

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
January 14, 2014

CALL TO ORDER

SPECIAL PRESENTATIONS

[1. Moreno Valley "M" Landmark Improvement Project](#)

[2. Proclamation Recognizing January 2014 as National Mentoring Month](#)

[3. Business Spotlight](#)

a) AP Computers

b) Polly's Pies

**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
January 14, 2014**

INVOCATION

The invocation was given by Council Member Stewart

[Pastor Diane Gardner - Beautiful Women of God - Diane Gardner Ministries](#)

CALL TO ORDER

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 6:25 p.m. by Mayor Tom Owings in the Council Chamber located at 14177 Frederick Street

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Pat Cavanaugh

ROLL CALL

Council:

Tom Owings	Mayor
Victoria Baca	Mayor Pro Tem
Jesse L. Molina	Council Member
Yxstian Gutierrez	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Kathy Gross	Executive Assistant

Richard Teichert
Suzanne Bryant
Michelle Dawson
Tom DeSantis
Michele Patterson
Ahmad Ansari
Chris Paxton
Bill Tyler
John Terell
Mike McCarty

Chief Financial Officer/City Treasurer
City Attorney
City Manager
Assistant City Manager
Assistant to the City Manager
Public Works Director
Administrative Services Director
Lieutenant
Community and Economic Development Director
Parks & Community Services Director

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

Tom Jerele Sr - Commended Council for acknowledging volunteers who worked on the "M" landmark; thanked Mayor for history on the landmark; projects do a lot of good; commented on Polly's Pies; commended and thanked Council Member Molina for his assistance on Sunnymead Boulevard during the flood.

Scott Heveran - Thank you to Press Enterprise for coverage on corruption probe; encouraged continuation of recall.

Tom Thornsley - Thank you for opportunity to interview for Planning Commission seat; looking for nomination

Deanna Reeder - Swearing In Ceremony was not able to attend; balanced budget

Debra Craig - Swearing In Ceremony; General Law City only ceremonial Mayor

Louise Palomarez – Comments from residents at the meeting

Chris Baca - Perpetual recall mode destructive to the City; Special Elections are costly

Robert Palomarez – Bill Batey holding up petition signatures

JOINT CONSENT CALENDARS (SECTIONS A-D) 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

Mayor Tom Owings opened the agenda items for the Consent Calendars for public comments; public comments were received from Scott Heveran.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF DECEMBER 10, 2013 (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 December 4, 2013 – January 7, 2014.

A.4 APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR PARTIAL ACQUISITION OF APN 486-270-019 FOR THE NASON STREET FROM CACTUS AVENUE TO FIR AVENUE STREET IMPROVEMENT PROJECT – PROJECT NO. 801 0001 70 77

(Report of: Public Works Department)

Recommendations

1. Approve the Agreement for Conveyance of Property for the partial acquisition of APN 486-270-019 for the Nason Street Improvement Project.
2. Authorize the City Manager to execute the Agreement for Conveyance of Property and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.
3. Authorize the issuance of a Purchase Order for \$146,000 (\$136,000 for the acquisition purchase price plus \$10,000 for escrow closing

fees) when the Agreement has been signed by all parties.

A.5 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF)
EXPENDITURE PLAN FOR FY 2013-14

(Report of: Financial & Management Services Department)

Recommendations

1. Approval of the Supplemental Law Enforcement Services Fund (SLESF) Expenditure Plan for FY 2013-14.
2. Approve an increase of \$325,323 to the SLESF Grant Fund FY 2013-14 revenue budget (account 2410-60-69-76012-486000) to reflect the total FY 2013-14 allocation of \$325,323.
3. Approve an increase of \$325,323 to the SLESF Grant Fund FY 2013-14 expenditure budget (account 2410-60-69-76012-620320) to reflect the FY 2013-14 planned expenditure of \$325,323.

A.6 AWARD CONSTRUCTION CONTRACT TO PRINCIPLES
CONTRACTING, INC. FOR THE CIVIC CENTER SITE IMPROVEMENTS
(EXTERIOR) PHASE 2 -

PROJECT NO. 803 0001 70 77

(Report of: Public Works Department)

Recommendations

1. Award the construction contract to Principles Contracting, Inc., 1760 Marlborough Avenue, Riverside, CA 92507, the lowest responsible bidder, for the construction of the Civic Center Site Improvements (Exterior) Project.
2. Authorize the City Manager to execute the Agreement with Principles Contracting, Inc.
3. Authorize the issuance of a Purchase Order to Principles Contracting, Inc. for \$400,500 (\$356,000 bid amount plus 12.5% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Principles Contracting, Inc., up to, but not exceeding, the contingency amount of \$44,500, subject to the approval of the City Attorney.
5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and

release the retention to Principles Contracting, Inc., if no claims are filed against the project.

6. Authorize the re-appropriation of \$185,358 from the EOC Family Care Generator project, 2005 Lease Revenue Bonds Fund (Fund 3401), to the Civic Center Site Improvements (Exterior).

A.7 APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR PARTIAL ACQUISITION OF APNS 487-470-015, 487-470-016, AND 487-470-017 FOR THE NASON STREET FROM CACTUS AVENUE TO FIR AVENUE STREET IMPROVEMENT PROJECT – PROJECT NO. 801 0001 70 77

(Report of: Public Works Department)

Recommendations

1. Approve the Agreement for Conveyance of Property for the partial acquisition of APNs 487-470-015, 487-470-016, and 487-470-017 for the Nason Street Improvement Project.
2. Authorize the City Manager to execute the Agreement for Conveyance of Property and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.
3. Authorize the issuance of a Purchase Order for \$210,000 (\$200,000 for the acquisition purchase price plus \$10,000 for escrow closing fees) when the Agreement has been signed by all parties.

A.8 PA07-0080, PM 35672 – REQUEST TO EXTEND THE FULL ROAD CLOSURE OF INDIAN STREET FROM IRIS AVENUE TO KRAMERIA AVENUE AND IRIS AVENUE BETWEEN INDIAN STREET AND CONCORD WAY FOR THE CONSTRUCTION OF STREET IMPROVEMENTS UNTIL FEBRUARY 1, 2014

(Report of: Public Works Department)

Recommendations

1. Authorize the extension of a full road closure of Indian Street from Iris Avenue to Krameria Avenue and Iris Avenue between Indian Avenue and Concord Way for the construction of street improvements until February 1, 2014.
2. Authorize the City Engineer to allow for an additional 30-day extension in addition to the extension being requested to the proposed road closure window if the project is delayed due to unforeseen construction issues.

- A.9 [AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT TO HILLCREST CONTRACTING, INC. FOR THE HEMLOCK AVENUE IMPROVEMENTS AND GRAHAM STREET IMPROVEMENTS, PROJECT NO. 801 7002 70 77](#)
(Report of: Public Works Department)

Recommendations

1. Award the construction contract to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, California 92879, the lowest responsible bidder, for the Hemlock Avenue Improvements and Graham Street Improvements.
2. Authorize the City Manager to execute a contract with Hillcrest Contracting, Inc.
3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. for the amount of \$293,412 (\$244,510 bid amount plus 20% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of \$48,902, subject to the approval of the City Attorney.
5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system and release the retention to Hillcrest Contracting, Inc., if no claims are filed against the project.

- A.10 [APPROVAL OF PAYMENT REGISTER FOR NOVEMBER, 2013](#)
(Report of: Financial & Management Services Department)

Recommendation:

Adopt Resolution No. 2014-01. A Resolution of the City Council of the City of Moreno Valley, California, approving the Payment Register for the month of November, 2013 in the amount of \$11,821,621.94.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

- B.2 [MINUTES - REGULAR MEETING OF DECEMBER 10, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:
Approve as Submitted.

- B.3 [AUTHORIZE THE SUBMISSION OF APPLICATION FOR ADDITIONAL AFTER SCHOOL EDUCATION AND SAFETY GRANT FUNDS FOR FISCAL YEAR 2014/2015](#)
(Report of: Parks & Community Services Department)

Recommendation:
Authorize the City Manager to submit an application to the California Department of Education for additional After School Education and Safety Grant funds (ASES) for FY 2014/15.

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

- C.2 [MINUTES - REGULAR MEETING OF DECEMBER 10, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:
Approve as submitted.

- C.3 [RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT AND CONSENT TO DEEDS OR GRANTS FOR RESIDENTIAL PROPERTIES ACQUIRED BY OR ASSIGNED TO THE MORENO VALLEY HOUSING AUTHORITY](#)
(Report of: Community & Economic Development Department)

Recommendation:
Adopt Resolution No. HA 2014-01. A Resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, authorizing the executive director (or his/her assignee) to accept and consent to deeds or grants for residential properties acquired by or assigned to the Housing Authority.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

- D.2 [MINUTES - REGULAR MEETING OF DECEMBER 10, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 by m/Council Member Yxstian Gutierrez, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

E. PUBLIC HEARINGS - NONE

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - NONE

G. REPORTS

- G.1 [APPROVE POLICY DIRECTION FOR REVIEW OF LAND USE APPLICATIONS IN THE SR-60 EAST CORRIDOR STUDY AREA \(PA13-0003\), AND RECOGNIZE THAT ORDINANCE 861 WILL EXPIRE ON JANUARY 23, 2014](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Adopt the Preferred Alternative identified in the SR-60 East Corridor Study to provide policy direction for use in the review of land use change applications, recognizing that any future land use proposals in the Study area will require separate evaluation for land use consistency and potential environmental impacts.
2. Recognize that Ordinance 861 which extended a moratorium on the issuance of land use entitlements in four designated locations along the SR-60 East Corridor Area will expire on January 23, 2014.

Mayor Tom Owings opened the agenda item for public comments, which were received from Pat Cavanaugh (supports), Tom Thornsley, Deanna Reeder (opposed), Jeff Kraus (opposed), Tom Jerele, Sr., Craig Givens (opposed).

Motion to approve the verbal motion as presented:

1) Receive and file the SR-60 Corridor Study prepared by Raimi & Associates as the study authorized by the City. 2) Recognize that Ordinance 861 which extended a moratorium on the issuance of land use entitlements in four designated locations along the SR-60 East Corridor Area will expire on January 23, 2014. 3) Direct staff to

proceed with preparing a policy document in the future in accordance with the current law by m/Mayor Tom Owings, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

G.2 **RECEIVE THE ANNUAL REPORT ON DEVELOPMENT IMPACT FEES FOR FISCAL YEAR 2012-13**

(Report of: Financial & Management Services Department)

Recommendations That the City Council:

1. Approve and accept the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006.
2. Approve the finding that staff has demonstrated a continuing need to hold unexpended Development Impact Fees.

Mayor Tom Owings opened the agenda item for public comments. Public comments were received from Tom Jerele, Sr.

Approve and accept the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006.

Approve the finding that staff has demonstrated a continuing need to hold unexpended Development Impact Fees by m/Mayor Pro Tem Victoria Baca, s/Council Member Richard A. Stewart

Approved by a vote of 5-0.

G.3 **CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)**

City Manager Michelle Dawson reported applications for the next program year for the Community Development Block Grant and Home Investment Partnership Program are currently being accepted. Grant funding is available to local non-profits to partner with the City to assist our low to moderate income residents. Applications are due by January 22nd and the information is available on the City's website.

The city-wide camera system is now fully functional and recording video 24 hours day, 7 days a week with over 200 cameras operating in the City. The Police Department is actively recruiting training volunteers to assist in operational and maintaining the new camera system. Interested residents may contact Moreno Valley Police Department. Staff is planning open

house for residents to get a close look of the cameras.

City Manager Dawson acknowledged and thanked Community & Economic Development Director John Terrel for his successful economic development efforts and capably managing the large, complex Community & Economic Development Department.

G.4 [CITY ATTORNEY'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

No report given.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 [ORDINANCE NO. 872. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING P11-061, THE SIXTH AMENDMENT TO THE TOWNGATE SPECIFIC PLAN \(SP NO. 200\) TO PERMIT SENIOR HOUSING FACILITIES AND CONDITIONALLY PERMIT HOTELS AND ASSISTED LIVING FACILITIES IN THE OFFICE COMMERCIAL LAND USE DISTRICT OF THE PLAN, INCLUDING DEVELOPMENT AND PARKING STANDARDS AND UPDATED HANDICAP ACCESSIBLE STANDARDS. \(RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 10, 2013 BY A 5-0 VOTE\)](#)

Recommendations That the City Council:

ADOPT Ordinance No. 872. An Ordinance of the City Council of the City of Moreno Valley, California approving P11-061, the sixth amendment to the Towngate Specific Plan (SP No. 200) to permit senior housing facilities and conditionally permit hotels and assisted living facilities in the Office Commercial Land Use District of the Plan, including development and parking standards and updated handicap accessible standards.

ADOPT Ordinance No. 872. An Ordinance of the City Council of the City of Moreno Valley, California approving P11-061, the sixth amendment to the Towngate Specific Plan (SP No. 200) to permit senior housing facilities and conditionally permit hotels and assisted living facilities in the Office Commercial Land Use District of the Plan, including development and parking standards and updated handicap accessible standards by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Mayor Tom Owings opened the agenda item for public comments; there being none, public comments were closed.

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

Mayor Pro Tem Victoria Baca

1. Good news for the City, the overlay expiring, will make some people happy, thanked a hard working staff
2. Exceptional gratitude to animal services; Mayor Pro Tem Baca state she had fostered two puppies for her grandchildren. Council does care for the animals and it shows how much; hopes to have a "no kill" Moreno Valley with no animals euthanized. The Animal Services staff are good people that love the animals and do their due diligence.
3. Thanked her colleagues on City Council for the work they put in.
4. Recalls are a distraction and interrupt the business process, cannot continue if we are to do a fine job.
5. Continue working in Edgemont moving forward with trying to better the water in the area; residents that have no other water service choice; consultant is working in the community, has called Code Compliance for pickups on trash and furniture.
6. Thanked the community for their support they have given the City Council.

Council Member Yxstian Gutierrez

1. Pretty excited because there are a lot of great things happening in the City.
2. For example the Arts & Music program that will be unveiling; believes all students should have access to Arts & Music; would like to offer opportunities and exposure to Arts; bringing the musical

instruments to children in partnership with Moreno Valley Unified, Val Verde and Think Together. Council Member Gutierrez reported In March he would be unveiling the program. Plato once said: "Music is the soul to the universe, wings to the mind, flight to the imagination and life to everything."

3. Has been active in District 4; held a "Meet and Greet;" with business round table; continues walking in the neighborhood talking to constituents in District 4; starting a financial literacy workshop provide free materials.
4. Would be attending training for a new Council Members in Sacramento next week.
5. Thanked James Baker and his team for their great work on the "M" landmark.
6. Supports public safety by allocating monies through grant programs.

Council Member Richard A. Stewart - no comments

Council Member Jesse Molina

1. Thank everyone for their attendance at the Council Meeting; things are changing and moving along; if we all put our minds and ideas together we can achieve our goals.
2. Thanked the City Manager, City Manager Michelle Dawson for the good report.
3. Thanked Police Department as the city-wide cameras are working. They are bringing safety in our neighborhoods. Asked for volunteers to monitor cameras.
4. Referred to the City of Redlands Police Department and how their information on problems with loitering and vagrancy can assist the policemen out in the field.

Mayor Tom Owings

1. Reminded teenagers in the City of Moreno Valley that there are positions open on various advisory Boards & Commissions. The City has been working diligently to fill the vacant adult members but still has teen member positions open to fill; encouraged students to participate in government.

2. In agreement with Mayor Pro Tem Baca's comments on the "No Kill" Moval; new attitude at the Animal Shelter; a Moreno Valley is a City that looks at innovate ways to do things;
3. Chicago Pasta House Dino Migliore loss of son Dino. The Mayor extended his sympathies to his father and read a moving tribute in honor of Dino Migliore.

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in The 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.

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

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session was held pursuant to Government Code:

City Attorney Suzanne Bryant, City Attorney reported, pursuant to Government Code section 54956.9(d)(2), the Council will go into Closed Session to discuss and possibly decide waiving the attorney-client privilege and authorizing disclosure of the document created pursuant to the City Council's direction to the City Attorney in Closed Session on September 7, 2010. At this time, I cannot predict if there will be any reportable action.

Mayor Tom Owings opened the public testimony which was received from Deanna Reeder.

1 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9

Number of Cases: 5

[Discussion and possible decision\(s\) about waiving the attorney-client privilege and authorizing disclosure of the document\(s\) created pursuant to the City Council's direction to the City Attorney in Closed Session on September 7, 2010.](#)

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

Number of Cases: 5

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

The Regular Meeting reconvened at 9:50 p.m. from Closed Session.

City Attorney City Attorney Suzanne Bryant reported the Council, Baca, Molina, Stewart, Gutierrez and Owings voted 5-0 to waive the attorney-client privilege and authorize disclosure of the document created pursuant to the City Council's direction to the City Attorney in Closed Session on September 7, 2010.

Mayor Tom Owings thanked the City Attorney and stated a copy to the Press would be available tonight and would be made available tomorrow to the general public upon a records request.

ADJOURNMENT

There being no further business the Regular Meeting was adjourned at 10:12 p.m. in memory of Dino Migliore at 10:12 p.m.

Submitted by:

City Clerk Jane Halstead, 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:

Mayor Tom Owings
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