



****REVISED AGENDA****

**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**

September 20, 2016

REGULAR MEETING – 6:00 PM

City Council Study Sessions

Second Tuesday of each month – 6:00 p.m.

City Council Meetings

Special Presentations – 5:30 P.M.

First & Third Tuesday of each month – 6:00 p.m.

City Council Closed Session

Will be scheduled as needed at 4:30 p.m.

City Hall Council Chamber – 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Dr. Yxstian A. Gutierrez, Mayor

Jeffrey J. Giba, Mayor Pro Tem
Jesse L. Molina, Council Member

George E. Price, Council Member
D. LaDonna Jempson, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 20, 2016

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS

1. North Ridge Elementary School - Mayoral Proclamation

2. Officer of the 1st Quarter - Officer Yesenia Hernandez

3. Class of 1966 - 50 Year Anniversary

4. Fire Prevention Week - Proclamation

**REVISED AGENDA
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**

***THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD
MEETINGS***

**REGULAR MEETING – 6:00 PM
SEPTEMBER 20, 2016**

CALL TO ORDER

Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item.

PLEDGE OF ALLEGIANCE

INVOCATION

Dr. Dale Lacquement, Faith Baptist Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Sergeant-at-Arms. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees

requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

- A.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- A.2. SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES RESOLUTION FOR VISION ZERO (Report of: Public Works)

Recommendations:

1. That the City Council takes a support position for the League of California Cities resolution for Vision Zero, toward zero deaths, and other programs or initiatives to make safety a top priority for transportation projects.
2. Direct the City of Moreno Valley delegate to represent the City's position at the League's Annual Conference held on October 5-7, 2016

- A.3. AWARD OF CONTRACT TO REPLACE AIR CONDITIONING IN THE CITY HALL SERVER ROOM (Report of: Administrative Services)

Recommendations:

1. Approve the Agreement for Professional Construction Services with United Mechanical Contractors to provide Air Conditioning Equipment and Installation Services.
2. Authorize the City Manager to execute the Agreement for Professional Construction Services with United Mechanical Contractors in the amount of \$349,650 to provide Air Conditioning Equipment and Installation Services.
3. Authorize the Purchasing and Facilities Division Manager to issue a Purchase Order to United Mechanical Contractors in the amount of \$349,650 to provide Air Conditioning Equipment and Installation Services.
4. Authorize the City Manager to execute any subsequent related amendments or change orders as included in the Agreement, subject to the approval of the City Attorney and provided sufficient funding appropriations and program approvals have been granted by the City

Council.

- A.4. PA11-0009 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THOSE PORTIONS OF IRIS AVENUE, WEST OF OLIVER STREET ASSOCIATED WITH THIS PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM DEVELOPER: KAISER FOUNDATION HEALTH PLAN & KAISER FOUNDATION HOSPITALS (Report of: Public Works)

Recommendations:

1. Adopt Resolution No. 2016-65, a Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Project PA11-0009 and Acceptance of those Portions of Iris Avenue, West of Oliver Street Associated with this Project into the City's Maintained Street System.
2. Authorize the City Engineer to execute a 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

- A.5. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE EDMONT NEIGHBORHOOD PAVEMENT REHABILITATION – PROJECT NO. 801 0070 (Report of: Public Works)

Recommendations:

1. Award the construction contract to Hardy & Harper, Inc., 1312 E. Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder for the Edgemont Neighborhood Pavement Rehabilitation Project.
2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.
3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of \$440,450.00 (\$383,000.00 bid amount plus 15% 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 Hardy & Harper, Inc. up to, but not exceeding, the 15% contingency amount of \$57,450.00, subject to the approval of the City Attorney.

- A.6. PURSUANT TO LANDOWNER PETITION, ANNEX ONE PARCEL INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) — AS AMENDMENT NO. 15 (Report of: Public Works)

Recommendation:

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2016-66, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said district.

- A.7. LIST OF PERSONNEL CHANGES (Report of: Administrative Services)

Recommendation:

1. Ratify the list of personnel changes as described.

- A.8. RESCIND RESOLUTION NO. 2014-44 AND ADOPT RESOLUTION 2016-67 DESIGNATING AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE APPLICATIONS AND DOCUMENTS FOR THE PURPOSES OF OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY AND SUB-GRANTED THROUGH THE STATE OF CALIFORNIA (Report of: Fire Department)

Recommendation:

1. Adopt Resolution No. 2016-67, a Resolution of the City Council of the City of Moreno Valley, California, Rescinding Resolution No. 2014-44 and Designating and Authorizing Certain City Officials to Execute Applications and Documents for the Purposes of Obtaining Federal Financial Assistance Provided by the Federal Department of Homeland Security and Sub-granted through the State of California.

- A.9. ORDINANCE NO. 913, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 8.42 TO TITLE 8 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE ESTABLISHING THE EXPEDITED PERMITTING PROCEDURE FOR ELECTRIC VEHICLE CHARGING STATION SYSTEMS (RECEIVED INTRODUCTION AND FIRST READING ON SEPTEMBER 6, 2016 BY A 5-0 VOTE) (Report of: Community Development) **Second reading of Ordinance**

Recommendation: That the City Council:

1. Adopt Ordinance No. 913, an Ordinance of the City Council of the City

of Moreno Valley, California, Adding Chapter 8.42 to Title 8 of the City of Moreno Valley Municipal Code Establishing the Expedited Permitting Procedure for Electrical Vehicle Charging Station Systems.

- A.10. ORDINANCE NO. 914 AMENDING SECTION 5.02.010 OF THE MUNICIPAL CODE DEFINING THE TERM "EMPLOYEE" (RECEIVED INTRODUCTION AND FIRST READING ON SEPTEMBER 6, 2016 BY A 5-0 VOTE) (Report of: Financial & Management Services) **Second reading of Ordinance**

Recommendations: That the City Council:

1. Adopt Ordinance No. 914, an Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 5.02.010 of Title 5 of the City of Moreno Valley Municipal Code Relating to Definition of "Employee".

- A.11. APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN CITY OF MORENO VALLEY AND MARTIN KOCZANOWICZ FOR THE POSITION OF CITY ATTORNEY (Report of: City Attorney)

Recommendation:

1. Approve the Employment Agreement between the City of Moreno Valley and Martin Koczanowicz for the position of City Attorney.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- B.2. APPROVE AND EXECUTE AGREEMENT FOR EXCHANGE OF REAL PROPERTY ASSOCIATED WITH TENTATIVE TRACT MAP 31592 (Report of: Parks & Community Services)

Recommendations:

1. Approve the Agreement for Exchange of Property for the .86 acres located within the Markborough park site for 1.45 acres located within Tentative Tract Map 31592.
2. Authorize the President of the Board of Directors to execute the Agreement in the form attached hereto upon concurrence by the property owner, and authorize the Parks and Community Services Director to approve any changes that may be requested by the property owner or the City of Moreno Valley Parks and Community Services Department "CSD," subject to the approval of the Legal

Counsel.

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Sergeant-at-Arms.

- E.1. PUBLIC HEARING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDING (Report of: Public Works)

Recommendations: That the City Council:

1. Conduct the Public Hearing and accept public testimony regarding the mail ballot proceeding for Focus Day Street for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate to be applied to the property tax bill.
2. Direct the City Clerk to count the returned NPDES ballot.
3. Verify and accept the results of the mail ballot proceeding as maintained by the City Clerk on the Official Tally Sheet.
4. Receive and file the Official Tally Sheet with the City Clerk's office.
5. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the Assessor's Parcel Number mentioned in this report.

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)

March Joint Powers Commission (JPC)

Riverside County Habitat Conservation Agency (RCHCA)

Riverside County Transportation Commission (RCTC)

Riverside Transit Agency (RTA)

Western Riverside Council of Governments (WRCOG)

Western Riverside County Regional Conservation Authority (RCA)

School District/City Joint Task Force

Southern California Association of Governments (SCAG)

Box Springs Mutual Water District (BSMWD)

G.2. APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk)

Recommendations: That the City Council:

1. Appoint those applicants who receive a majority vote by the City Council.
2. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

G.3. CODE OF ETHICS DISCUSSION (Report of: City Attorney)

G.4. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

G.5. CITY ATTORNEY'S REPORT

(Informational Oral Presentation - not for Council action)

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

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

PUBLIC INSPECTION

The contents of the agenda packet are available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

Any written information related to an open session agenda item that is known by the City to have been distributed to all or a majority of the City Council less than 72 hours prior to this meeting will be made available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

ADJOURNMENT

CERTIFICATION

I, Marie Macias, Interim City Clerk of the City of Moreno Valley, California, certify that 72 hours prior to this Regular Meeting, the City Council Agenda was posted on the City's website at: www.moval.org and in the following three public places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Marie Macias, MMC
Interim City Clerk

Date Posted: September 8, Revised September 9 and Revised September 15, 2016