

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**March 10, 2015**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS**

1. Business Spotlight
  - a) AAMCO of Moreno Valley
  
2. City's first "Smart Car"

**MINUTES  
JOINT MEETING OF THE  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
CITY AS SUCCESSOR AGENCY FOR THE  
COMMUNITY REDEVELOPMENT AGENCY OF  
THE CITY OF MORENO VALLEY  
MORENO VALLEY HOUSING AUTHORITY  
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:00 PM  
March 10, 2015**

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Pro Tem Dr. Yxstian A. Gutierrez in the Council Chamber located at 14177 Frederick Street.

Mayor Pro Tem Dr. Yxstian A. Gutierrez announced that the City Council receives a separate stipend for CSD meetings.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Fire Chief Abdul Ahmad.

**INVOCATION**

Pastor Steve Overton - Christian Chapel Foursquare Church

**ROLL CALL**

Council:

Jesse L. Molina	Mayor (participated via teleconference for Items H.1.2 & H.2.1)
Dr. Yxstian A. Gutierrez	Mayor Pro Tem
D. LaDonna Jempson	Council Member
George E. Price	Council Member
Jeffrey J. Giba	Council Member

Staff:

Michelle Dawson	City Manager
Suzanne Bryant	City Attorney
Jane Halstead	City Clerk
Tom DeSantis	Assistant City Manager
Abdul Ahmad	Fire Chief

Joel Ontiveros  
Chris Paxton  
Richard Teichert  
Ewa Lopez  
Prem Kumar  
Betsy Adams  
Mike Lee

Police Chief  
Administrative Services Director  
Chief Financial Officer/City Treasurer  
Deputy City Clerk  
Assistant City Engineer  
Parks & Community Services Director  
Community & Economic Development Director

**Motion to Move Items H.1.2 and H.2.1 prior to Public Comments by m/Council Member Jeffrey J. Giba, s/Council Member George E. Price**

**Passed by a vote of 5-0.**

**PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

Alicia Espinoza

1. Golf course
2. Corruption

Paul Carvalho

1. World Logistics Center

Armando Romero Gliez

1. Warehousing project

Eduardo Gomez

1. Employment/accountability

Charles Seek

1. Warehousing projects on the East side

Robert Harris

1. Jobs

Davon Rayford (Rising Star Business Academy - RSBA)

1. Homeless youth

Shelby Brown (Rising Star Business Academy)

1. Homeless youth

Chris De Paz (Rising Star Business Academy)

1. Homeless youth

Elias Flores (Rising Star Business Academy)

1. Homeless youth

Jessi A. Valencia (Rising Star Business Academy)

1. Homeless youth

Mary Henderson (Rising Star Business Academy)

1. Homeless/displayed youth: shelter

Alicia Berriage (Rising Star Business Academy)

1. Homeless youth/shelter for youth

Benedito Orduno (Rising Star Business Academy)

1. Homeless youth

Alziri Suarez (Rising Star Business Academy)

1. Homeless youth

Scott Heveran

1. Homeless youth
2. Ethics committee

Daryl Terrell

1. Raising the bar initiative (submitted for record)

Craig Givens (Concerned Citizens of Moreno Valley Advocacy Group)

1. Charter city initiative
2. Employment

Curtis Gardner (Concerned Citizens of Moreno Valley Advocacy Group)

1. Measure M - quality of education

Tom Jerele

1. Golf course
2. Homeless youth
3. Stability in government
4. Thanked Public Works Department for fixing the street

Devin Watkins (Rising Stars Academy)

1. Homeless youth

Bob Palomarez

1. Homeless youth
2. Corruption

Chris Baca

1. Recall

Louise Palomarez

1. Jobs
2. Homeless youth

Jeff Clayton

1. Developer/development
2. Youth

Don Markham

1. Recalling
2. Support for Council Member Giba

Marisa Gonzalez

1. World Logistic project
2. Support for children

Luis Mojica

1. Thanked Council Member Jempson for attending and supporting the Great MoVal Youth Revival
2. Time to begin great changes in Moreno Valley
3. Homeless issues

Susan Billinger

1. Commented on investigation
2. World Logistic Center
3. Quality jobs
4. Transparency in government

Fernando Lopez

1. Vision of Moreno Valley
2. Homeless shelter

Roy Bleckert

1. Moving the City forward

Pete Bleckert

1. Water in Edgemont area

Recess;

Reconvened

## **JOINT CONSENT CALENDARS (SECTIONS A-D)**

Chief Financial Officer Rick Teichert announced that Exhibit A to agreement for Willdan Financial Services (Items A6 and B4) was inadvertently omitted in the agenda packet. Exhibit was provided to the

Council.

Mayor Pro Tem Dr. Yxstian A. Gutierrez opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

## **A. CONSENT CALENDAR-CITY COUNCIL**

### **A.1 ORDINANCES - READING BY TITLE ONLY**

Recommendation: Waive reading of all Ordinances and approve reading by title only.

### **A.2 MINUTES - REGULAR MEETING OF FEBRUARY 24, 2015 (Report of: City Clerk's Department)**

#### **Recommendation:**

Approve as submitted.

### **A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)**

#### **Recommendation:**

Receive and file the Reports on Reimbursable Activities for the period of February 18 – March 3, 2015.

### **A.4 RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED DECEMBER 31, 2014 (Report of: Financial & Management Services Department)**

#### **Recommendation:**

Receive and file the Quarterly Investment Report for quarter ended December 31, 2014, in compliance with the City's Investment Policy.

### **A.5 APPROVAL OF BOND FINANCING TEAM AND AUTHORIZATION TO TENDER CONTRACTS (Report of: Financial & Management Services Department)**

#### **Recommendation:**

Approve the bond financing team and authorize the City Manager to execute contracts and any necessary amendments with the selected firms.

### **A.6 AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. SPECIAL DISTRICTS 2014-15 LEVY CFD/LLD/LMD FORMATIONS WITH WILLDAN FINANCIAL SERVICES FOR SPECIAL TAX AND ASSESSMENT ENGINEERING SERVICES (See Item B4)**

(Report of: Financial & Management Services Department)

**Recommendations**

1. Approve the Third Amendment to the Agreement for Professional Consultant Services Project No. Special Districts 2014-15 Levy CFD/LLD/LMD with Willdan Financial Services, 27368 Via Industrial, Suite 110, Temecula, CA 92590-4856 to provide special tax and assessment engineering services for the conversion and/or formation of special financing districts and related special district reporting and professional services.
2. Authorize the City Manager to execute the Third Amendment with Willdan Financial Services.
3. Authorize the issuance of a change order in the amount of \$34,500 for Fiscal Year 2014/15 to Willdan Financial Services to increase the not-to-exceed (NTE) amount of the Agreement to \$111,495.00.

**A.7 APPROVE WHOLESALE DISTRIBUTION ACCESS TARIFF KITCHING STREET 115 KV LOAD PROJECT COMBINED SYSTEM IMPACT AND FACILITIES STUDY AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND SOUTHERN CALIFORNIA EDISON (SCE)**

(Report of: Public Works Department)

**Recommendations**

1. Approve the Wholesale Distribution Access Tariff Kitching Street 115 kV Load Project Combined System Impact and Facilities Study Agreement between the City of Moreno Valley and Southern California Edison Company (SCE).
2. Authorize the City Manager to sign the agreement on behalf of the City of Moreno Valley.

**A.8 LIST OF PERSONNEL CHANGES**

(Report of: Administrative Services Department)

**Recommendation:**

Ratify the attached list of personnel changes.

**B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT**

**B.1 ORDINANCES - READING BY TITLE ONLY**

Recommendation: Waive reading of all Ordinances and approve reading by title only.

**B.2 MINUTES - REGULAR MEETING OF FEBRUARY 24, 2015 (Report of:**

City Clerk's Department)

**Recommendation:**

Approve as submitted.

- B.3 INITIATING PROCEEDINGS TO ANNEX RESIDENTIAL HOUSING TRACT 27251 (SOUTH OF FIR AVENUE, EAST OF MORRISON STREET, AND NORTH OF EUCALYPTUS AVENUE) AS ZONE 09 TO MORENO VALLEY COMMUNITY SERVICES DISTRICT LANDSCAPE MAINTENANCE DISTRICT 2014-02

(Report of: Financial & Management Services Department)

**Recommendation:**

Adopt Resolution No. CSD 2015-04. A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Initiating Proceedings to Annex Zone 09 to Moreno Valley Community Services District Landscape Maintenance District 2014-02.

- B.4 AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. SPECIAL DISTRICTS 2014-15 LEVY CFD/LLD/LMD FORMATIONS WITH WILLDAN FINANCIAL SERVICES FOR SPECIAL TAX AND ASSESSMENT ENGINEERING SERVICES (See Item A.6)

(Report of: Financial & Management Services Department)

**Recommendations**

1. Approve the Third Amendment to the Agreement for Professional Consultant Services Project No. Special Districts 2014-15 Levy CFD/LLD/LMD with Willdan Financial Services, 27368 Via Industrial, Suite 110, Temecula, CA 92590-4856 to provide special tax and assessment engineering services for the conversion and/or formation of special financing districts and related special district reporting and professional services.
2. Authorize the City Manager to execute the Third Amendment with Willdan Financial Services.
3. Authorize the issuance of a change order in the amount of \$34,500 for Fiscal Year 2014/15 to Willdan Financial Services to increase the not-to-exceed (NTE) amount of the Agreement to \$111,495.00.

**C. CONSENT CALENDAR - HOUSING AUTHORITY**

- C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances and approve reading by title only.



C.2 MINUTES - REGULAR MEETING OF FEBRUARY 24, 2015 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

**D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances and approve reading by title only.

D.2 MINUTES - REGULAR MEETING OF FEBRUARY 24, 2015 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

**Motion to Approve Joint Consent Calendar Items A.1 through D.2 by m/Council Member Jeffrey J. Giba, s/Council Member D. LaDonna Jempson**

**Passed by a vote of 4-0-1, Mayor Jesse L. Molina absent.**

**E. PUBLIC HEARINGS**

E.1 A PUBLIC HEARING FOR AN APPEAL OF THE PLANNING COMMISSION ACTION OF DECEMBER 11, 2014, APPROVING CONDITIONAL USE PERMIT (PA14-0014), TENTATIVE TRACT MAP 36708 (PA14-0015) AND THE SUPPORTING MITIGATED NEGATIVE DECLARATION FOR A 122 UNIT PLANNED UNIT DEVELOPMENT (PUD) ON 15.92 ACRES AT THE SOUTHWEST CORNER OF PERRIS BOULEVARD AND CACTUS AVENUE

(Report of: Community & Economic Development Department)

**Recommendations That the City Council:**

1. APPROVE Resolution No. 2015-03. A Resolution of the City Council of the City of Moreno Valley, California, Finding in Favor of the Appeal and Overruling the Decision of the Planning Commission to Approve Conditional Use Permit (PA14-0014), Tentative Tract Map 36708 (PA14-0015), and the Supporting Mitigated Negative Declaration for a 122 Unit Planned Unit Development (PUD) on 15.92 Acres at the Southwest Corner of Perris Boulevard and Cactus Avenue (Assessor Parcel Numbers 482-582-038, 039, 040 & 482-230-024).

2. ADOPT a Mitigated Negative Declaration for PA14-0014 (CUP) and PA14-0015 (Tentative Tract Map 36708). The projects, individually and cumulatively, will not result in a significant effect on the environment.
3. APPROVE Resolution No. 2015-13. A Resolution of the City Council of the City of Moreno Valley, California, Approving Conditional Use Permit (PA14-0014) for a 121 Unit Planned Unit Development (PUD) on 15.92 Acres at the Southwest Corner of Perris Boulevard and Cactus Avenue (Assessor Parcel Numbers 482-582-038, 039, 040 & 482-230-024).
4. APPROVE Resolution No. 2015-14. A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map 36708 (PA14-0015) on 15.92 Acres at the Southwest Corner of Perris Boulevard and Cactus Avenue (Assessor Parcel Numbers 482-582-038, 039, 040 & 482-230-024).

Applicant Tom Mungari (Nova Homes) made a presentation.

Appellant Lori Nickel made a presentation.

Mayor Pro Tem Dr. Yxstian A. Gutierrez opened the public testimony. Public testimony was received from Tom Jerele (supports), and Louise Palomarez.

**APPROVE Resolution No. 2015-03. A Resolution of the City Council of the City of Moreno Valley, California, Finding in Favor of the Appeal and Overruling the Decision of the Planning Commission to Approve Conditional Use Permit (PA14-0014), Tentative Tract Map 36708 (PA14-0015), and the Supporting Mitigated Negative Declaration for a 122 Unit Planned Unit Development (PUD) on 15.92 Acres at the Southwest Corner of Perris Boulevard and Cactus Avenue (Assessor Parcel Numbers 482-582-038, 039, 040 & 482-230-024). by m/Council Member George E. Price, s/Council Member Jeffrey J. Giba**

**Passed by a vote of 4-0-1, Mayor Jesse L. Molina absent.**

**ADOPT a Mitigated Negative Declaration for PA14-0014 (CUP) and PA14-0015 (Tentative Tract Map 36708). The projects, individually and cumulatively, will not result in a significant effect on the environment. by m/Council Member Jeffrey J. Giba, s/Council Member George E. Price**

Passed by a vote of 4-0-1, Mayor Jesse L. Molina absent.

APPROVE Resolution No. 2015-13. A Resolution of the City Council of the City of Moreno Valley, California, Approving Conditional Use Permit (PA14-0014) for a 121 Unit Planned Unit Development (PUD) on 15.92 Acres at the Southwest Corner of Perris Boulevard and Cactus Avenue (Assessor Parcel Numbers 482-582-038, 039, 040 & 482-230-024). by m/Council Member D. LaDonna Jempson, s/Mayor Pro Tem Dr. Yxstian A. Gutierrez

Passed by a vote of 4-0-1, Mayor Jesse L. Molina absent.

APPROVE Resolution No. 2015-14. A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map 36708 (PA14-0015) on 15.92 Acres at the Southwest Corner of Perris Boulevard and Cactus Avenue (Assessor Parcel Numbers 482-582-038, 039, 040 & 482-230-024). by m/Council Member D. LaDonna Jempson, s/Council Member George E. Price

Passed by a vote of 4-0-1, Mayor Jesse L. Molina absent.

## **F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION**

### **G. REPORTS**

#### **G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)**

Mayor Pro Tem Dr. Yxstian Gutierrez opened the agenda item for public comments; there being none, public comments were closed.

##### **G.1.1 March Joint Powers Commission (JPC)**

Mayor Pro Tem Dr. Yxstian A. Gutierrez extended an invitation on behalf of the March Joint Power Authority to walk the JPA property above the Meridian Business Center to learn about the development in the JPA area. This is an opportunity to walk the area to see businesses around there and meet the chair and commissioners. The 2.5 mile walk will be held on Saturday, March 21.

##### **G.1.2 Riverside County Habitat Conservation Agency (RCHCA)**

Council Member George E. Price stated that RCHCA meets quarterly and has not met yet since the last Council meeting.

### G.1.3 Riverside County Transportation Commission (RCTC)

No meeting

### G.1.4 Riverside Transit Agency (RTA)

Mayor Pro Tem Dr. Yxstian A. Gutierrez reported that the Moreno Valley Mall transfer stop upgrades are nearly complete. RTA installed six new bus shelters at this busy transfer point that serves 7 routes and 1,500 customers a day. The area will have new landscaping, seating, and SmartStop digital signals that provide customers with real-time bus arrival information and solar lighting for enhanced customer safety and convenience.

RTA will launch its new website on March 14th. The site has a newer, simple-to-navigate design, making it easier for customers to find schedules, maps, and rider alerts. The site will also contain embedded videos, contact forms, newsletters, and other important links. There will also be a convenient area for customers to purchase bus passes, as well as provide on-line feedback about bus service.

Council Member D. LaDonna Jempson stated that at the League of Cities Conference in Banning she made a comment for the bus drivers to report lights that are out at the bus stops. It was reported back to her at the RCA meeting that they have done that and bus drivers are required to be aware of the surrounding at the bus stops and report lights that are out.

### G.1.5 Western Riverside Council of Governments (WRCOG)

Council Member Jeffrey J. Giba reported on the following:

Regional Streetlight Acquisition Program: WRCOG has been pursuing development of a Regional Streetlight Program as a means for interested jurisdictions to have a more cost-effective approach for streetlight infrastructure acquisition. Unfortunately, Southern California Edison has recently informed WRCOG that it will no longer allow individual jurisdictions to initiate this process. Our City is one of the few that are allowed to move forward with So CA Edison.

Transportation Uniform Mitigation Fee (also known as TUMF) Program Update: TUMF is a major transportation funding source in Riverside County. Since inception in 2003 the Program has generated over \$617 million in revenue. At last week's Executive Committee meeting the Committee approved the revised TUMF network to be used for the on-going Nexus Study. The Nexus Study included also Redlands Blvd.

HERO Program: The HERO program is an energy efficiency and water conservation program that is available to both business and residents. Since it began more than 13,000 projects totaling over \$241 million have been completed. WRCOG is actively working to expand the program to other jurisdictions in California.

“Future of the Cities” Conference: attended, along with 250 other participants, with Mayor Molina, Council Member Price, City members, the WRCOG and UC Riverside inaugural Future of the Cities Conference held on February 26<sup>th</sup>. The panel of speakers included National, Regional and local professionals presenting and discussing planning trends, demographic shifts, and sustainability objectives.

WRCOG General Assembly: The WRCOG General Assembly will be held on Thursday June 11, 2015 at the Morongo Casino, Resort & Spa in Cabazon. This year’s keynote speaker will be Rick Perry, who was governor of Texas from 2002 – 2015.

#### G.1.6 Western Riverside County Regional Conservation Authority (RCA)

Council Member D. LaDonna Jempson stated that RCA meets the first Monday of every month. Just a reminder, as she reported it previously, the Western Riverside County RCA has responsibility over the multiple species habitat conservation plan to balance development and environmental concerns in area of rapid urban growth; in addition, the Authority acquires land for and manages the reserve; the majority of the meeting that she participated in on Monday was the RAND report; RAND is a corporation that made an objective analysis with effective solutions; no any other business until next month

#### G.1.7 School District/City Joint Task Force

Council Member Giba - no meeting yet; working on it

#### G.2 PUBLIC MEETING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAIL BALLOT PROCEEDINGS TO APPROVE THE COMMERCIAL REGULATORY RATE FOR CSIP WR MORENO VALLEY (MULTI-BUILDING INDUSTRIAL PROJECT - SOUTHEAST CORNER OF IRIS AVENUE AND HEACOCK STREET) AND RB JOHNSON INVESTMENTS, LLC (OFFICE BUILDING PROJECT - WEST SIDE OF HEACOCK STREET AT WEBSTER AVENUE)

(Report of: Financial & Management Services Department)

#### **Recommendations That the City Council:**

Accept public comments regarding the mail ballot proceedings for CSIP

WR Moreno Valley (Multi-Building Industrial Project - southeast corner of Iris Avenue and Heacock Street) and RB Johnson Investments, LLC (Office Building Project - west side of Heacock Street at Webster Avenue) for approval of the NPDES maximum commercial regulatory rate to be applied to the property tax bill.

Mayor Pro Tem Dr. Yxstian Gutierrez opened the agenda item for public comments; there being none, public comments were closed.

No action required.

G.3 AWARD OF CONTRACT TO ACCELA INC. FOR DEVELOPMENT SERVICES SOFTWARE, ANNUAL SUBSCRIPTION LICENSING AND PROFESSIONAL SERVICES  
(Report of: Financial & Management Services Department)

**Recommendations That the City Council:**

1. Authorize the City Manager to execute a contract with Accela Inc. for annual subscription licensing and development services related software for an amount not to exceed \$1,399,184 over the next five years.
2. Approve reinstating the Senior Applications Analyst position to support development services related functions and software customizations.
3. Approve the Fiscal Year 2014/2015 budget adjustments as specified in the Fiscal Section of this report to fund expanded and enhanced development services.

Mayor Pro Tem Dr. Yxstian A. Gutierrez opened the agenda item for public comments; there being none, public comments were closed.

**Authorize the City Manager to execute a contract with Accela Inc. for annual subscription licensing and development services related software for an amount not to exceed \$1,399,184 over the next five years.**

**Approve reinstating the Senior Applications Analyst position to support development services related functions and software customizations.**

**Approve the Fiscal Year 2014/2015 budget adjustments as specified in the Fiscal Section of this report to fund expanded and enhanced development services. by m/Council Member George E. Price, s/Council Member Jeffrey J. Giba**

**Passed by a vote of 4-0-1, Mayor Jesse L. Molina absent.**

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

G.5 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council action)

None

**H. LEGISLATIVE ACTIONS**

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

H.1.1 INTRODUCE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING MORENO VALLEY MUNICIPAL CODE SECTION 2.18.050 REGARDING ALTERNATE MEMBERS OF THE PLANNING COMMISSION (Report of: City Attorney Department)

**Recommendations That the City Council:**

Introduce Ordinance No. 890. An Ordinance of the City Council of the City of Moreno Valley, California, Adopting Moreno Valley Municipal Code Section 2.18.050 Regarding Alternate Members of the Planning Commission.

Mayor Pro Tem Dr. Yxstian A. Gutierrez opened the agenda item for public comments; there being none, public comments were closed.

Sections 2.18.050 A and B of Ordinance 890 were amended as follows:

- A. In addition to the seven regular members, the City Council may, at its discretion, appoint two (2) Planning Commission Alternates who shall serve for a term of two years. The alternate members of the Planning Commission shall attend all regular and special meetings of the Planning Commission. If a regular member of the Commission is absent for any reason from all or any part of a regular or special meeting of the Planning Commission, a sworn alternate member shall participate in such meeting during the period of absence. During such participation, the alternate member shall receive and exercise all rights and privileges of a regular member, including the right to vote on matters before the Planning Commission. Only when participating in a meeting shall the

alternate member receive a stipend.

- B. The alternates shall also be subject to the requirements of and shall abide by the Ralph M. Brown Act, the Political Reform Act and other laws applicable to the regular members of the Planning Commission.

**Introduce Ordinance No. 890 as amended. An Ordinance of the City Council of the City of Moreno Valley, California, Adopting Moreno Valley Municipal Code Section 2.18.050 Regarding Alternate Members of the Planning Commission. by m/Council Member D. LaDonna Jempson, s/Mayor Pro Tem Dr. Yxstian A. Gutierrez**

**Passed by a vote of 4-0-1, Mayor Jesse L. Molina absent.**

Items H.1.2 and H.2.1 were discussed before Public Comments.

H.1.2 INTRODUCE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING MUNICIPAL CODE SECTION 2.08.060(B) RELATING TO POWERS AND DUTIES OF THE CITY MANAGER

(Report of: City Attorney Department)

**Recommendations That the City Council:**

Introduce Ordinance No. 891. An Ordinance of the City Council of the City of Moreno Valley, California, Amending Municipal Code Section 2.08.060(B) Relating to Powers and Duties of the City Manager.

Mayor Pro Tem Dr. Yxstian Gutierrez opened the agenda item for public comments, which were received from Robert Harris (supports), Chris Baca (supports), Louise Palomarez (supports), Pete Bleckert, and Susan Billinger (opposes).

**Motion to Approve: Introduce Ordinance No. 891. An Ordinance of the City Council of the City of Moreno Valley, California, amending Municipal Code Section 2.08.060(B) relating to powers and duties of the City Manager, by m/Mayor Jesse L. Molina, s/Mayor Pro Tem Dr. Yxstian A. Gutierrez**

**Passed by a vote of 3-2, Council Member D. LaDonna Jempson, Council Member George E. Price opposed.**

**Motion to Amend Section 2.08.060(B) of the Municipal Code to read as follows:**  
**(B) Except as provided for in subsection C of this section, appoint,**



remove, promote and demote any and all officers and employees of the city except elective officers, the city attorney and the city treasurer subject to all applicable personnel rules and regulations which may be adopted by the city council and subject to ratification by the City Council in a manner specified by Council resolution. To overturn any decision made by the City Manager to appoint, remove, promote or demote any employee would require a four-fifths vote of the City Council. by m/Council Member Jeffrey J. Giba, s/Council Member George E. Price

Passed by a vote of 4-1, Mayor Jesse L. Molina opposed.

## H.2 ORDINANCES - 2ND READING AND ADOPTION

- H.2.1 ADOPT ORDINANCE 887. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 6.14 TO TITLE 6 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE ESTABLISHING THE REGISTRATION OF RESIDENTIAL PROPERTY IN FORECLOSURE PROGRAM (RECEIVED INTRODUCTION AND FIRST READING BY A 3/2 VOTE, JEMPSON AND GIBA OPPOSED) (Report of: Community & Economic Development Department)

### **Recommendations That the City Council:**

Adopt Ordinance No. 887. An Ordinance of the City Council of the City of Moreno Valley, California, adding Chapter 6.14 to Title 6 of the City of Moreno Valley Municipal Code establishing the Registration of Residential Property in Foreclosure Program.

Mayor Pro Tem Dr. Yxstian Gutierrez opened the agenda item for public comments, which were received from Thomas Hines and Chris Baca.

**Motion to Approve: Adopt Ordinance 887. An Ordinance of the City Council of the City of Moreno Valley, California, adding Chapter 6.14 to Title 6 of the City of Moreno Valley Municipal Code establishing the registration of residential property in foreclosure program (Received introduction and first reading by a 3/2 vote, Jempson and Giba opposed), by m/Council Member George E. Price, s/Mayor Jesse L. Molina**

**Passed by a vote of 5-0.**

Recess;  
Reconvened

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,  
COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE  
COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY**

Council Member Jeffrey J. Giba - none

Council Member George E. Price

1. Addressed issue concerning safety on Moreno Beach Blvd. at the bend by the Auto Mall, as few accidents happened, including fatal accidents. City Engineer Prem Kumar stated that there is opportunity to pursue federal grants to address this problem
2. Addressed speaker's concern about the issue of maintaining Moreno Valley Ranch Golf Course - we are looking at it; will set up a meeting with the owner and try to get them back on track
3. Regarding Rising Star Academy - supports them; would like staff to reach out to them and get specifics, what they are looking for
4. Will be out of town and not at the next study session; can participate by phone if needed

Council Member D. LaDonna Jempson

1. Stated that when she was sworn in, she put out a plea to the residents to give the Council an opportunity to work together; is discouraging recalls and asked the group planning recall to reconsider that and allow this group to move forward and work together
2. Addressed homeless youth issue; feels for the students; shelters are closing up; asked staff to look what might be available; stated that several cities gift properties for a dollar to nonprofits in support of their cause
3. Attended the Environmental and Historical Preservation Board (EHPB) meeting; is disheartening that there is no museum in Moreno Valley; is working hard with the Moreno Valley Historical Society to change that. Requested to move up an annual report of the Environmental & Historical Preservation Board (originally scheduled for September 22 this year), as they have wonderful ideas and input on which they would like to advise the City Council

Mayor Pro Tem Dr. Yxstian A. Gutierrez

1. Stated that recalls are unnecessary as they create instability in our local government
2. Asked the City Attorney about the status of Rules of Procedure for City Council Meetings
3. Regarding ratification of personnel actions; his intent was transparency; we put an ordinance in harmony with the resolution

4. We have a serious major issue with the youth homeless; would like for us to look into it and meet with the RSBA
5. Thanked speakers for coming up tonight

There being no further business to conduct, the meeting was adjourned at 11:03 p.m. to Closed Session by unanimous informal consent.

## **CLOSED SESSION**

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority was held in City Manager's Conference Room, Second Floor, City Hall. The City Council met in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

City Attorney announced that four cases "a" through "d" listed on the Closed Session agenda under Section 54956.9(d)(1) will be discussed. She does not anticipate any reportable action.

### **• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

Mayor Pro Tem Dr. Yxstian A. Gutierrez opened the agenda items for public comments, which were received from Chris Baca (transparency issue).

The Closed Session was held pursuant to Government Code:

- 1 SECTION 54956.9(d)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
  - a) Rodriguez v. City of Moreno Valley
  - b) Social Environmental Justice Alliance v. City of Moreno Valley, et al.
  - c) Laborers International Union of North America, Local Union No. 1184 v. City of Moreno Valley, et al.
  - d) Residents for a Livable Moreno Valley v. City of Moreno Valley, et al.
- 2 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9

Number of Cases: 5

3 SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) *Agency Representatives: Michelle Dawson, Tom DeSantis, Chris Paxton and Rick Teichert; Employee Organization: MVCEA*

b) *Agency Representatives: Michelle Dawson, Tom DeSantis, Chris Paxton and Rick Teichert; Employee Organization: MVMA*

**REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY**

None

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 10:35 p.m. by unanimous informal consent.

Submitted by:

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Jane Halstead, City Clerk, CMC  
Secretary, Moreno Valley Community Services District  
Secretary, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley  
Secretary, Moreno Valley Housing Authority  
Secretary, Board of Library Trustees

Approved by:

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Jesse L. Molina, Mayor  
President, Moreno Valley Community Services District  
Chairperson, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley  
Chairperson, Moreno Valley Housing Authority  
Chairperson, Board of Library Trustees