

MINUTES CITY OF EASTVALE

**City Council Regular Meeting
Wednesday, October 26, 2016
6:30 P.M.**

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

1. CALL TO ORDER

A regular meeting of the Eastvale City Council was called to order on October 26, 2016, at 6:31 p.m. by Mayor Bootsma.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Present:

Mayor Bootsma
Mayor Pro Tem Tessari
Councilmember Lorimore
Councilmember Rush

Absent:

Councilmember Simmons

Also present were:

City Manager Michele Nissen
Assistant City Clerk Steven Aguilar
City Engineer Joe Indrawan
Interim Finance Director James Riley
Senior Administrative Analyst Alia Rodriguez
Administrative Analyst I Margo Wuence

City Attorney John Cavanaugh
Planning Director Eric Norris
Chief of Police Jason Horton
Senior Engineer Craig Bradshaw
Public Information Officer Daniella McClister
WRCOG Fellow Christine Jamoralin

INVOCATION

Pastor Jim Willoughby offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Bootsma led the assembly in the Pledge of Allegiance to our Flag.

City Attorney Cavanaugh requested the Council add the following two subsequent need items to the agenda:

12. CLOSED SESSION

- 12.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Paragraph 2, Subdivision (d) of Section 54956.9
Number of cases: one (1)

3. PRESENTATIONS/ANNOUNCEMENTS

3.4 City Manager Report and Update on Maternity Homes

On motion of Mayor Bootsma and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to add Closed Session Item 11.1 and Presentations/Announcements Item 3.4 to the agenda.

City Attorney Cavanaugh reported the City Council would be convening to Closed Session to consider the matter added to the agenda as a subsequent item identified as 11.1, Conference with Legal Counsel-Exposure to Litigation.

Mayor Bootsma recessed the meeting to Closed Session at 6:35 p.m.

Mayor Bootsma reconvened the meeting at 7:36 p.m.

CLOSED SESSION REPORT

City Attorney Cavanaugh stated that there was no reportable action on the item.

3. PRESENTATIONS/ANNOUNCEMENTS

3.1 Arbor Day Proclamation

Mayor Bootsma read and issued the Arbor Day Proclamation.

3.2 Public Safety Commission Update

Vice Chair Khan provided the Public Safety Commission update to the City Council.

3.3 New Employee Introductions and Swearing In

City Manager Nissen introduced new employees, Assistant City Clerk Steven Aguilar and Senior Administrative Analyst Alia Rodriguez.

City Manager Nissen administered the Oath of Office to Assistant City Clerk Aguilar.

3.4 City Manager Report and Update on Maternity Homes

City Manager Nissen provided a report and updated the City Council on the ongoing investigations of the Maternity Homes in the City.

4. STUDENT LIAISON REPORT

Natalie Diaz, Student Liaison, was not present for the meeting.

5. PUBLIC COMMENT

Mayor Bootsma opened the Public Comments portion of the meeting

Tim and Paula Putich (speaking with donated time from Bashar Madani), Eastvale residents, expressed their continued concern regarding maternity homes in Eastvale. He reiterated his request to the City Council that the City continue to investigate the issue.

Kathy Johnson (speaking with donated time from Andrea Gereffe), Eastvale resident, also expressed her continued concern regarding the maternity home issue.

Beth Coy, Eastvale resident, also expressed her concern regarding the maternity home issue.

Staci McDaniel, Eastvale resident, reiterated her request that the City Council adopt a boarding home ordinance to enforce the ongoing maternity home issue.

Mayor Bootsma closed the Public Comments portion of the meeting.

6. CONSENT CALENDAR

Agenda Item Nos. 6.1 and 6.7 were pulled for separate consideration.

6.1 City Council Meeting Minutes

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted to approve the minutes from the regular meeting held on October 12, 2016.

Mayor Bootsma was noted as abstention due to his absence from the meeting.

6.2 Warrant Register

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to approve the payment of warrants as submitted by the Finance Department.

6.3 Eastvale Connection

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to receive and file the report.

6.4 Planning Department Update

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to receive and file the update.

6.5 Public Works Department Update

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to receive and file the update.

6.6 Grants Awarded to City of Eastvale – Update

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to receive and file the update.

6.7 Fire Station No. 31 Construction Status Update

This item was pulled by staff to provide a verbal update. Senior Engineer Craig Bradshaw provided a PowerPoint presentation on the Fire Station No. 31 Construction Status Update.

On motion of Mayor Bootsma and second by Councilmember Rush, the Council voted unanimously by those present to receive and file the update.

6.8 Dedication and Acceptance of Public Right of Way for Roadway and Utility Purposes, Northeast Corner of Chandler Street and Selby Avenue – Fire Station No. 31 Parcel

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to Adopt a Resolution Dedicating and Accepting Public Right of Way for Roadway and Utility Purposes for the Northeast Corner of Selby Avenue and Chandler Street – Fire Station No. 31 Parcel.

7. PUBLIC HEARINGS

7.1 Public Hearing on Resolution No. 16-37 of the City Council of the City of Eastvale Adopting Regulatory Fees in Connection with the Single Family Residential Rental Registration, Inspection and Crime – Free Rental Housing Program

City Attorney Cavanaugh presented the staff report.

Mayor Bootsma opened the public hearing at 8:47 p.m.

Todd Rigby, Eastvale resident, spoke in opposition to the proposed Resolution and voiced his concern regarding the fees associated with the program.

Mayor Bootsma closed the public hearing at 8:50 p.m.

A lengthy discussion ensued regarding the fees associated with the rental registration program.

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted to Adopt Resolution No. 16-XX establishing the regulatory fees in connection with the Single-Family Residential Rental Registration, Inspection and Crime – Free Rental Housing Program.

Councilmember Lorimore voted in opposition to the proposed Public Hearing citing his concern with the registration fees.

7.2 Public Hearing on Resolution No. 16-38 of the City Council of the City of Eastvale Adopting a Fee for the Home Occupation Inspection as Part of the Business Registration Certification Program

City Attorney Cavanaugh presented the staff report.

Mayor Bootsma opened the public hearing at 9:04 p.m.

Todd Rigby, Eastvale resident, spoke in opposition to the proposed Resolution and reiterated his concern regarding the fees associated with the program.

Mayor Bootsma closed the public hearing at 9:06 p.m.

Councilmember Rush made a motion to continue the item to the next City Council meeting after the Finance Department provides an analysis on how many home occupation business registrations are received monthly and the cost analysis of the program.

On motion of Councilmember Rush and second by Mayor Bootsma, the Council voted unanimously by those present to continue the item to the next regular meeting of the City Council.

8. CITY COUNCIL BUSINESS

8.1 Human Resources Consultant Services Contract Extension

City Manager Nissen provided the staff report on the item and answered related questions.

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to:

1. Approve a Contract Extension with HR Dynamics & Performance Management, Inc., for Human Resources Consultant Services.
2. Authorize the City Manager to Execute the Necessary Documents to Extend the Contract Services.

8.2 Extending an Agreement with the Building Industry Association (BIA) to Install and Maintain Real Estate “Kiosk” Signs

Councilmember Lorimore recused himself from this item and stepped away from the dais.

Planning Director Norris provided the staff report for the item and answered related questions.

Mayor Bootsma commended staff on working with the BIA to have the directional signage include retail locations.

On motion of Mayor Bootsma and second by Mayor Pro Tem Tessari, the Council voted to approve a five-year extension of the agreement with the Building Industry Association.

Councilmember Lorimore returned to the dais at this point.

8.3 Tree Ordinance

Mayor Bootsma recused himself from this item and stepped away from the dais.

WRCOG Fellow Christine Jamoralin provided a report on the Tree Ordinance.

There was discussion regarding the potential impact of the ordinance on already approved items with trees in the public right-of-way and if the ordinance would supersede those approvals.

City Attorney Cavanaugh indicated that language would be included in the ordinance to prevent any potential drawbacks from the passage of the ordinance.

On motion of Mayor Pro Tem Tessari and second by Councilmember Rush, the Council voted to approve to adopt the tree ordinance establishing a City Tree Board and adopting regulations for the planting and maintenance of trees within the City.

Mayor Bootsma returned to the dais at this point.

8.4 Policy for Write-off of Uncollectible Accounts Receivable and Recommend Write-off of 2010 and 2011 Inactive Developer Deposit Receivables.

Interim Finance Director James Riley provided the staff report for this item and answered related questions.

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to approve the policy for write-off of uncollectible accounts receivable and the write-off of 2010 and 2011 inactive Developer Deposit receivables.

8.5 Amendment No. 2 to Cooperative Agreement with the City of Ontario for Milliken Avenue Grade Separation

Senior Engineer Craig Bradshaw presented a PowerPoint for the item and answered related questions.

On motion of Mayor Pro Tem Tessari and second by Councilmember Rush, the Council voted unanimously by those present to:

1. Approve Amendment No. 2 to Cooperative Agreement between the City of Eastvale and the City of Ontario for the design and construction of the South Milliken Avenue grade separation project.
2. Approve budget adjustment to Milliken Avenue Overlay from Greystone to Riverside project to include Milliken Avenue 750' north of Greystone and a 350' portion of Philadelphia Avenue. Funding to not exceed \$176,296, including 10% contingency.

Mayor Bootsma called for a recess at this time (9:45 p.m.)

Mayor Bootsma reconvened the meeting at this time (9:55 p.m.)

8.6 An Interim Ordinance of the City Council of the City of Eastvale Regulating Personal Cultivation of Marijuana and Prohibiting Outdoor Personal Cultivation and Declaring the Urgency Thereof

City Attorney Cavanaugh presented a PowerPoint presentation and answered related questions.

Howard Feng, Eastvale resident, spoke in support of the proposed Interim Urgency Ordinance.

On motion of Councilmember Rush and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to adopt Interim Urgency Ordinance No. 16-09 to regulate personal cultivation of marijuana and banning outdoor personal cultivation.

8.7 Western Riverside County Regional Conservation Agency (RCA) Alternate

Assistant City Clerk Aguilar provided the staff report on this item and answered related questions.

On motion of Mayor Bootsma and second by Mayor Pro Tem Tessari, the Council voted unanimously by those present to appoint Mayor Ike Bootsma as the Alternate to the Western Riverside County Regional Conservation Agency.

9. CITY MANAGER/CITY STAFF REPORT

City Manager Nissen welcomed Assistant City Clerk Aguilar and Senior Administrative Analyst Rodriguez. She went on to talk about a team building exercise that was conducted at a City Hall staff meeting earlier that day.

Public Information Officer McClister reviewed upcoming events.

Chief of Police Horton provided an update on crime in the City. He encouraged the City Council and residents to attend the upcoming Public Safety Forum event, and answered related questions.

10. CITY COUNCIL COMMUNICATIONS/COMMITTEE REPORTS

Councilmember Rush welcomed the new staff to the City.

Mayor Pro Tem Tessari also welcomed the new staff and commended staff on the installation of traffic signal cameras.

Councilmember Lorimore spoke about two transportation meetings he attended where the primary topic was driverless autonomous vehicles.

10.1 League of California Cities

- Executive Committee (Lorimore)
- Public Safety Committee (Tessari)

No report was given.

10.2 Southern California Association of Governments (Lorimore)

Councilmember Lorimore discussed the upcoming SCAG Conference in Rancho Mirage focusing on Energy, Water, and Green Living Summit.

10.3 Western Riverside County of Governments (Bootsma)

No report was given.

10.4 Riverside Transit Agency (Bootsma)

No report was given.

10.5 Northwest Mosquito and Vector Control District (Tessari)

No report was given.

10.6 Riverside County Transportation Commission (Rush)

No report was given.

10.7 Western Riverside County Regional Conservation Agency (Lorimore)

No report was given.

10.8 JCSD Parks Commission (Simmons/Lorimore)

No report was given.

10.9 Special Events

Mayor Bootsma spoke of the upcoming event recognizing the official transfer of Ontario International Airport to the City of Ontario. He stated he would be attending to represent the City of Eastvale. He encouraged the public to attend the E-Waste Recycling event on Saturday, November 5, and commended staff for their work on the maternity home issue.

- 11. ADJOURNMENT** – Mayor Bootsma adjourned the meeting at 10:46 p.m. The next regular meeting of the Eastvale City Council is scheduled for Wednesday, November 9, 2016, at 6:30 p.m.



Steven D. Aguilar
Assistant City Clerk