

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
March 25, 2014

CALL TO ORDER

SPECIAL PRESENTATIONS

- [1\) Mayor's Award of Valor - Raymond McClung and Enrique Wong-Torres](#)
- [2\) Firefighter of the Year - Scott Callahan, Firefighter II](#)

**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 25, 2014**

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 6:17 p.m. by Mayor Tom Owings in the Council Chamber located at 14177 Frederick Street

Mayor Tom Owings announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE – The pledge of Allegiance was led by Frank Wright.

INVOCATION

[Pastor Mark Orellana - Victory Outreach Church](#)

ROLL CALL

Council:

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

Absent: Richard A. Stewart 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
John Terell
Prem Kumar
Steve Hargis
Kathy Gross

Police Chief
Administrative Services Director
Community and Economic Development Director
Deputy Public Works Director
Technology Services Division Manager
Executive Assistant

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

Luis Mojica

1. Supporting Dr. Gutierrez

Alicia Berridge

1. Support for City; grant

Sherman Jones

1. Love our City

Stan Herpick

1. City Support

Kama Berton

1. Support City

Susan Gilmore Owings

1. Recall
2. Marion Ashley County Supervisor

Debra Craig

1. Recall
2. Inaugural speech
3. Dr. Gutierrez

Chris Baca

1. Thank you to the Police Department
2. Recall and conflict that the Sheriff's Union supports recall
3. Redistricting

Louise Palomarez

1. Recall
2. Council

Bob Palomarez

1. General

JoAnn Steffan

1. Support of Dr. Gutierrez

Craig Givens

1. Speaking before the Council
2. Credentials

Curtis Gardner

1. Speaking before the Council
2. Resident Ms. Palomarez

Deanna Reeder

1. 11 page opinion of the Attorney General regarding Council Member Gutierrez

Scott Heveran

1. Video of Sam Walker at previous Council meetings
2. Recall

Eduardo Gomez

1. Praying for the community

Kathleen Dale

1. District 4 Appointment and Attorney General's opinion

Frank Wright

1. Mayor Tom Owings

Tom Jerele, Sr.

1. Good job on CDBG item earlier
2. Wind Symphony Concert
3. 2012 Annual Report for TUMF fees by WRCOG
4. Locally owned paper

Radene Ramos Hiers

1. Council Member Yxstian Gutierrez

Nina Ramos Hiers

1. Removal of Council Member Yxstian Gutierrez

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, which were received from Marcia Amino, Bob Palomarez (Supports), Christopher Baca (Supports), Louise Palomarez (Supports), Kathleen Dale (Opposed), Hans Wolterbeek, and Craig Givens all of which spoke on A.7.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF MARCH 11, 2014 \(Report of: City Clerk's Department\)](#)

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 March 5 18, 2014.

A.4 [RESOLUTION FOR THE ABATEMENT OF PUBLIC NUISANCES](#)
(Report of: Community & Economic Development Department)

Recommendation:

Adopt Resolution No. 2014-23 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List in this staff report for the abatement of nuisances.

A.5 [APPROVAL OF THE 2014/2015 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA 152](#)
(Report of: Public Works Department)

Recommendations

1. Approve the County Service Area 152 Budget for FY 2014/2015 in the amount of \$571,038.
2. Authorize the levy of County Service Area 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2014/2015.

A.6 [APPROVAL OF THE FRANCHISE TAX BOARD AGREEMENT TO SHARE TAX INFORMATION](#)
(Report of: Financial & Management Services Department)

Recommendation:

Authorize the City Manager or her designee to sign a Franchise Tax Board Agreement that will allow both entities to share tax information confidentially.

A.7 [RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS](#) (Report of: City Clerk Department)

Recommendation:

Adopt Resolution No. 2014-24. A Resolution of the City Council of the City of Moreno Valley, California, establishing criteria to guide the process of revising the boundaries of the Council districts from which members of the City Council are elected.

A.8 [AMENDMENT TO THE COOPERATIVE AGREEMENT WITH THE RIVERSIDE COUNTY FIRE DEPARTMENT FOR FIRE PROTECTION, FIRE PREVENTION, RESCUE, AND MEDICAL EMERGENCY SERVICES](#)
(Report of: City Manager Department)

Recommendations

1. Amend the Current Cooperative Agreement with the Riverside

County Fire Department for Fire Protection, Fire Prevention, Rescue and Medical Emergency Services to include Fire Protection Planning Services, as recommended by the Public Safety Sub-Committee, with an anticipated effective date of April 1, 2014.

2. Authorize the City Manager to execute the Cooperative Agreement.
3. Defund the City Fire Marshal position upon the effective date of the amended Agreement.
4. Authorize the transition to County Fire Safety Specialist and County Fire Systems Inspector for the City positions of Fire Safety Specialist, Fire Inspector II, and Fire Inspector I as new positions or promotional opportunities become available.

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 MARCH 11, 2014 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 [MINUTES - REGULAR MEETING OF MARCH 11, 2014 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D.2 [MINUTES - REGULAR MEETING OF MARCH 11, 2014 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 by m/Mayor Pro Tem Victoria Baca, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Richard A. Stewart absent.

Motion to rescind the motion Approving Joint Consent Calendar Items A.1 through D.2 by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Victoria Baca

Approved by a vote of 4-0-1, Council Member Richard A. Stewart absent.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 with the exception of the A.2., B.2, C.2 and D.2, which were continued by m/Mayor Pro Tem Victoria Baca, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Council Member Richard A. Stewart absent.

E. PUBLIC HEARINGS

- E.1 [PUBLIC HEARING ON THE FORMATION OF CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01](#)
(Report of: Financial & Management Services Department)

Recommendations That the City Council:

1. Conduct the Public Hearing on the proposed formation of City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services).
2. Approve and Adopt Resolution No. 2014-25. A Resolution of the City Council of the City of Moreno Valley, California, Establishing City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and Calling a Special Election in Connection with said District.
3. Direct staff to canvass the returned ballot and report the results of the special election to the City Council.

Mayor Tom Owings opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Approve and Adopt Resolution No. 2014-25. A Resolution of the City Council of the City of Moreno Valley, California, Establishing City of

Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and Calling a Special Election in Connection with said District. Direct staff to canvass the returned ballot and report the results of the special election to the City Council by m/Mayor Pro Tem Victoria Baca, s/Council Member Yxstian Gutierrez

Approved by a vote of 3-1-0-1, Council Member Jesse L. Molina opposed, Council Member Richard A. Stewart absent.

4. Acting as the legislative body of the City of Moreno Valley Community Facilities District No. 2014-01 Approve and Adopt Resolution No. 2014-26. A Resolution of the City Council of the City of Moreno Valley, California, Declaring the Results of an Election in City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services).

Acting as the legislative body of the City of Moreno Valley Community Facilities District No. 2014-01 Approve and Adopt Resolution No. 2014-26. A Resolution of the City Council of the City of Moreno Valley, California, Declaring the Results of an Election in City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) by m/Council Member Yxstian Gutierrez, s/Mayor Pro Tem Victoria Baca

Approved by a vote of 4-0-1, Council Member Richard A. Stewart absent.

5. Introduce Ordinance No. 874. An Ordinance of the City Council of the City of Moreno Valley, California, Levying a Special Tax in Connection with City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and Taking Certain Related Recommendation:.

Introduce Ordinance No. 874. An Ordinance of the City Council of the City of Moreno Valley, California, Levying a Special Tax in Connection with City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and Taking Certain Related Recommendation: by m/Mayor Pro Tem Victoria Baca, s/Mayor Tom Owings

Approved by a vote of 3-0-1-1, Council Member Jesse L. Molina abstained, Council Member Richard A. Stewart absent.

E.2 [PUBLIC HEARING REGARDING FY 2014/15 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME](#)

INVESTMENT PARTNERSHIP (HOME) PROGRAMS

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a Public Hearing for CDBG and the HOME grant programs to allow public comment on the proposed FY 2014/15 programs.
2. Review and select programs for funding for social service, housing, public facilities, rehabilitation, and economic development activities to be included in the City's FY 2014/15 Annual Action Plan.

Mayor Tom Owings opened the public testimony portion of the public hearing. Public testimony was received from Corey Jackson (Support), Eddie Estrada (Opposed), Robert Robles (Opposed), James Schraedly (Opposed), Tom Donahue (Supports), Johnnie Jones (Supports), Alicia Berridge (Opposed), Davon Rayford (Opposed), Devin Walkins (Opposed), Rosa Salas, William Welch (Opposed), Garret Hawthorne (Opposed)

Review and select programs for funding for social service, housing, public facilities, rehabilitation, and economic development activities to be included in the City's FY 2014/15 Annual Action Plan as amended to fund two additional organizations: \$9000 for each Rising Stars and US Vets to be funded by deducting \$1,000 from each of the 18 funded organizations by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Victoria Baca

Approved by a vote of 4-0-1, Council Member Richard A. Stewart absent.

Recess after motion

E.3 PUBLIC HEARING TO ADOPT SUBSTANTIAL AMENDMENT #4 AFFECTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR THE FY 2013-2014 ANNUAL ACTION PLAN

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed Substantial Amendments #4 (CDBG).
2. Review and adopt the proposed Substantial Amendments #4 (CDBG) to the FY 2013-2014 Annual Action Plan.
3. Approve the necessary Revenue and Expense Appropriations and authorize the Chief Financial Officer to process the adjustments.

4. Authorize the City Manager to reallocate grant funds between HUD-approved grant activities.

Mayor Tom Owings opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Review and adopt the proposed Substantial Amendments #4 (CDBG) to the FY 2013-2014 Annual Action Plan.

Approve the necessary Revenue and Expense Appropriations and authorize the Chief Financial Officer to process the adjustments.

Authorize the City Manager to reallocate grant funds between HUD-approved grant activities by m/Council Member Yxstian Gutierrez, s/Mayor Pro Tem Victoria Baca

Approved by a vote of 4-0-1, Council Member Richard A. Stewart absent.

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

None

G. REPORTS

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

- G.1.1 [Council Member Jesse Molina reports on March Joint Powers Commission](#)

Council Member Molina reported that when March Air Force base downsized, the Joint Powers Authority drafted a plan that provides transitional assistance to homeless persons with up to two years of assistance. Currently, there are three homeless service providers: U.S. Vets, Lutheran Social Services and Path of Life Ministeries. Starting next year HUD is maintaining the focus on their grants to provide permanent housing for the homeless. Last week March Joint Powers Commission considered changing the plan from transitional housing to permanent housing. But we decided to maintain focus on temporary shelter and traditional housing.

Some impacts to this decision:

US Vets has numerous funding sources, so it will not change US Vets

service to veterans

Lutheran Social Services and Path of Life Ministries will be affected. JPA staff will be looking for some long range alternatives for these homeless providers at March.

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

G.2 [MONTHLY REPORT: MORENO VALLEY ANIMAL SHELTER ADOPTION RATE](#)

(Report of: Administrative Services Department)

Recommendations That the City Council:

Receive and file the Monthly Report: Moreno Valley Animal Adoption Rate for the period of February 1 to February 28, 2014.

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

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action) - None

G.4 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council action) - None

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

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 Tom Owings

1. Spoke about Council Member Council Member Yxstian Gutierrez
2. Disagreed with residents and keeping the humor

3. Requested Pastor Lupe to say a prayer for the City

Council Member Jesse L. Molina

1. Military coming back seeing their families, see the happiness they have when they return
2. Saturday attended Jose Medina's Annual Woman of the Year, City Manager Michelle Dawson was recognized

Mayor Pro Tem Victoria Baca

1. Positive things in the City
2. City Manager Michelle Dawson will be posting announcement regarding there was over 2,000 jobs since 2013 on the City's website
3. More decorum in the Council Chamber, courageous conversations with bailiffs in future

Council Member Yxstian Gutierrez

1. CDBG Programs supports those programs
2. All about youth and supporting those programs and other programs
3. Working on expanding music and arts program
4. Supports job growth
5. Relayed a story about a young paralyzed child, Zachary Smith, that needs a van for transportation, encouraged the public to vote for him on www.mobilityawarenessmonth.com; resident of District 4; top three will receive a van
6. Ride along with the Fire Department about two weeks ago, will also be doing a ride along with the Police Department
7. Will be attending a EMWD tour of the area
8. Read with the Children Program
9. Young adults ministry, very supportive from St. Christopher's Church

CLOSED SESSION – canceled.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:54 p.m. by unanimous informal consent.

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