

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
October 18, 2016

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS

1. Mary McLeod Bethune Elementary School - Mayoral Proclamation
2. March Middle School - Mayoral Proclamation
3. Rainbow Ridge Elementary School - Mayoral Proclamation
4. Recognition of 2016 Mayor's Cup Basketball Challenge Players - Team MoVal

**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
October 18, 2016**

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 6:03 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION

Dr. Kendall Shumway, Church of Jesus Christ of Latter-day Saints.

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Jeffrey J. Giba	Mayor Pro Tem
	George E. Price	Council Member
	Jesse L. Molina	Council Member
	D. LaDonna Jempson	Council Member

INTRODUCTIONS

Staff:	Michelle Dawson	City Manager
	Martin D. Koczanowicz	City Attorney
	Marie Macias	Interim City Clerk
	Marshall Eyerman	Chief Financial Officer
	Thomas M. DeSantis	Assistant City Manager
	Ahmad Ansari	Public Works Director/City Engineer
	Joel Ontiveros	Police Chief
	Abdul Ahmad	Fire Chief
	Terrie Stevens	Administrative Services Director
	Gabriel Garcia	Parks & Community Services Director

Mike Lee
Allen Brock
Kathy Gross

Economic Development Director
Community Development Director
Executive Assistant

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

Public comments were received from:

Morgan Haun

1. City's Workers Compensation Treatment

Melissa Martinez

1. Badger Springs Middle School Cheer Squad; request for cheer fundraising support, by Ariana Martinez.

David Marquez

1. Candidate for District 3
2. Dirty politics and false information being said about him.

Kelly Fitzpatrick

1. Education update and MVUSD misconduct

Chris Baca

1. Council Member Molina's contributions
2. Form 460's are available online
3. Political sign placement by Mayor

Edward Reid

1. Canyon Springs High School Football Stadium (Measure M)

Leo Gonzales

1. Ethics and Accountability in Government

Robert Harris

1. Ethics and Accountability in Government

Roy Bleckert

1. Ethics and the future of Moreno Valley

Rafael Bruqueras

1. Complaint regarding someone tearing down the campaign signs of Brian Lowell and asked the Mayor to follow up with the Police Department.

Evan Morgan

1. Trustee Area 5, MVUSD

2. Agreed with Mr. Reid regarding the need for a football stadium at Canyon Springs High School.
3. Ethics

Louise Palomarez

1. Ethics
2. Not in support of David Marquez and showed support for David Lara-Tellez

Librada Murillo

1. IEP, Special Education
2. Ethics

Mayor Gutierrez asked if there were any Council Members wishing to have their closing comments early.

Council Members comments, if any:

Council Member Jempson

1. Match transactions, bankruptcy, scores of credit – ethics
2. Debra Craig, November 14 – Moreno Valley Chamber of Commerce Citizen of the Year deadline; nominations are due.
3. Congratulations to Larry Froelich, and in Memory of Laura Froelich, his wife.
4. Friends of MoVan installed.
5. EMWD Open House – more issues coming out soon.
6. Won the Mayor’s Cup Basketball tournament; there are talented people in our City.

Council Member Molina

1. Regarding ethics comments – he will provide his credit score and tax returns online.
2. Commented on ethics idea, when it was brought up when he was Mayor.
3. Jobs are coming to all of Moreno Valley
4. Financial audit – wants to know where the money has gone.

Council Member Price

1. Vandalism of campaign signs.
2. Citywide Pastors meeting was a success. Get involved in schools; MVUSD pastors contact the Superintendent’s office.
3. Congrats to Larry Froelich for Boy Scout Distinguished Citizen of the Year.

JOINT CONSENT CALENDARS (SECTIONS A-D)

Mayor Gutierrez opened the agenda items for the Consent Calendars for public comments, which were received from Rafael Brugueras (A.5, Opposed) and Louise Palomarez (A.5, Opposed).

Motion to Approve the Joint Consent Calendar items A.1. through D.3., which includes item A.5., but requested to bring the item back to a future Study Session after studying the options.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeffrey J. Giba, Mayor Pro Tem
SECONDER:	George E. Price, Council Member
AYES:	Gutierrez, Giba, Price, Molina, Jempson

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. City Council - Regular Meeting - Jul 5, 2016 6:00 PM

Recommendation: Approve as submitted.

- A.3. City Council - Special Meeting - Jul 7, 2016 6:00 PM

Recommendation: Approve as submitted.

- A.4. APPROVE THE FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH CASC ENGINEERING AND CONSULTING, INC. AND CALIFORNIA WATERSHED ENGINEERING FOR PLAN CHECK SERVICES OF PRELIMINARY AND FINAL WATER QUALITY MANAGEMENT PLANS (Report of: Public Works)

Recommendations:

1. Approve each First Amendment to Agreement for Professional Consultant Services with CASC Engineering and Consulting, Inc. (CASC) and California Watershed Engineering (CWE) to provide continued on-call engineering plan check services of Preliminary and Final Water Quality Management Plans (P-WQMP and F-WQMP) for the Land Development Division.
2. Authorize the City Manager to execute each First Amendment to Agreement with CASC and CWE, subject to the approval of the City Attorney.
3. Authorize an increase in the purchase orders to CASC and CWE in the amount of \$60,000.00 each, and authorize the Chief Financial

Officer to approve subsequent related purchase orders up to a maximum of four annual extensions to CASC and CWE, for a maximum contract value of not to exceed \$425,000.00 per each consultant, in accordance with the approved terms of the Agreements.

4. Authorize the Chief Financial Officer to make any necessary budget adjustment appropriations related to expenditures and offsetting revenues.
5. Authorize the City Manager to execute any subsequent Extensions up to a maximum of four annual extensions or Amendments to the Agreement with each consultant, including the authority to authorize associated purchase orders in accordance with the terms of the Agreement, subject to the approval of the City Attorney.

A.5. REMOVAL OF DESIGNATED COMMERCIAL VEHICLE PARKING ON CONCORD WAY, REVERE PLACE, AND A PORTION OF HEACOCK STREET (Report of: Public Works)

Recommendation:

1. Approve the removal of the designated commercial vehicle parking on Concord Way, Revere Place, and a portion of Heacock Street.

A.6. APPROVE 2017 ANNUAL SYSTEM RESOURCE ADEQUACY PLAN FOR MORENO VALLEY UTILITY (Report of: Financial & Management Services)

Recommendation:

1. Approve the Annual System Resource Adequacy Plan for 2017.

A.7. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AS AMENDMENT NO. 14 AND 19 (Report of: Public Works)

Recommendation:

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2016-70, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territories to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended maps for said district.

A.8. PA16-0002 – SRG ACQUISITION, LLC 436,350 SQUARE-FOOT DISTRIBUTION BUILDING. ADOPTION OF THE PROPOSED

RESOLUTION FOR THE SUMMARY VACATION OF A PORTION OF LAND LOCATED ACROSS ASSESSOR PARCEL NUMBERS 316-210-019, 316-210-020, 316-210-057, AND 316-210-077 LOCATED ON THE WEST SIDE OF INDIAN STREET AT GROVE VIEW ROAD DEVELOPER: SRG ACQUISITION, LLC (Report of: Public Works)

Recommendations:

1. Adopt Resolution No. 2016-71. A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of Land Located over a Portion of Assessor Parcel Numbers 316-210-019, 316-210-020, 316-210-057, and 316-210-077 Located on the West Side of Indian Street at Grove View Road.
2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.9. APPROVE REIMBURSEMENT AGREEMENT FOR RELOCATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) FACILITIES, AND APPROVE AMENDMENT NO. 1 TO THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PSOMAS, FOR ALESSANDRO BOULEVARD/ ELSWORTH STREET INTERSECTION IMPROVEMENT, PROJECT NO. 801 0047 (Report of: Public Works)

Recommendations:

1. Approve the "Reimbursement Agreement" with Eastern Municipal Water District (EMWD) for relocation of water facilities for the Alessandro Boulevard and Elsworth Street Intersection Improvement Project.
2. Authorize the City Manager to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD.
3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor changes that may be requested by EMWD, subject to the approval of the City Attorney.
4. Authorize a revenue appropriation of \$98,230.00 (\$89,300 plus 10% contingency) per the Reimbursement Agreement with EMWD for waterline facilities relocation work.
5. Authorize the Chief Financial Officer to appropriate \$98,230.00 as revenue and \$98,230.00 as expense in the Public Works General Capital Projects Fund (3002) for the relocation of EMWD water facilities.
6. Approve Amendment No. 1 to the Agreement for Professional Consultant Services with PSOMAS, for the Alessandro Boulevard and Elsworth Street Intersection Improvement.
7. Authorize the City Manager to execute Amendment No. 1 to the

Agreement for Professional Consultant Services with PSOMAS.

8. Authorize the increase of the Purchase Order with PSOMAS in the amount of \$14,755.00 when the amendment has been signed by all parties.
9. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the Agreement for Professional Consultant Services with PSOMAS, not to exceed the Purchase Order amount, subject to the approval of the City Attorney.
10. Authorize an appropriation of \$20,000.00 of unallocated Measure A funds (2001) for the project.

A.10. CALIFORNIA BAPTIST UNIVERSITY LETTER OF INTEREST (Report of: Economic Development)

Recommendation:

1. That the City Council approve the Letter of Interest (LOI) between the City of Moreno Valley and California Baptist University to develop a strategic educational partnership; and
2. Authorize the Economic Development Director to execute the LOI.

A.11. LIST OF PERSONNEL CHANGES (Report of: Administrative Services)

Recommendation:

1. Ratify the list of personnel changes as described.

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. MINUTES - REGULAR MEETING OF JULY 5, 2016 (See A.2)

Recommendation: Approve as submitted.

B.3. MINUTES - REGULAR MEETING OF JULY 7, 2016 (See A.3)

Recommendation: Approve as submitted.

B.4. APPROVE AND EXECUTE AGREEMENT FOR THE INSTALLATION OF PLAY EQUIPMENT AT SHADOW MOUNTAIN PARK (Report of: Parks & Community Services)

Recommendations:

1. Approve the Agreement for the Installation of Play Equipment at Shadow Mountain Park with Micon Construction, in the amount of \$415,512 (base bid of \$375,512 plus a \$40,000 contingency).
2. Authorize the Executive Director to execute the Agreement for the Installation of Play Equipment at Shadow Mountain Park with Micon Construction; and issuance of the Purchase Order for construction beginning once the Agreement has been fully executed.
3. Authorize the Executive Director to execute any subsequent related Extensions or Amendments to the Agreement.
4. Authorize the Parks and Community Services Director to accept the improvements into the Community Services District's maintained system upon acceptance of the improvements as complete.

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.

C.2. MINUTES - REGULAR MEETING OF JULY 5, 2016 (See A.2)

Recommendation: Approve as submitted.

C.3. MINUTES - REGULAR MEETING OF JULY 7, 2016 (See A.3)

Recommendation: Approve as submitted.

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.

D.2. MINUTES - REGULAR MEETING OF JULY 5, 2016 (See A.2)

Recommendation: Approve as submitted.

D.3. MINUTES - REGULAR MEETING OF JULY 7, 2016 (See A.3)

Recommendation: Approve as submitted.

E. PUBLIC HEARINGS

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

Mayor Gutierrez opened the public testimony portion of the public hearing. Public testimony was received from Rafael Brugueras (Supports).

Recommendations: That the City Council:

1. Conduct the Public Hearing and accept public testimony regarding the mail ballot proceeding for Kearny Modular Way, LLC 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 Numbers mentioned in this report.

Motion to Approve Staff's Recommendation Nos. 1 and 2

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jesse L. Molina, Council Member
SECONDER:	Jeffrey J. Giba, Mayor Pro Tem
AYES:	Gutierrez, Giba, Price, Molina, Jempson

The City Clerk announced the results as follows:

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate for Kearny Modular Way, LLC

Kearny Modular Way, LLC - Weighted Ballot Count: 6 "Yes" vote, -0- "No" vote; passed

Motion to Approve Recommendation Nos. 3, 4 and 5

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jesse L. Molina, Council Member
SECONDER:	George E. Price, Council Member
AYES:	Gutierrez, Giba, Price, Molina, Jempson

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

G. REPORTS

G.1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

Item G.1. was heard after G.2.

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

March Joint Powers Commission (JPC)

No Report

Riverside County Habitat Conservation Agency (RCHCA)

No Report

Riverside County Transportation Commission (RCTC)

Mayor Gutierrez provided an update from the meeting of October 10th. The Board approved a consultant agreement to provide system design and video monitoring in support of the State Route 91 Express Lanes Traffic Operations Center. The Express Lanes project is scheduled to open in early 2017.

In addition, the Board approved an amendment to the Motorist Assistance Program within Riverside County's freeway and highway system. The program is comprised of three components - call boxes, Freeway Service Patrol (FSP), and traveler information services including the website, ie511.org. With cell phone ownership over 92% and the availability of other motorist aid alternatives, demand for call boxes continues to decline. The amendment will modify the usage threshold to remove call boxes with only six or fewer calls per year. This change results in the removal of approximately sixty-six percent of existing freeway call boxes and generates a savings of \$214,000 in upgrade costs and an annual savings of \$205,000 for continued maintenance and operations.

Lastly, staff announced that the Governor signed Assembly Bill 1943, sponsored by RCTC. AB 1943 gives RCTC authority to establish parking regulations at their commuter rail stations.

Riverside Transit Agency (RTA)

Council Member Molina provided an update from the October 5th Administration and Operations Committee meeting.

The Board approved funding for an Intermodal Mobility Hub in the City of Hemet. A key element in the City of Hemet Downtown Specific Plan, the facility will meet the projected demand for local and regional transit services, host a park and ride lot, establish electric vehicle charging stations, and support a possible extension of Metrolink commuter rail service to the San Jacinto Valley.

In addition, the Board received an update on the First and Last Mile Strategic Plan project. The study has identified six pilot locations to develop a toolbox of strategies for making improved bicycling and walking connections to transit routes. One of the selected pilot locations is in Moreno Valley near the Amazon Fulfillment Center in the southerly part of the City.

Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Giba reported that he will be attending the second WRCOG Ad Hoc Committee tomorrow regarding TUMF and the Nexus study and will continue to keep everyone updated as the information becomes available.

Western Riverside County Regional Conservation Authority (RCA)

No Report

School District/City Joint Task Force

No Report

Southern California Association of Governments (SCAG)

Mayor Pro Tem Giba reported that he attended the Housing Summit in Los Angeles regarding Transportation and Multi-use on how to build our cities and how to deal with development that is not wanted. There is a high demand for affordable housing.

Allen Brock will be applying for SCAG grants mid-November.

For those who are interested, there will be another SCAG District 69 update coming soon. If you would like a copy of any past updates, please contact the City Council office and ask for Shanna Palau or Angel Migao.

Box Springs Mutual Water District (BSMWD)

No Report

Item G.2. was heard before G.1.

G.2. PURCHASE AND SALE AGREEMENT FOR SOUTHERN CALIFORNIA EDISON STREET LIGHTS (Report of: Public Works)

Recommendations: That the City Council:

1. Approve the Purchase and Sale Agreement, including the Light Pole License Agreement, in substantially the form attached hereto, with Southern California Edison to acquire approximately 9,411 street lights and authorize the City Manager to execute the necessary documents subject to City Attorney final approval.
2. If the Agreement is approved, direct staff to bring financing options, energy efficient conversion options and review of the street light standards back to the City Council for consideration.

Mayor Gutierrez opened the agenda item for public comments, which were received from Pete Bleckert and Roy Bleckert.

RESULT:	APPROVED [4 TO 0]
MOVER:	Jesse L. Molina, Council Member
SECONDER:	Jeffrey J. Giba, Mayor Pro Tem
AYES:	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, Jesse L. Molina, D. LaDonna Jempson
ABSTAIN:	George E. Price

Recess at 8:16 p.m.
Reconvened at 8:30 p.m.

G.3. CITY MANAGER'S REPORT

All items presented in the agenda include a reference to the Momentum MoVal Strategic Plan. This is part of the accountability for the staff work and tying in all the agenda items to the strategic plan objectives. November 1st will include a brief status update and every six months following.

G.4. CITY ATTORNEY'S REPORT

City Attorney reminded the City Council of the trial he will be attending on October 31.

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.

Mayor Pro Tem Giba

1. Edward Reed spoke about schools and stadiums that share; not important that every school has a stadium and many do share.
2. Mistletoe Magic Gala at Rancho Verde High School will be November 22 from 6-9.
3. District 2 Groundbreaking – new site amenities for park, thank you to Gabe Garcia for providing a report. This will be an all-inclusive park for special needs children. The dedication to come in April 2017.
4. Attended the State of the City Address in Wildomar.

ADJOURNMENT

There being no further business the Regular Meeting adjourned at 8:47 p.m.

Submitted by:

Marie Macias, MMC, Interim City Clerk
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:

Dr. Yxstian Gutierrez, 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