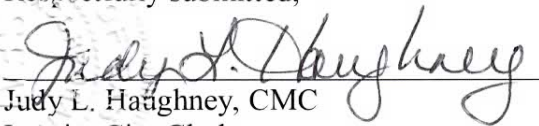
Mayor Rush asked staff to contact the County and arrange for a meeting.

Interim City Manager Van Nort stated that there would be a Workshop Meeting for Budget Goal setting on the following Wednesday, March 2, 2011.

13. ADJOURNMENT

There being no further business, Mayor Rush adjourned the meeting at 7:58 p.m.

Respectfully submitted,


Judy L. Haughney, CMC
Interim City Clerk