

**MINUTES
OF THE REGULAR MEETING
OF THE JURUPA VALLEY CITY COUNCIL
March 1, 2012**

The meeting was held at the Jurupa Unified School District, Education Center Board Room, 4850
Pedley Road, Jurupa Valley, CA 92509

1. 6:30 P.M. - CALL TO ORDER AND ROLL CALL FOR CLOSED SESSION

- Laura Roughton, Mayor
- Verne Lauritzen, Mayor Pro-Tem
- Micheal Goodland, Council Member
- Brad Hancock, Council Member
- Frank Johnston, Council Member

Mayor Roughton called the closed session meeting to order at 6:42 p.m. All members were present.

2. CLOSED SESSION

A. PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS

There were no public comments regarding the closed session item.

- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.** The City Council met in closed session with the City Attorney pursuant to Government Code Section 54956.9(a) with respect to one matter of pending litigation to which the City is a defendant. The title of the litigation is "*Center for Community Action and Environmental Justice v. County of Riverside; City of Jurupa Valley, et. al.*," Riverside County Superior Court Case No. RIC 1112063.

3. 7:00 P.M. - RECONVENE IN OPEN SESSION

A. ANNOUNCEMENT OF ANY REPORTABLE ACTIONS IN CLOSED SESSION

Mayor Roughton announced that there were no reportable actions taken.

4. CALL TO ORDER AND ROLL CALL

- Laura Roughton, Mayor
 - Verne Lauritzen, Mayor Pro-Tem
 - Micheal Goodland, Council Member
 - Brad Hancock, Council Member
 - Frank Johnston, Council Member
-

Mayor Roughton called the regular meeting to order at 7:10 p.m. All members were present.

5. **INVOCATION** was given by Rabbi Pat Adamson, Jewish Messianic Synagogue, Jurupa Valley.
6. **PLEDGE OF ALLEGIANCE** was led by Council Member Goodland.
7. **INTRODUCTIONS, ACKNOWLEDGEMENTS, PRELIMINARY CITY COUNCIL COMMENTS**

Council Member Johnston had no comments.

Council Member Hancock thanked Rabbi Pat Adamson for his invocation. He welcomed Aaron Saenz to the meeting and congratulated him on achieving the rank of Eagle Scout.

Council Member Goodland thanked Rabbi Pat Adamson for his prayer. He welcomed everyone to the meeting.

Mayor Pro Tem Lauritzen congratulated Aaron Saenz on achieving the rank of Eagle Scout.

Mayor Roughton announced that a new Senate Bill, (SB 1566), has been introduced which is one of two parallel tracks the city is taking to help restore the lost vehicle license fee revenue that was taken away by Senate Bill 89. She noted this is exciting news and a positive step forward. Interested persons can follow the progress of the bill by logging onto: www.leginfo.ca.gov. She welcomed Gary Thompson back to work after his medical absence.

Mayor Pro Tem Lauritzen encouraged interested persons to contact their local legislators and encourage them to support SB 1566. The bill can also be tracked at either of the Assembly or Senate websites through the Legislative Digest.

8. **PRESENTATIONS**

8.1 **RECOGNITION OF AARON SAENZ ON ACHIEVING THE RANK OF EAGLE SCOUT**

Mayor Roughton presented a Recognition Certificate to Aaron Saenz on his achievement of attaining the rank of Eagle Scout.

8.2 **RECOGNITION OF JURUPA VALLEY SHERIFF'S DEPARTMENT OFFICERS AS RECIPIENTS OF THE 2012 MOTHERS AGAINST DRUNK DRIVING (MADD) AWARDS**

Mayor Roughton presented Recognition Certificates to Deputy David Newman, Deputy Walter Segura, and Corporal Ludwig Torres on being honored by Mothers Against Drunk Driving (MADD) for their exceptional efforts.

9. PUBLIC APPEARANCE/COMMENTS

Kim Johnston referenced the Mothers Against Drunk Driving Awards, noting that her youngest daughter was hit by a drunk driver in February 2010. She thanked the Jurupa Valley Sheriff's Department for all they do to keep the community safe. She added this is why citizens voted to become a city.

Rebecca Ludwig voiced concern that a proposed housing complex is poised to be built on LaRue Street at Mission Boulevard. She stated the project, called the Mustang Lane Apartments was approved by the Board of Supervisors without any advance notice to the City Council. She encouraged the Council to look into other projects that are being planned.

Ron Anderson discussed an event last week when Occupy Riverside protestors disrupted the operations of the Wal-Mart distribution center. He complimented Jurupa Valley Sheriff's Captain Dan Feltenberger and Lieutenant Zach Hall for their handling of the situation.

Bill Rendall discussed the city's sidewalk system, suggesting that decomposed granite be used as a low-maintenance, low cost alternative. He noted that it would create a pedestrian and Class 1 bike path, similar to the Pacific Electric Trail, which currently runs from Fontana to Ontario.

10. APPROVAL OF AGENDA

A motion was made by Council Member Johnston, seconded by Mayor Pro Tem Lauritzen, to approve the Agenda.

**Ayes: Goodland, Hancock, Johnston, Lauritzen, Roughton
Noes: None
Abstained: None**

11. APPROVAL OF MINUTES

11.1 FEBRUARY 16, 2012 MEETING

A motion was made by Council Member Johnston, seconded by Council Member Goodland, to approve the Minutes.

**Ayes: Goodland, Hancock, Johnston, Lauritzen, Roughton
Noes: None
Abstained: None**

12. CONSENT CALENDAR

12.1 COUNCIL APPROVAL OF A MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS INCLUDED IN THE AGENDA

Requested Action: That the City Council waive the reading of the text of all ordinances and resolutions included in the agenda.

12.2 AWARD OF CONTRACT FOR PROFESSIONAL AUDITING SERVICES – REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

Requested Action: That the City Council authorize the City Manager to enter into an agreement with Mayer Hoffman McCann to serve as the City's independent auditor for the fiscal year ending June 30, 2012 through 2014.

A motion was made by Council Member Johnston, seconded by Mayor Pro Tem Lauritzen, to approve the Consent Calendar, with the exception of Item 12.2, which was removed for further discussion.

Ayes: Goodland, Hancock, Johnston, Lauritzen, Roughton
Noes: None
Abstained: None

13. CONSIDERATION OF ANY ITEMS REMOVED FROM THE CONSENT CALENDAR

Council Member Goodland asked that Item No. 12.2 be removed for further discussion.

12.2 AWARD OF CONTRACT FOR PROFESSIONAL AUDITING SERVICES

Following discussion, Susan Mahoney, Administrative Services Director, provided additional information and responded to Council's questions.

A motion was made by Mayor Pro Tem Lauritzen, seconded by Council Member Johnston, to authorize the City Manager to enter into an agreement with Mayer Hoffman McCann to serve as the City's independent auditor for the fiscal year ending June 30, 2012 through 2014.

Ayes: Goodland, Hancock, Johnston, Lauritzen, Roughton
Noes: None
Abstained: None

14. PUBLIC HEARINGS - NONE

15. COUNCIL BUSINESS

15.1 CONSIDERATION OF A REQUEST TO CO-SPONSOR AN INAUGURAL JURUPA VALLEY 5K RUN/WALK AND COMMEMORATIVE TIME CAPSULE TO MARK THE FIRST YEAR OF CITYHOOD

George Wentz, Assistant City Manager, presented the staff report.

A motion was made by Council Member Johnston, seconded by Mayor Pro Tem Lauritzen, to approve the request for the use of the name "The City of Jurupa Valley Community Run" to be used to promote the Inaugural Jurupa Valley 5K Run/Walk to be held June 30, 2012; and refer the request for co-sponsorship to the Incorporation Celebration Committee for consideration at their March 6, 2012 meeting, subject to verification from the City's insurer.

Ayes: Goodland, Hancock, Johnston, Lauritzen, Roughton
Noes: None
Abstained: None

15.2 ADOPTION OF AN URGENCY ORDINANCE IMPOSING A TEMPORARY MORATORIUM PURSUANT TO GOVERNMENT CODE SECTION 65858 ON THE EXPANSION OR ESTABLISHMENT OF HEAVY INDUSTRIAL OR WAREHOUSING USES UNLESS THE CITY COUNCIL ADOPTS A DEVELOPMENT AGREEMENT ALLOWING SUCH USE

Mayor Roughton announced that she received correspondence from Eric Baker, CRST International, requesting that they be exempted from the proposed urgency ordinance and Robert Evans, Executive Director of the Inland Empire Chapter of the NAIOP, the Commercial Real Estate Development Association requesting that the proposed urgency ordinance either be postponed or researched further.

Planning Director Thomas Merrell presented the staff report.

City Attorney Peter Thorson advised Council on the legal procedures that are required to adopt the urgency ordinance and initiate changes to the zoning code. He clarified that adoption of the urgency ordinance requires a 4/5 vote of the Council.

Mayor Roughton called for public comments.

Jim Allman, Lord Constructors, 1920 W. 11th Street, Upland, requested that his client, CRST, be exempted from the urgency ordinance. He stated that CRST is very close to completing their approval process. Their application has already had its first public hearing and all construction plans have been approved.

Ron Anderson spoke in support of the urgency ordinance, stating this is the very reason he voted for cityhood. He urged the Council to support the ordinance and give the new Planning Commission an opportunity to further study this issue in the best interests of all concerned.

Pamela Steele, Hogle Ireland, Inc., 1500 Iowa Avenue, Suite 110, Riverside, spoke on behalf of Pick-a-Part. They have applied for a zone change and a conditional use permit as their current business does not conform to current zoning requirements. In their effort to bring their business into compliance, they started working with the county.

They request to be exempted from the temporary moratorium so they can process their application.

Graham Tingler, Space Center, 3401 Etiwanda Avenue, Jurupa Valley, voiced concern that the proposed urgency ordinance is being rushed through unnecessarily. He stated his business adds to the tax base and creates jobs and he is concerned that the temporary moratorium will affect his private property rights. He requested that the Council continue this matter and send it back for further study.

Hans Van Ligten, Rutan & Tucker, 611 Anton, Costa Mesa, on behalf of his client, Space Center, voiced the following concerns regarding the proposed urgency ordinance: (1) the ordinance violates the California Environmental Quality Act (CEQA) as it fails to analyze the impacts of putting this project into neighboring communities; (2) the staff report fails to articulate what the emergency is; (3) the Council already has the authority under the existing code to review all projects; (4) the planning study and process will take at least one to two years; and (5) he suggested that the Council consider a cooperative approach to this issue. *[For the record, Mr. Jerry Jaeckels yielded his time to Mr. Van Ligten].*

Stephen Anderson, spoke in support of the urgency ordinance, stating the Council needs to take responsibility to curtail some of the existing problems. He stated Jurupa Valley has been dumped on with projects that no one else wanted. He referenced the staff report which indicated that there is a very low ratio of employees per square foot of development for warehouse projects.

Chad Froman, Ares Management, 450 Newport Center Drive, Newport Beach, spoke in opposition to the urgency ordinance, stating his company owns two industrial sites in the City. If the ordinance is adopted, they will need to re-evaluate their development strategy as this would add an additional layer of risk to their plans. He requested that the Council continue this item until a workshop can be held with input from the commercial real estate industry.

Betty Anderson spoke in support of the urgency ordinance, stating there are currently 225 mega-warehouses in the Mira Loma area. She stated the warehouses do not meet the air quality standards for this area nor do they bring high paying jobs. She stated the temporary moratorium would provide an opportunity to figure out what needs to be done.

Rachel Lopez, spoke in support of the urgency ordinance, stating this is a good thing for the community. As a community organizer, she has fought against the negative impacts of the warehouses for years. She stated it important to take a step back and analyze each project and the urgency ordinance will allow that process to take place.

Don Davies spoke in support of the urgency ordinance, stating it took years of hard work to gain cityhood so residents could determine their own destiny. He stated the

urgency ordinance is not a permanent injunction. It is a temporary measure which will allow the Council to “pause, look, think, and plan.”

Kim Johnson spoke in support of the urgency ordinance, stating residents have the right to vote on this issue, not the landowners. She stated that all speakers that voiced support live in the community and all speakers who voiced opposition do not. She noted that the ordinance does not prevent the operation of existing warehouses. She took issue with an earlier comment that if the urgency ordinance is passed, the Council could be accused of dumping warehouse projects into neighboring communities.

Planning Director Thomas Merrell presented additional information and responded to Council’s questions.

A lengthy discussion followed.

A motion was made by Council Member Johnston, seconded by Mayor Pro Tem Lauritzen, to deny the adoption of Urgency Ordinance No. 2012-02 and direct staff to implement a procedure that will bring a list of all project applications that come into the Planning Department to the City Council until further directed by the City Council.

At the request of Mayor Pro Tem Lauritzen, City Attorney Peter Thorson provided information on overlay zones and the uses that could be designated for a particular area.

At the request of Mayor Roughton, City Attorney Peter Thorson provided information on legislative and adjudicatory decisions.

Following discussion, Mayor Pro Tem Lauritzen made an amendment to the motion to direct that the staff put together a workshop on this issue to further study all alternatives including overlay zones and include input from the commercial and industrial development community.

Following discussion, Mayor Roughton called for the vote on the motion that was on the floor:

Ayes: Johnston, Lauritzen
Noes: Goodland, Hancock, Roughton
Abstained: None
MOTION FAILED

City Manager Stephen Harding advised council on various methodologies that would allow certain land uses to be approved.

Following discussion, a motion was made by Council Member Hancock, seconded by Council Member Goodland, to pass and adopt Urgency Ordinance No. 2012-02, substituting the words, "Temporary suspension of certain land uses," for the word "Moratorium," and add language that the ordinance would not apply to projects where the public hearing has commenced.

Ayes: Goodland, Hancock, Roughton
Noes: Johnston, Lauritzen
Abstained: None
MOTION FAILED

Following discussion, a motion was made by Mayor Pro Tem Lauritzen, seconded by Council Member Johnston, to refer the ordinance to a Council Workshop for further study which would include input from the Planning Commission and members of the commercial real estate industry.

Ayes: Goodland, Hancock, Johnston, Lauritzen, Roughton
Noes: None
Abstained: None

16. CITY COUNCIL MEMBER ORAL/WRITTEN REPORTS REGARDING REGIONAL BOARDS AND COMMISSIONS

A. COUNCIL MEMBER MICHEAL GOODLAND

1. Council Member Goodland gave an update on the Public Entity Risk Management Authority Executive Committee Meeting on March 1, 2012.

B. COUNCIL MEMBER BRAD HANCOCK

1. Council Member Hancock gave an update on the Northwest Mosquito and Vector Control District Board of Trustees meeting on February 23, 2012.

C. COUNCIL MEMBER FRANK JOHNSTON

1. Council Member Johnston gave an update on the Riverside Transit Agency Board of Director's meeting on February 23, 2012.
2. Council Member Johnston gave an update on the Riverside County Transportation Commission – Western Riverside Programs and Project Committee meeting on February 27, 2012.

17. SECOND PUBLIC COMMENT PERIOD (ONLY IF NEEDED)

18. CITY ATTORNEY'S REPORT

City Attorney Peter Thorson had no report.

19. CITY MANAGER'S REPORT

19.1 UPDATE ON SENATE BILLS 89 & 1566

City Manager Stephen Harding reported on the status of SB 1566 which was introduced on February 24, 2012.

19.2 DISCUSSION OF CITY COUNCIL COMMUNITY MEETINGS

City Manager Stephen Harding discussed opportunities for the Council to meet with members of the community outside the formal setting of a council meeting.

20. FURTHER COUNCIL MEMBER REPORTS AND COMMENTS

Council Member Johnston stated that he enjoyed riding in the Presidents' Day Grand Parade that was part of the Riverside County Fair and National Date Festival. He noted that all five City Council members were in attendance and it was a very impressive event. He attended the moving of the "rock" celebration, where the 340-ton rock began its journey to the Los Angeles County Museum of Art. The massive boulder left the quarry at about 10:40 p.m. He expressed appreciation to Planning Director Tom Merrell for his efforts on the urgency ordinance, noting he has the best interests of the City at heart. He complimented the City's lobbyist firm, Gonsalves & Son for their outstanding advocacy efforts.

Council Member Hancock asked for a presentation on the Citizens on Patrol (COPS) Program as the City may be taking over the funding for this program on July 1, 2012. He suggested creating a mechanism for collaboration with other community leaders to improve communication and promote cooperative efforts. He encouraged citizens to "Shop Jurupa Valley" to keep local sales tax dollars in the community.

Council Member Goodland thanked city staff. He specifically thanked Planning Director Tom Merrell for his efforts on the urgency ordinance.

Mayor Pro Tem Lauritzen thanked Planning Director Tom Merrell for efforts on the proposed urgency ordinance, stating he appreciates his level of experience and expertise. He is hopeful that the City Council can come together and devise a system that will allow Jurupa Valley to have local control of its planning destiny.

Mayor Roughton reported on her attendance at the Riverside County Fair and National Date Festival and riding in the Presidents' Day Grand Parade, noting it was a very enjoyable event. She reported on her attendance at UC Riverside's Citizens University Committee meeting, stating the Committee is a great resource for the community. She attended the moving of the "rock" celebration, where the 340-ton boulder began its journey to the Los Angeles County Museum of Art, stating that she was sad to see it go. On Monday, she joined Riverside Mayor Ron Loveridge, along with the mayors of Corona and Moreno Valley, to meet with Los

Angeles Mayor Antonio Villaraigosa to advocate for local control of the Ontario International Airport. She noted the meeting was beneficial and informative and they received a positive reception from the mayor and his staff.

21. ADJOURNMENT

There being no further business before the City Council, Mayor Roughton adjourned the meeting at 11:38 p.m.

The next meeting of the Jurupa Valley City Council will be held March 15, 2012 at 7:00 p.m. at the Jurupa Unified School District Education Center Board Room, 4850 Pedley Road, Jurupa Valley, CA 92509.

Respectfully submitted,


Victoria Wasko, CMC
City Clerk