

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
June 19, 2018

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS

1. Recognition of Moreno Valley Police Department Officer Jay Willner as MVPD Officer of the Year
2. Presentation of the CAFR, PAFR, and Budget Awards to the City Council by the Chief Financial Officer
3. Proclamation Recognizing the Month of July as Parks and Recreation Month

**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
June 19, 2018**

CALL TO ORDER

The Joint Meeting of the City Council, 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 Frank Wright.

INVOCATION

Pastor Earnestine Poole Anderson, Alpha & Associates Christian Center

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Victoria Baca	Mayor Pro Tem
	David Marquez	Council Member
	Ulises Cabrera	Council Member
	Jeffrey J. Giba	Council Member

INTRODUCTIONS

Staff:	Pat Jacquez-Nares	City Clerk
	Angel Migao	Executive Assistant to the Mayor and City Council
	Marshall Eyerman	Chief Financial Officer/City Treasurer
	Martin Koczanowicz	City Attorney
	Tom DeSantis	City Manager

Allen Brock	Assistant City Manager
Mike Lee	Economic Development Director
Rick Sandzimier	Community Development Director
David Kurylowicz	Chief of Police
Abdul Ahmad	Fire Chief
Patti Solano	Parks and Community Services Director
Michael Wolfe	Public Works Director/City Engineer

- E.5. A GENERAL PLAN AMENDMENT, CHANGE OF ZONE, SPECIFIC PLAN AMENDMENT, TENTATIVE PARCEL MAP, AND PLOT PLAN FOR A 417 UNIT MULTI-FAMILY APARTMENT COMPLEX, INCLUDING PROVISIONS TO REESTABLISH 18 HOLES OF THE GOLF COURSE, CONVERSION OF THE REMAINING NINE (9) GOLF COURSE HOLES INTO AN EXERCISE AREA, AND LONG TERM MAINTENANCE (RESOLUTION NOS. 2018-51, 2018-52, 2018-53, 2018-54 & ORDINANCE NOS. 939, 940 (Report of: Community Development)

Associate Planner Diaz provided the report.

Mayor Gutierrez noted his support for the project.

Council Member Cabrera asked for confirmation that two conditions were met regarding the ongoing maintenance and restoration of the golf course.

Council Member Marquez remarked on the public outreach the applicant conducted. He also inquired as to the amount of opposition to the project. Furthermore, he queried regarding the applicant's guarantee to provide financial support to various charities operating in the City.

Mayor Pro Tem Baca expressed her joy with the number of people in attendance at the meeting. She thanked Bridge Investment Group for their community engagement.

Mayor Gutierrez opened the Public Hearing at 6:18 p.m.

Applicant - Eric Heffner provided details of the proposed project.

Mayor Pro Tem Baca inquired as to the ten year maintenance commitment.

Council Member Cabrera thanked the applicant for holding the community meetings. He questioned when the restaurant is slated to open and if the entire perimeter of the golf course will be replaced. He inquired as to the security associated with the project.

Council Member Marquez requested the number of projects Bridge Investment Group developed in Moreno Valley. He inquired as to the likelihood of the apartments being converted to condominiums.

Mayor Gutierrez asked those in attendance to raise their hands, or signs they may have made, if they are in support of the project.

Gabrelle Sibley supports the item.

Pastor Don Meinbers supports the item.

Donovan Saadiq supports the item.

Richard Hall II supports the item.

Rafael Brugueras supports the item.

Roy Bleckert asked the Council to consider the outcomes of other developments in the City when deciding on this project.

Rose Baldwin supports the item.

Graham Baldwin supports the item.

Pat Roy supports the item.

Leo Gonzales opposes the item.

Pete Hurtado opposes the item.

Elsie La Salle opposes the item.

Archie La Salle opposes the item.

Barbara Dudeck supports the item.

Ron Dudeck supports the item.

Timothy Black supports the item.

Louise Palomarez encouraged the Council to make an informed decision.

There being no further comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 7:14 p.m.

Applicant Rebuttal - Responded to the criticism from the residents opposing the project.

Community Development Director Sandzimier, in response to previous comments made by residents, assured the Council that the application process had been followed properly.

Council Member Marquez voiced his support of the project.

Mayor Gutierrez thanked the public for their input. He lauded Eric Heffner for his willingness to work with City staff, who displayed strong negotiating skills. He pointed out that the issues mentioned were addressed and therefore supports the project.

Council Member Cabrera indicated that the project includes beneficial additions, which he feels is likely the most generous to be proposed.

Council Member Giba remarked that there was nothing further he could add to the discussion.

Mayor Pro Tem Baca, pleased with the Council meeting turnout, encouraged residents to attend future meetings. She praised Eric Heffner for motivating the residents to attend the meeting and complimented staff for securing the proposal from Bridge Investment Group.

Recommendations: That the City Council:

3. **INTRODUCE** and conduct a first reading by title only of Ordinance No. 939 approving a Specific Plan Amendment to the Moreno Valley Ranch Specific Plan 193 including a comprehensive update to the Specific Plan text, and amendment to the Land Use Plan; and

RESULT: APPROVED [UNANIMOUS]
MOVER: Victoria Baca, Mayor Pro Tem
SECONDER: David Marquez, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

4. **INTRODUCE** and conduct the first reading by title only of Ordinance No. 940 approving a Zone Change for Project 1 from Golf Course (GC) to High Density Residential (H), based on the findings in the Ordinance, and the revised Zoning Atlas; and

RESULT: APPROVED [UNANIMOUS]
MOVER: Victoria Baca, Mayor Pro Tem
SECONDER: Ulises Cabrera, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

1. **APPROVE** Resolution No. 2018-51: A Resolution of the City Council of the City of Moreno Valley **CERTIFYING** the Mitigated Negative Declaration prepared for an Amendment to the Moreno Valley Ranch Specific Plan 193 and the Moreno Valley Ranch Golf Course Apartments project, inclusive of all related applications on file with the Community Development Department, incorporated herein by this reference, whereby the Mitigated Negative Declaration has been

completed in compliance with the California Environmental Quality Act, and the information and findings contained in the Mitigated Negative Declaration reflects the City's independent judgment and analysis; and **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for an Amendment to the Moreno Valley Ranch Specific Plan 193 and the Moreno Valley Ranch Golf Course Apartments; and

2. **APPROVE** Resolution No. 2018-52: A Resolution of the City Council of the City of Moreno Valley approving a General Plan Amendment thereby establishing General Plan Land Use designation for Project 1, as described in the Resolution and included on the revised General Plan Land Use Map; and,
5. **APPROVE** Resolution No. 2018-53: A Resolution of the City Council of the City of Moreno Valley, California, approving Tentative Parcel Map 37189 for Project 1, to subdivide one parcel into four parcels for Residential and Golf Course purposes; and
6. **APPROVE** Resolution No. 2018-54: A Resolution of the City Council of the City of Moreno Valley approving PEN16-0130 Plot Plan for a 417 unit residential apartment project subject to the Conditions of Approval; and
7. Schedule the introduced Ordinances for second reading and final action for the next regular City Council meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	David Marquez, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

Mayor Gutierrez recessed the City Council meeting at 7:21 p.m.

Mayor Gutierrez reconvened the City Council meeting at 7:31 p.m.

Council Member Marquez returned at 7:33 p.m.

Council Member Marquez returned at 7:36 p.m.

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

Ronald Swaim

1. Concerned with the illegal fireworks being detonated for months on end in his area of the City.

Stephen Wright

1. Upset with the response he received regarding weed maintenance along Iris Boulevard.

Rafael Brugueras

1. Expressed his gratitude to Mayor Gutierrez for his support of and the Press Enterprise for their article on the renovation of Community Park.
2. Because of the savings realized from transitioning to cost effective LED bulbs, the 'M' should be lit constantly.

Ken Iglesias

1. Discussed the degrees of censorship in the United States and China.

Roy Bleckert

1. Suggested that the City Council examine all viewpoints, including those opposing future projects to guarantee quality of life is not negatively impacted.

Louise Palomarez

1. Wished her grandson a Happy Birthday.
2. Showed appreciation to Mayor Pro Tem Baca for her work in District one.
3. Applauded the 'M' as a symbol of the City and accused Council Member Giba of criticizing it.
4. Announced an upcoming meeting to discuss the skate park on June 21, 2018. Thanked Mayor Gutierrez for his involvement with the project.
5. Suggested that the 'M' should be illuminated to recognize a particular issue or holiday for the entire week rather than just a day.

JOINT CONSENT CALENDARS (SECTIONS A-D)

Per staff's request Item No. A.13 was removed from the agenda. Mayor Gutierrez announced that action will be taken as both the Council and CSD Board on Item No. A.18. Mayor Gutierrez opened the Consent Agenda items for public comments; which were received from Rafael Brugueras (Supports Item Nos. A.7, A.8, A.9, A.12, A.17, and B.5) and Louise Palomarez (concurred with Rafael Brugueras).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

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 - Apr 17, 2018 6:00 PM

Recommendation: Approve as submitted.

A.3. City Council - Closed Session - Jun 5, 2018 4:30 PM

Recommendation: Approve as submitted.

A.4. City Council - Regular Meeting - Jun 5, 2018 6:00 PM

Recommendation: Approve as submitted.

A.5. LIST OF PERSONNEL CHANGES (Report of: Human Resources)

Recommendation:

1. Ratify the list of personnel changes as described.

A.6. MAYORAL APPOINTMENTS TO THE EMERGING LEADERS COUNCIL, UTILITIES COMMISSION AND THE PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE (Report of: City Clerk)

Recommendation:

1. Receive and confirm the Mayoral appointments as follows:

Emerging Leaders Council

<u>Name</u>	<u>Position</u>	<u>Term</u>
Marc Camanag	Member	Ending 05/31/2020

Utilities Commission

<u>Name</u>	<u>Position</u>	<u>Term</u>
Bradly Stevens	Public Member	07/01/2018-06/30/2021

Parks, Community Services and Trails Committee

<u>Name</u>	<u>Position</u>	<u>Term</u>
Tonica Lucas	Member	Ending 06/30/2020

A.7. PAYMENT REGISTER - APRIL 2018 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

- A.8. APPOINT A VOTING DELEGATE AND ALTERNATE DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES (LCC) 2018 ANNUAL CONFERENCE BUSINESS MEETING (RESOLUTION NO. 2018-55) (Report of: City Clerk)

Recommendations:

1. Adopt RESOLUTION NO. 2018-55 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPOINTING DELEGATES AND ALTERNATES TO THE LEAGUE OF CALIFORNIA CITIES AS OFFICIAL REPRESENTATIVES OF THE CITY OF MORENO VALLEY; and
2. Direct staff to submit to the League a Certified copy of the Resolution appointing Mayor Pro Tem Victoria Baca as the Delegate and Council Member Ulises Cabrera as the Alternate before September 1, 2018.

- A.9. GENERAL MUNICIPAL ELECTION – NOVEMBER 6, 2018 RESOLUTIONS CALLING AND GIVING NOTICE AND REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION (RESOLUTION NOS. 2018-56, 2018-57, 2018-58) (Report of: City Clerk)

Recommendations: That the City Council:

1. Adopt Resolution No. 2018-56 - A Resolution calling an election titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 6, 2018, FOR CERTAIN OFFICERS, AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES
2. Adopt Resolution No. 2018-57 - A Resolution requesting election consolidation titled, "A RESOLUTION A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE, PURSUANT TO §10403 OF THE CALIFORNIA ELECTIONS CODE".
3. Adopt Resolution No. 2018-58 - A Resolution establishing regulations and cost for Candidate Statements titled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, PROVIDING FOR REGULATIONS PERTAINING TO MATERIALS FOR CANDIDATES AND COSTS PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL

MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018”

- A.10. Consideration of the 12th Amendment to the Amended and Restated Joint Exercise of Powers Agreement Creating the Riverside County Habitat Conservation Agency (AGMT NO. 2018-220) (Report of: City Clerk)

That the City Council:

1. Approve the 12th Amendment to the amended and restated Joint Exercise of Powers Agreement creating Riverside County Habitat Conservation Agency. (Agmt No. 2018-220)
2. Authorize the Mayor to execute the proposed Amendment.

- A.11. APPROVE AMENDING THE FISCAL YEAR 2017/2018 AND 2018/2019 ADOPTED CAPITAL IMPROVEMENT PLAN TO INCLUDE MORENO VALLEY UTILITY CAPITAL IMPROVEMENT PROJECTS AND ADOPT RELATED RESOLUTION 2018-59, AUTHORIZING REIMBURSEMENT OF CERTAIN EXPENDITURES FROM POTENTIAL PROCEEDS OF INDEBTEDNESS (RESOLUTION NO. 2018-59) (Report of: Financial & Management Services)

Recommendations:

1. Amend the Fiscal Year 17/18 and 18/19 Adopted Capital Improvement Plan to include the projects identified in this report.
2. Authorize the Chief Financial Officer to appropriate \$4,100,750 as revenue and expense in the Electric Utility Division Operating Fund.
3. Adopt Resolution 2018-59, authorizing the reimbursement of certain expenditures from potential proceeds of indebtedness.

- A.12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING A PARTNERSHIP WITH GRID ALTERNATIVES TO PROMOTE COMMUNITY PARTICIPATION IN THEIR NO-COST SOLAR INSTALLATION PROGRAM FOR LOW-INCOME HOMEOWNERS (RESOLUTION NO. 2018-60) (Report of: Financial & Management Services)

Recommendation:

1. Approve Resolution No. 2018-60. A Resolution of the City Council of the City of Moreno Valley, California, establishing a partnership with Grid Alternatives to promote community participation in their no-cost solar installation program for low-income homeowners.

A.13. APPROVE MINOR AMENDMENTS TO MULTIPLE CITY POLICIES (Report of: Financial & Management Services) ITEM NO. A.13 WAS REMOVED AT THE REQUEST OF STAFF.

Recommendations:

1. Approve an amendment to the Donations Policy No. 3.05
2. Approve an amendment to the Identity Theft Prevention Policy No. 3.25
3. Rescind Personnel Policy No. 5.12, Use of JTPA Students
4. Approve an amendment to the Use of City resources for Special Events and Recognition Activities Policy No. 3.8
5. Approve an amendment to the Evaluations of Council Appointed Positions Policy No. 2.13

A.14. AUTHORIZATION TO AWARD CONTRACT FOR ARMORED CAR SERVICES (AGMT NO. 2018-221) (Report of: Financial & Management Services)

Recommendations:

1. That the City Council authorize the awarding of contract no. 2018-221 for armored car services to Dunbar Armored Inc.
2. That the City Council authorize the City Manager to sign the contract and any future amendments pending the final review and approval by the City Attorney's Office.
3. That the City Council authorize the amendment to the Fiscal Year 2018/19 budget for the allocation of the costs of the contract.

A.15. APPROVE AN AMENDMENT TO THE FUND BALANCE AND FINANCIAL RESERVES POLICY (Report of: Financial & Management Services)

Recommendation:

1. Approve an Amendment to the Fund Balance and Financial Reserves Policy.

A.16. AUTHORIZE THE AMENDMENT TO THE CONTRACT WITH TYLER TECHNOLOGIES FOR THE PURCHASE AND IMPLEMENTATION OF THE CONTENT MANAGER MODULE AND AUTHORIZE THE CITY MANAGER TO SIGN THE AMENDMENT (AGMT NO. 2018-113-02) (Report of: Financial & Management Services)

Recommendations: That the City Council:

1. Authorize an amendment to the contract with Tyler Technologies for the purchase and implementation of the Tyler Content Manager Module in a format and content approved by the City Attorney. (Agmt No. 2018-113-02)
2. Authorize the City Manager to sign the Amendment.
3. Authorize the expenditure and issuance of a purchase order to Tyler Technologies in the amount of \$80,000 for the purchase and implementation of the software.
4. That the City Council authorize the amendment to the Fiscal Year 2018/19 budget as set forth in the Fiscal Impact section of this report.

A.17. APPROVE INCREASE TO BMW MOTORCYCLES OF RIVERSIDE ANNUAL PURCHASE ORDER FOR FY 2017-18 (Report of: Police Department)

Recommendation: That the City Council:

1. Authorize a change order to increase Blanket Purchase Order #2018-434 to BMW Motorcycles of Riverside from \$35,000 to \$70,000 for FY17/18 year-end expenses.

A.18. AWARD OF AN ON-SITE AND/OR PROFESSIONAL SERVICES AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR WATER QUALITY BASINS (WQB) (AGMT NO. 2018-222) (Report of: Public Works)

Recommendations:

1. Approve Agreement No. 2018-222 for On-Site and/or Professional Services for Landscape Maintenance – Water Quality Basins (WQB) (“Agreement”) with Natures Image, Inc., 20361 Hermana Circle, Lake Forest, CA 92630, to provide landscape and irrigation maintenance services associated with the water quality basins for a not-to-exceed amount of \$807,584.00.
2. Authorize the City Manager to execute the Agreement with Natures Image, Inc. and authorize the Public Works Director/City Engineer to execute subsequent amendments to the Agreement, in accordance with its terms, subject to the approval of the City Attorney and provided sufficient funding appropriations and program approvals have been granted by the City Council.

- A.19. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT FOR CITYWIDE PAVEMENT REHABILITATION PROGRAM, BIKE LANE IMPROVEMENTS, AND COMMUNITY ENHANCEMENT PROGRAM II PROJECTS - PROJECT NOS. 801 0078, 801 0049, AND 810 0009 (AGMT NO. 2018-223) (Report of: Public Works)

Council Member Cabrera requested, with the support of Mayor Gutierrez, that \$1.1 million dollars be appropriated for roadway improvements at the August 21, 2018 meeting.

Recommendations:

1. Award a construction contract to All American Asphalt, PO Box 2229, Corona, CA 92878, for \$2,576,899.00, for the Citywide Pavement Rehabilitation Program and Bike Lane Improvements Projects and authorize the City Manager to execute a contract with All American Asphalt in substantial conformance with the attached contract.(Agmt No. 2018-223)
 2. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract, but not exceeding, the total contingency of \$128,845 subject to the approval of the City Attorney, for a total Purchase Order amount of \$2,705,744.
 3. Authorize the Chief Financial Officer to appropriate \$281,000 of General Reserve Funds as revenue and expense in the Capital Projects Reimbursements Fund (3008) and budget adjustments as set forth in the Fiscal Impact section of this report.
- A.20. Approve agreement between Riverside County Education Academy and the City of Moreno Valley for Student Recognition Banner Program (AGMT NO. 2018-184) (Report of: Public Works)

Recommendations:

1. Approve Agreement No. 2018-184 for the Student Recognition Banner Program.
2. Authorize the City Manager to execute the Agreement for the Student Recognition Banner Program and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.

A.21. AUTHORIZATION TO AWARD CONTRACT TO FEHR & PEERS FOR CITYWIDE PEDESTRIAN SAFETY STUDY (AGMT NO. 2018-224) (Report of: Public Works)

Recommendations:

1. Award Agreement No. 2018-224 for Professional Consultant Services to Fehr & Peers to complete a citywide pedestrian safety study.
2. Authorize the City Manager to execute a contract with Fehr & Peers, subject to the approval by the City Attorney.
3. Authorize the issuance of a Purchase Order to Fehr & Peers, in the amount of \$149,740.68 when the contract has been signed by all parties.
4. Authorize the Public Works Director to execute any subsequent related amendments to the Agreement for Professional Consultant Services with Fehr & Peers, not to exceed the Purchase Order amount, subject to the approval by the City Attorney.

A.22. AUTHORIZE SUBMISSION OF A GRANT APPLICATION FOR CYCLE 4 OF THE CALIFORNIA ACTIVE TRANSPORTATION PROGRAM (Report of: Public Works)

Recommendation:

1. Authorize submission of a grant application for Cycle 4 of the California Active Transportation Program.

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 Apr 17, 2018 6:00 PM (See A.2)

Recommendation: Approve as submitted.

B.3. MINUTES - CLOSED SESSION OF JUN 5, 2018 4:30 PM (See A.3)

Recommendation: Approve as submitted.

B.4. MINUTES - REGULAR MEETING OF JUN 5, 2018 6:00 PM (See A.4)

Recommendation: Approve as submitted.

- B.5. ACCEPTANCE OF GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES FOR FISCAL YEAR 2018/19 AND ADOPTION OF THE RESOLUTION TO CERTIFY APPROVAL OF THE GOVERNING BOARD (RESO NO. CSD 2018-19) (Report of: Parks & Community Services)

Recommendations: That the City Council:

1. Authorize the acceptance of grant funds in the amount of \$750,351 and any subsequent amendments for Fiscal Year (FY) 2018/19 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and
2. Adopt Resolution No. CSD 2018-19. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize designated personnel to sign contract documents for FY 2018/19.

- B.6. AWARD OF AN ON-SITE AND/OR PROFESSIONAL SERVICES AGREEMENT NO. CSD 2018-50 FOR LANDSCAPE MAINTENANCE SERVICES (LANDSCAPE MAINTENANCE - ZONE 02) (Report of: Public Works)

Recommendations:

1. Approve the Agreement No. CSD 2018-50 for On-Site and/or Professional Services for Landscape Maintenance – Zone 02, Maintenance of Parkway, Median, and Open Space Landscaping and Irrigation (“Agreement”) with Mariposa Landscapes, Inc., 6232 Santos Diaz St., Irwindale, CA 91702, to provide landscape and irrigation maintenance services for Zone 02 of Landscape Maintenance District No. 2014-02 for a not-to-exceed amount of \$1,334,200.
2. Authorize the City Manager to execute the Agreement with Mariposa Landscapes, Inc. and authorize the Public Works Director/City Engineer to execute subsequent amendments to the Agreement, in accordance with its terms, subject to the approval of the City Attorney and provided sufficient funding appropriations and program approvals have been granted by the City Council.

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 Apr 17, 2018 6:00 PM (See A.2)

Recommendation: Approve as submitted.

- C.3. MINUTES - CLOSED SESSION OF JUN 5, 2018 4:30 PM (See A.3)

Recommendation: Approve as submitted.

- C.4. MINUTES - REGULAR MEETING OF JUN 5, 2018 6:00 PM (See A.4)

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 Apr 17, 2018 6:00 PM (See A.2)

Recommendation: Approve as submitted.

- D.3. MINUTES - CLOSED SESSION OF JUN 5, 2018 4:30 PM (See A.3)

Recommendation: Approve as submitted.

- D.4. MINUTES - REGULAR MEETING OF JUN 5, 2018 6:00 PM (See A.4)

Recommendation: Approve as submitted.

E. PUBLIC HEARINGS

- E.1. PUBLIC HEARING FOR DELINQUENT NUISANCE ABATEMENT (RESO NO. 2018-61) (Report of: Fire Department)

Fire Chief Ahmad provided the report.

Mayor Gutierrez opened the Public Hearing at 8:00 p.m.

Rafael Brugueras supports the item.

Kim Emmerling believes he is incorrectly being levied a fine.

Faraz Ahmad requested a review of his property as he claimed it was abated earlier this year.

Mayor Gutierrez explained that the charge was to recover the cost of hiring a contractor to perform the abatement on the resident's property.

Mr. Ahmad communicated his confusion as he maintained that he contracted with a company to carry out the maintenance just five months previous to the City's abatement.

Chief Ahmad explained the frequency with which abatement is required.

There being no further comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 8:09 p.m.

Recommendations:

1. Conduct a public hearing and accept public testimony on delinquent nuisance abatement account.
2. Adopt Resolution No. 2018-61. A Resolution of the City Council of the City of Moreno Valley, California, Confirming Statements of Costs against Real Property located in the City of Moreno Valley, for Abatements of Public Nuisances and Direction that Said Statement of Costs Constitute a Lien upon Said Properties.
3. Approve placing the submitted Property Assessment List of delinquent nuisance abatement accounts on the Fiscal Year (FY) 2018/2019 Riverside County property tax roll for collection.
4. Direct the City Clerk to file with the Riverside County Assessor's office a certified copy of Resolution No. 2018-61 and the Property Assessment List as required by Section 6.04.120 of the City of Moreno Valley Municipal Code.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Marquez, Council Member
SECONDER:	Jeffrey J. Giba, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

- E.2. PUBLIC HEARING TO CONFIRM A DIAGRAM AND ASSESSMENTS FOR LIGHTING MAINTENANCE DISTRICT NO. 2014-01 FOR FISCAL YEAR 2018/19 (RESO NO. CSD 2018-20) (Report of: Public Works)

Public Works Director/City Engineer Wolfe provided the report.

Mayor Gutierrez opened the Public Hearing at 8:12 p.m.

Rafael Brugueras supports the item.

There being no further comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 8:14 p.m.

Recommendations: That the CSD:

1. Conduct the Public Hearing on the proposed levy of real property assessments for Moreno Valley Community Services District Lighting Maintenance District No. 2014-01.
2. Adopt Resolution No. CSD 2018-20, a Resolution of the Board of the Moreno Valley Community Services District of the City of Moreno Valley, California, Confirming a Diagram and Assessments for Fiscal Year 2018/19 in Connection with Moreno Valley Community Services District Lighting Maintenance District No. 2014-01.
3. Authorize the Chief Financial Officer to adjust the proposed assessments in the event there are any parcel changes or clerical errors between the date the assessments were calculated and the date the fixed charges are submitted to the County of Riverside, provided the applied assessments do not exceed the maximum assessments, is in compliance with the formation documents for the district, and is consistent with the adopted budget.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ulises Cabrera, Council Member
SECONDER:	Dr. Yxstian A. Gutierrez, Mayor
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

E.3. PUBLIC HEARING TO CONFIRM A DIAGRAM AND ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICT NO. 2014-02 FOR FISCAL YEAR 2018/19 (RESO NO. CSD 2018-21) (Report of: Public Works)

Public Works Director/City Engineer Wolfe provided the report.

Mayor Gutierrez opened the Public Hearing at 8:16 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 8:16 p.m.

Recommendations: That the CSD:

1. Conduct the Public Hearing on the proposed levy of real property assessments for Moreno Valley Community Services District

Landscape Maintenance District No. 2014-02.

2. Adopt Resolution No. CSD 2018-21, a Resolution of the Board of the Moreno Valley Community Services District of the City of Moreno Valley, California, Confirming Diagrams and Assessments for Fiscal Year 2018/19 in Connection with Moreno Valley Community Services District Landscape Maintenance District No. 2014-02.
3. Authorize the Chief Financial Officer to adjust the proposed assessments in the event there are any parcel changes or clerical errors between the date the assessments were calculated and the date the fixed charges are submitted to the County of Riverside, provided the applied assessments do not exceed the maximum assessments, is in compliance with the formation documents for the Assessment District for each zone, and is consistent with the adopted budget.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey J. Giba, Council Member
SECONDER:	David Marquez, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

E.4. PUBLIC HEARING FOR TWO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDINGS (Report of: Public Works)

Special Districts Division Manager Cassel provided the report.

Mayor Pro Tem Baca questioned whether the City is recovering all costs associated with the National Pollutant Discharge Elimination System.

Public Works Director/City Engineer Wolfe explained that the program as a whole is cost recoverable.

Mayor Gutierrez opened the Public Hearing at 8:20 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 8:20 p.m.

Recommendations: That the City Council:

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceedings for the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate to be applied to four property tax bill(s).

2. Direct the City Clerk to open and count the returned NPDES ballots.
3. Verify and accept the results of the mail ballot proceedings as maintained by the City Clerk on the Official Tally Sheet.

RESULT: APPROVED [UNANIMOUS]
MOVER: Victoria Baca, Mayor Pro Tem
SECONDER: David Marquez, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

4. Receive and file the Official Tally Sheet with the City Clerk's office.
5. If approved, set the rate and impose the NPDES commercial/industrial regulatory rate to the Assessor's Parcel Numbers as mentioned.

RESULT: APPROVED [UNANIMOUS]
MOVER: Victoria Baca, Mayor Pro Tem
SECONDER: David Marquez, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

E.5. A GENERAL PLAN AMENDMENT, CHANGE OF ZONE, SPECIFIC PLAN AMENDMENT, TENTATIVE PARCEL MAP, AND PLOT PLAN - WAS TAKEN OUT OF ORDER, PRIOR TO PUBLIC COMMENTS

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

G. GENERAL BUSINESS

G.1. CONSIDER ADOPTION OF RESOLUTIONS PLACING A COMMERCIAL CANNABIS ACTIVITY TAX MEASURE ON THE BALLOT (RESO NOS. 2018-62, 2018-63) (Report of: City Attorney)

Chief Financial Officer/City Treasurer Eyerman provided the report.

Council Member Marquez questioned how staff arrived at an estimated revenue of \$2.2 million and when it is expected to be generated.

Chief Financial Officer/City Treasurer Eyerman stated the revenue projection was determined by the consultant and is anticipated within a full year of operation.

Mayor Gutierrez confirmed that a lottery will only be held if the number of approved applicants exceeds the number of permits.

Rafael Bruqueras

1. Commended staff for preparing an Ordinance ensuring taxes are collected from cannabis businesses.

Mayor Gutierrez asserted that the proposed tax will not be levied on the general public, but rather businesses with cannabis operations.

Louise Palomarez

1. Requested that the drug prevention programs funded by the tax be comprehensive.

Council Member Marquez queried whether funds will be allocated to education.

Chief Financial Officer/City Treasurer Eyeran responded that a portion of the commercial cannabis taxes collected by the state are earmarked for educational programs.

Mayor Pro Tem Baca compared the commercial cannabis activity tax to the City's hotel tax, as they are only imposed on those operating or engaging in the activity.

Council Member Cabrera explained that the fees collected from cannabis entities will fund additional police patrol hours and reiterated that only businesses and patrons involved with cannabis will be subject to the tax.

Mayor Gutierrez pronounced his support of the tax and extolled its benefits.

Recommendations:

1. That the City Council consider whether to place on the ballot for the November 6, 2018 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley adding Chapter 3.28 to the Moreno Valley Municipal Code to Establish a Commercial Cannabis Activity Tax with a maximum tax rate of 8% and \$15.00 per square foot for cultivation."
2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

Resolution No. 2018-62, calling, for the submission to the voters of the City at the general municipal election on Tuesday, November 6, 2018, which will be consolidated with the special and general municipal elections held within Riverside County on that date, per City's Resolution No. 2018-62 adopted at this Council meeting.

Resolution No. 2018-63, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley Commercial Cannabis Activity Tax measure.

RESULT: APPROVED [4 TO 1]
MOVER: David Marquez, Council Member
SECONDER: Ulises Cabrera, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera
NAYS: Jeffrey J. Giba

Mayor Gutierrez recessed the City Council meeting at 8:38 p.m.

Mayor Gutierrez reconvened the City Council meeting at 8:41 p.m.

G.2. APPROVAL OF THE REVISED OPERATING BUDGETS FOR THE FOURTH QUARTER OF FISCAL YEAR 2017/18 AND FOR FISCAL YEAR 2018/19 (RESO NO. 2018-64) (Report of: Financial & Management Services)

Chief Financial Officer/City Treasurer Eyerman provided the report.

Recommendations: That the City Council:

1. Adopt Resolution No. 2018-64. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.
2. Approve the City Position Summary. Specific positions are discussed within this staff report and listed on Attachment 3 to this staff report.
3. Approve the elimination of the vacant Executive Assistant I position for Fiscal Year 2018/19.
4. Approve the reactivation of the Senior Deputy City Clerk position for Fiscal Year 2018/19.

RESULT: APPROVED [UNANIMOUS]
MOVER: Victoria Baca, Mayor Pro Tem
SECONDER: Jeffrey J. Giba, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

G.3. ADOPT RESOLUTION TO EXECUTE THE EQUIPMENT LEASE/PURCHASE AGREEMENT AND THE ESCROW AGREEMENT TO PURCHASE AND RETROFIT STREETLIGHTS THROUGH BANC OF AMERICA LEASING & CAPITAL LLC. (RESO NO. 2018-65, AGMT NOS.

2018-225, 2018-226, 2018-227, 2018-228) (Report of: Financial & Management Services)

Chief Financial Officer/City Treasurer Eyerman provided the report.

City Manager DeSantis thanked staff for their work on securing the agreement.

Council Member Marquez questioned whether installation and removal costs would decrease with the transfer of ownership.

Chief Financial Officer/City Treasurer Eyerman replied that typically charges are similar to those of Edison, but it is dependent on each situation.

Council Member Giba asked if the management of the street lights would fall under the purview of Moreno Valley Utility, rather than the City.

Chief Financial Officer/City Treasurer Eyerman responded in the affirmative.

As Moreno Valley Utility will be managing the street lights, Council Member Giba inquired if the funding for their purchase will come from their budget.

Chief Financial Officer/City Treasurer Eyerman stated that funding is currently supplied by special districts and the general fund, but the proposed street light purchase will not increase costs.

Council Member Giba thanked Special Districts Division Manager Cassel for her work on the project.

Mayor Pro Tem Baca requested confirmation that the Edgemont Community Services District elected not to join the City in purchasing the street lights.

Chief Financial Officer/City Treasurer Eyerman confirmed their non-participation.

Rafael Bruqueras

1. Praised Chief Financial Officer/City Treasurer Eyerman for securing a favorable loan.

Recommendations:

This report recommends that the City Council:

1. Adopt Resolution 2018-65 Authorizing the execution of the Equipment Lease/Purchase Agreement and the Escrow and Account Control Agreement to fund up to \$8,200,000 for the purchase of approximately 9,411 streetlights from Southern California Edison and to retrofit these streetlights along with approximately 1,800 streetlights

owned by Moreno Valley Utility to LED.

2. Approve the Agreements as to form and authorize the City Manager and the City Attorney to make minor modifications and execute the required documents related to the financing and escrow. (Agmt Nos. 2018-225, 2018-226)
3. Approve an amendment to the FY 2018/19 budget to record the financing and the related acquisition and retrofit costs.
4. Authorize the City Manager to sign and award a contract to California Electric Supply to allow for the purchase of the LED fixtures and photocells for the retrofit of the streetlights per the WRCOG RFP and award. Authorize the City Manager to sign any amendments to the contract. (Agmt No. 2018-227)
5. Authorize the City Manager to negotiate and sign an amendment to the contract with ENCO for the ongoing operation and maintenance of the streetlights. (Agmt No. 2018-228)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey J. Giba, Council Member
SECONDER:	David Marquez, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

H. REPORTS

H.1. CITY COUNCIL REPORTS

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Mayor Pro Tem Baca reported the following:

Tonight, I'm providing an update from last Wednesday's March Joint Powers Commission meeting.

At that meeting, the Commission signed the leases for the former DHL building and ramp to a new owner who intends to honor AMRO's sub-lease and is looking for other aviation-related opportunities in the vacant area of the building.

We also heard an update about the annual trip to Washington D.C. that shared critical local needs with federal funding agencies and our legislative representatives.

Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC)

Mayor Pro Tem Baca reported the following:

Metrolink is celebrating its 25th Anniversary and now serves as the nation's third largest commuter rail system. On average, 39,000 passengers ride Metrolink each weekday, reducing 8.7 million car trips per year.

Metrolink has made several technological advancements including mobile ticketing, low-emission Tier-4 locomotives, and is the first railroad in the nation to implement Positive Train Control for added safety. Visit Metrolinktrains.com for more information.

Riverside Transit Agency (RTA)

Council Member Marquez reported the following:

The RTA Youth Fare Program is in full swing and riders are only charged twenty-five cents. On June 21, RTA wants you to give up your car for one day in recognition of National Dump the Pump Day. The event, sponsored by the American Public Transportation Association, encourages people to ride transit to save gas and help the environment. Visit RiversideTransit.com for further details.

Western Riverside Council of Governments (WRCOG) - None

Western Riverside County Regional Conservation Authority (RCA) - None

School District/City Joint Task Force

Mayor Pro Tem Baca reported the following:

The Joint Task Force met earlier today. In addition to the City, representatives from Lake Perris State Recreation Area, Moreno Valley Unified School District, and Val Verde Unified School District attended this meeting. Lake Perris shared that the 2028 Olympics will be hosted by the California State Parks - Lake Perris for the rowing and canoeing competitions. Moreno Valley Unified School District shared that more than 2,500 students graduated high school in June, and Valley View High School won second place in National History Day 2018.

Moreno Valley and Val Verde Unified School Districts shared that both districts are providing lunches to students eighteen years of age and under at various parks in Moreno Valley throughout the summer months. Val Verde Unified School District reported that 1,546 students graduated high school this year, and Val Verde High School Teen Vision students received first place in their competition and will represent the United States in the international competition.

The City reported that through the Homeless-to-Work program, eighteen people have been placed into permanent jobs.

H.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

City Manager DeSantis affirmed the Police Department's commitment to enforcing the fireworks ban. Maintenance on the Iris Avenue median will now be performed on the entire strip at one time rather than in segments. Thanked staff for their work on the 4th of July Parade.

H.3. CITY ATTORNEY'S REPORT

(Informational Oral Presentation - not for Council action)

City Attorney Koczanowicz reported that the court granted the City's demurrer and dismissed the case challenging the established cannabis regulations.

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.

Council Member Giba

1. SCAG met at the beginning of the month and they commenced work on updating the RTP/SCS.
2. Attended the Legislative Communications and Membership Committee where three memberships were approved and Senate Bill 828 was opposed.
3. Was present at the twenty-ninth annual Demographic Workshop.
4. Credited Mr. Baker and former Mayor Molina for the initial maintenance of the 'M'.
5. Took part in the Canyon Springs Stadium ribbon cutting and the Rally Round the Flag.
6. The recent Business Roundtable had a big turnout.
7. Appeared at other various events throughout the month.

Council Member Marquez

1. Concurred with the resident who spoke earlier regarding the illegal fireworks. As a veteran suffering from PTSD, the issue is dire.
2. Attended the Public Safety Committee in Sacramento where homelessness was discussed. In an effort to combat it, Governor Brown appropriated \$500 million. As the population of Moreno Valley doesn't reach the threshold, no funds will be received. Literature on the subject will be made available to the public.
3. The drone study has been completed and proposed legislation has been sent to lawmakers in Sacramento.
4. Commended Code and Neighborhood Services Division Manager Alvarado, his staff, and Public Works for their swift action on eradicating a homeless encampment.

Council Member Cabrera

1. Mentioned the Community Clean Up taking place on June 23, 2018.
2. Free lunches are being provided to the youth at various parks throughout the City.
3. Took part in the Knights of Columbus Father's Day Fun Walk.
4. MoVal Rocks commences on June 29, 2018.
5. Noted various events taking place in July including, the My MoVal Summit, the Safe City Prayer Walk, and the May the Fork be With You Food Fest.
6. Thanked staff for preparing the road repair staff report.

Mayor Pro Tem Baca

1. Invited everyone to attend the 4th of July Parade and Family Fun Fest.
2. Was in attendance at the Senior Citizens' Advisory Board meeting and praised the Members for their hard work.
3. Announced that Council Recess will begin, but she is still available to speak with residents.

Mayor Gutierrez

1. Expressed his gratitude to the residents for attending the meeting.
2. Commended staff for their negotiating skills.
3. Explained to those opposed to the golf course project that the approved agreement is favorable and has mechanisms in place to ensure funding for ten years.
4. New technology will be implemented to assist the police in differentiating between gun shots and fireworks.
5. The City Council is allocating funding to road improvements.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 9:24 p.m.

Submitted by:

Pat Jacquez-Nares, CMC & CERA
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 A. Gutierrez
Mayor
City of Moreno Valley
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