

*MINUTES*

**REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF EASTVALE**

**Wednesday January 12, 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 6:33 p.m. by Mayor Rush.

**2. *ROLL CALL:***

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 Terry Shea, City Engineer Michael Kashiwagi, Planning Director Norris, Assistant to the City Manager Demetrius L. Williams and Interim City Clerk Haughney.

**3. *PLEDGE OF ALLEGIANCE:***

The Pledge of Allegiance was led by Mayor Pro Tem DeGrandpre.

**4. *PRESENTATIONS/ANNOUNCEMENTS***

- 4.1 Swearing in of the new Planning Commission by Interim City Clerk Judy Haughney.

Interim City Clerk Judy Haughney administered the oath to the new Planning Commissioners.

The Mayor called for a recess in the meeting at 6:39 p.m. in order to allow photographs to be taken with the new Commissioners and personnel paperwork to be distributed.

The Mayor called the meeting back to order at 6:46 p.m.

4.2 Presentation by Eric Norris, welcoming the new Planning Commission.

Planning Director Eric Norris congratulated the Planning Commissioners on their appointments. He stated that they will play an important and exciting role; they will be working with the City Council and setting up policies. He announced the dates of their meetings and the type of information they would be receiving. Planning Director Norris announced the dates and times of the Planners Conference and instructed any Commissioners who were interested in attending to contact the City Clerk.

5. ***PUBLIC COMMENT***

Hal Justice, President of the Eastvale Law Enforcement and Fire Fighters, wanted to bring to the attention of the City Council the LEAFF group, and invited them to one of the groups meetings. He brought forward an idea to have fallen officers recognized on light poles within the City, but understood it might not be in the budget.

Jean Alexander-Booth, a representative of First 5 Riverside, wanted to congratulate the new Planning Commission, and provided a Planning Guide and Economic Report for Child Care Facilities, to help individuals be more successful in the process of opening facilities. She stated that there was a high need for child care in Riverside County.

Eric Henry, a resident, brought to the City Council's attention that he had been unable to find the agenda on the City's website.

John Kopp, a resident, asked that Consent Calendar Items 7.4 and 7.5 be pulled and discussed separately.

6. ***APPROVAL OF MINUTES***

6.1 Approval of the minutes of the meeting held on December 8, 2010.

The City Council pointed out that there was a typo in the minutes. On page 10, it should state members have, not members had.

Motion: Moved by Bootsma, seconded by DeGrandpre to approve the minutes with the suggested correction.

Motion carried 5-0.

7. ***CONSENT CALENDAR***

Council Member Welch asked that Items 7.5 and 7.6 be pulled from the Consent Calendar for discussion.

Council Member Howell asked that Items 7.4 and 7.1 be pulled for discussion

**7.1 Consideration of holding the second reading and approving Ordinance No. 2010-11, entitled:**

**An ordinance of the City council of the City of Eastvale adding Chapter 3.12 entitled "Purchasing; Professional Services; Disposition of Surplus Supplies and Equipment" in the Eastvale Municipal Code – REMOVED FOR DISCUSSION**

**7.2 Consideration of holding the second reading and approving Ordinance No. 2010-08, entitled:**

An ordinance of the City Council of the City of Eastvale, California, adopting the 2010 Editions of the California Building Code, California Residential Code, California Green Building Code, California Plumbing Code, California Mechanical Code, California Electrical Code and the 1997 edition of the Uniform Housing Code with appendices and amendments.

**7.3 Receive and file status report regarding Storm Event Damages and Response, and ratify the Emergency Proclamation issued by the Interim City Manager.**

**7.4 Consideration of Resolution 11-01, entitled:**

**A resolution of the City Council of the City of Eastvale authorizing investment of monies in the local agency investment fund. – REMOVED FOR DISCUSSION**

**7.5 Consideration of Resolution 11-02, entitled:**

**A resolution of the City Council of the City of Eastvale, California approving the City of Eastvale Investment Policy. – REMOVED FOR DISCUSSION**

**7.6 Consideration of Resolution 11-03, entitled:**

**A resolution of the City council of the City of Eastvale, California electing to be subject to Public Employees' Medical and Hospital Care Act only with respect to members of a specific employee organization and fixing the Employer's contribution for employees and the Employer's Contribution for Retirees at different amounts. – REMOVED FOR DISCUSSION**

7.7 Consideration of Resolution 11-04, entitled:

A resolution of the City Council of the City of Eastvale, California electing to be subject to Public Employees' Medical and Hospital Care Act only with respect to members of a specific employee organization and fixing the Employer's contribution for Employees and the Employer's contribution for Annuitants at different amounts.

Motion: Moved by DeGrandpre, seconded by Welch to approve the Consent Calendar with the exception of items 7.1, 7.4, 7.5 and 7.6.

Motion carried 5-0.

Item 7.1 was discussed, there were concerns about the flexibility in accepting bids and awarding contracts. It was confirmed that there was flexibility to accept a bid that was higher than the lowest based on qualifications.

Motion: Moved by Welch, seconded by DeGrandpre to approve the item as presented.

Motion carried 5-0.

Item 7.4 was discussed. There was concern and discussion about the safety of the money put into the funds, and the City's ability to withdraw the money.

Motion: Moved by Bootsma, seconded by Welch to approve the item as presented.

Motion carried 5-0.

Item 7.5 was discussed. There were questions about why the Investment Policy was stricter than was legally necessary. It was stated that the policy was stricter than normal to make it a little more safe.

Motion: Moved by Howell, seconded by DeGrandpre to approve the item as presented.

Motion carried 5-0.

Item 7.6 was discussed. There was discussion about whether or not this would allow different benefits for different groups of employees. Finance Director Shea clarified that it would allow for different benefits when there were different employee bargaining units, which did not apply yet. It was requested that the term Special district be changed to reflect the City

of Eastvale in the resolutions. There was additional discussion regarding how the amounts of contributions listed in the resolution were set, it was stated that the amounts were the lowest required by the State.

Motion: Moved by Howell, seconded by Bootsma to approve the item, with the term Special District being corrected to reflect the City of Eastvale.

Motion carried 5-0.

A concerned citizen came forward and stated that he had not been able to review the items on the agenda, and asked that the City Council look at the items, but not approve them.

Staff explained that the changes being made were minor and that the agenda was posted in four locations and the full agenda packet was available at City Hall.

Motion: Moved by Howell, seconded by DeGrandpre to confirm the items approval.

Motion carried 5-0.

## **8. PUBLIC HEARINGS**

- 8.1 Consideration of Temporary Transportation Uniform Mitigation Fee (TUMF) Reduction, rescinding Resolution 10-50 and holding the first reading of Ordinance 2011-01, entitled:

### Ordinance 2011-01

An Ordinance of the City Council of the City of Eastvale, extending temporary TUMF reduction of the Western Riverside County Transportation Mitigation (TUMF) Fee Program.

City Engineer Kashiwagi introduced the item and stated that staff had researched the questions that were raised at the last meeting. He provided an update of which cities had adopted the fee reduction, and stated that there is a requirement for backfilling. Staff had looked at different options for backfill, and some improvements had been done already, as they were part of the TUMF network, reimbursement had never been sought, and the City would probably be eligible for credit from those. There was discussion about what type of savings the City could use for the backfill and when projects could begin.

There was concern that the impact of the reduction had not stimulated growth as much as was indicated. Ruthanne Taylor Berger stated that the reduction had prevented layoffs and was a stimulus for the growth.

Dickie Simmons, a resident, thought that the City Council did not have enough information to make a decision.

Mark Knorringa, a representative of the Building Industry Association, gave some statistics about the increase in building permit activity in the past year when the reduced fees were in effect. He stated that the Fee Credit was complicated and the BIA was working with staff to come up with examples of improvements that have a value of \$2.5 million that TUMF funds had not been used for.

There was additional discussion about what type of credit the City might or might not receive for those projects.

Bryan Goodman, a representative of Lewis Operating Corp., stated that everyone has a different perspective and the data did not show clear correlation. He stated that in March the City Council would have more information from the Western Riverside Council of Governments and asked that the Council begin the process by holding the first reading, and doing the final approval once they receive more information. He stated that Lewis was willing to guarantee the fees if it ended up having to come out of the City's pocket.

City Attorney Cavanaugh stated that his office had been contacted by Lewis and would be reviewing the idea for any legal issues before he would make any recommendations.

There was additional discussion about whether Building Permit activity in the Eastvale area had increased or decreased during the temporary fee reduction. Staff stated that the City has not been incorporated long enough to see its own trend in permit activity.

There was discussion that a decision should not be made until more information was available.

Motion: Moved by Rush to hold first reading.

Motion died for lack of a second.

9. *NEW BUSINESS ITEMS*

9.1 Consideration of a Solid Waste Notification Letter.

City Attorney Cavanaugh referred the City Council to the staff report for the discussion on the item.

Mayor Pro Tem DeGrandpre explained to the Council that this was brought up, not because of anything wrong with the current waste management, but simply because he thought it would give the opportunity for the City Council to take a look and get the best deal for its residents.

Julie Reyes, a representative of Waste Management Community Relations, stated that she understood the reasons for the item and had worked with the other newly incorporated cities of Menifee and Wildomar to negotiate agreements that have been mutually beneficial. She provided additional information and statistics about Waste Management's service in the area and asked the City to delay the notification letter while Waste Management was able to work with staff to add some services.

There was discussion about if sending the letter would preclude Waste Management from working with the City to add services. Ms. Reyes stated that it did not, but that they would prefer that the City worked with them and delayed sending the letter.

Mayor Pro Tem DeGrandpre recommended that the item be tabled for 60 days to allow Waste Management to work with Staff.

Motion: Moved by DeGrandpre, seconded by Rush to table the item for 60 days.

Interim City Manager Van Nort stated that staff was working with Waste Management on a couple of State mandated programs, that would likely take about 120 days to complete.

There was discussion about the timeframe.

Motion: Moved by DeGrandpre, seconded by Rush to amend the motion to table the item for 120 days.

Motion carried 5-0.

- 9.2 Consideration of awarding a contract to Municipal Code Corporation for Codification Services.

Interim City Clerk Haughney presented information on the item.

Motion: Moved by Welch, seconded by DeGrandpre to approve the item as presented.

Motion carried 5-0.

- 9.3 Consideration of awarding a bid to Muzak for audio recording equipment.

Interim City Manager Van Nort presented information on the item.

Motion: Moved by Howell, seconded by Bootsma to approve the item with additional microphones.

Motion carried 5-0.

**10. OLD BUSINESS ITEMS**

There was no Old Business.

**11. COUNCIL COMMUNICATIONS/CORRESPONDENCE**

Mayor Pro Tem DeGrandpre stated that he had gone on a ride along with the Police Department, he said it was an enlightening experience.

Council Member Howell asked that if more information on the TUMF fees became available, to please bring it back to the City Council. She inquired about the status of the Public Safety Commission. Staff responded that it would be brought to the next City Council Meeting. Council Member Howell went on to congratulate Finance Director Shea for being appointed as the Inland Empire Chapter Chair of CSMFO (California Society of Municipal Finance Officers).

Council Member Bootsma thanked the applicants for the Planning Commission and congratulated the new Commissioners. He stated that the pothole repair in the City was not good, and that Staff needed to work with the community on graffiti that is on a lot of storage containers because he had seen several places where graffiti was on private property.

Council Member Welch suggested that people look on the website for help with graffiti because there were phone numbers listed to report graffiti. He brought up the subject of banners for Service Members and mentioned that the local high school was looking at doing something similar for college graduates. He discussed the next meeting and the Code Enforcement topic and thought it would



be a workshop type and less formal so that the City Council and staff can discuss the issue.

Mayor Rush thanked and congratulated the new Planning Commission. He stated that he had attended the RCTC meeting and updated the Council on the 91 freeway expansion. It was being expanded to three lanes in each direction, and it was an approximately \$3.2 billion project. He went on to congratulate Council Member Howell on the impending birth of her first child.

**12. CITY MANAGER'S REPORT**

None

**13. ADJOURNMENT**

There being no further business, Mayor Rush adjourned the meeting at 8:35 p.m. in memory of the Victims of Tucson, AZ.

Respectfully submitted,

  
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Judy L. Haughney, CMC  
Interim City Clerk

