

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**September 17, 2019**

**CALL TO ORDER - 5:30 PM**

**SPECIAL PRESENTATIONS**

1. CAFR & PAFR Award
2. Employee of the 2nd Quarter
3. Clean Air Day Proclamation
4. Animal Services Division Update

**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  
September 17, 2019**

**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, Moreno Valley Public Financing Authority and the Board of Library Trustees was called to order at 6:10 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

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

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Rafael Brugueras.

**INVOCATION**

Pastor Jeff White, Sandals Church

**ROLL CALL**

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

**INTRODUCTIONS**

Staff:	Pat Jacquez-Nares	City Clerk
	Jessica Lambarena	Administrative Assistant
	Marshall Eyeran	Chief Financial Officer/City Treasurer
	Martin Koczanowicz	City Attorney

Tom DeSantis  
Allen Brock  
Richard Sandzimier  
Dave Lelevier  
Kathleen Sanchez  
Patti Solano  
Michael Wolfe

City Manager  
Assistant City Manager  
Community Development Director  
Acting Chief of Police  
Human Resources Director  
Parks and Community Services Director  
Public Works Director/City Engineer

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

Angel Lopez

1. Thanked Council Member Thornton, Council Member Cabrera, and Council Member Marquez for observing the anniversary of the 9/11 attacks and acknowledging the first responders.
2. Suggested that the City Council reduce or waive the fees associated with the Military Banner Program for veterans and active duty military personnel.

Barbara Baxter

1. Encouraged everyone to attend the Disaster Preparedness Expo on September 21, 2019.

Jaclyn Thomas

1. Thanked the City and the Parks and Recreation department for their partnership with Hope Vision Center to provide basketball, golf, and visual and performing arts summer camps.

Shirley Elder

1. Thanked the City Council for their support of the Hope Vision Center's summer performing arts program.

Manuel Topete

1. Unsatisfied with the City's response regarding the lack of lighting in the Edgemont community.

**JOINT CONSENT CALENDARS (SECTIONS A-E)**

Mayor Gutierrez recused himself from Item No. B.5 as he serves on the organization's board.

Mayor Gutierrez opened the Consent Agenda items for public comments, which were received from Martin Morfin (Opposes Item No. A.14), and Raul Guedea Jr. (Opposes Community Workforce Agreements which only allow union members).

**RESULT:** APPROVED [4 TO 1]  
**MOVER:** Victoria Baca, Mayor Pro Tem  
**SECONDER:** Ulises Cabrera, Council Member  
**AYES:** Dr. Yxstian A. Gutierrez, Victoria Baca, Ulises Cabrera, Dr. Carla J. Thornton  
**NAYS:** David Marquez

**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 - Closed Session - Sep 3, 2019 4:30 PM

**Recommendation:** Approve as submitted.

A.3. City Council - Regular Meeting - Sep 3, 2019 6:00 PM

**Recommendation:** Approve as submitted.

A.4. APPROVAL OF PARKS AND COMMUNITY SERVICES COMMITTEE PRIMARY AND ALTERNATE MEMBERS AND THE MEETING SCHEDULE (Report of: City Clerk)

**Recommendation:**

1. Confirm the recommended primary and alternate committee members as follows:

**Primary Members:**

Mayor Gutierrez  
Mayor Pro Tem Baca

**Alternate Members:**

1<sup>st</sup> Council Member Thornton  
2<sup>nd</sup> Council Member Cabrera

2. Set and approve the reoccurring meetings on the first Tuesday of each month at 3:00 p.m. in the second floor training room at City hall.

A.5. ACCEPTANCE OF CHILD DEVELOPMENT PROGRAM FUNDS FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, TO OPERATE CHILD CARE SERVICES FOR FISCAL YEAR 2019/20 AND ADOPTION OF THE RESOLUTION TO CERTIFY APPROVAL OF THE GOVERNING BOARD (AGMT. NO. 2019-445, RESO. NO. CSD 2019-23) (Report of: Parks & Community Services)

**Recommendations:**

1. Authorize the acceptance of child development program funds in the

amount of \$788,340 and any subsequent amendments for Fiscal Year (FY) 2019/20 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 2019-23. 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 2019/20.

A.6. ACCEPTANCE OF THE FISCAL YEAR 2019 BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AWARD (AGMT. NOS. 2018-353 AND 2019-446) (Report of: Community Development)

**Recommendations:**

1. Accept the Fiscal Year 2018 Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program revised grant award of \$46,875.
2. Accept the Fiscal Year 2019 Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program grant award of \$48,570 through the Riverside County Sheriff's Department.
3. Authorize the City Manager, or his designee, to execute for and on behalf of the City of Moreno Valley, agreements and other related documents required by the Bureau of Justice Assistance for participation in the Edward Byrne Memorial Justice Assistance Grant Program, subject to the approval of the City Attorney.
4. Authorize the Chief Financial Officer, or his designee, to make any necessary budget adjustments as recommended in the Fiscal Impact section of this report.

A.7. Second Reading and Adoption of Ordinance 959, amending Chapters 9.02, 9.08, 9.09 and 9.14 of Title 9 of the Municipal Code (Report of: Community Development)

**Recommendation:**

1. Staff recommends that the City Council conduct the second reading by title only and adopt Ordinance No. 959.

- A.8. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA ADDING SECTION 10.02.115 AND AMENDING SECTION 10.02.010 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE PROHIBITING THE HARASSMENT AND FEEDING OF UNDOMESTICATED BURROS (ORD. NO. 960) (Report of: Community Development)

**Recommendations: That the City Council:**

1. Introduce and conduct the first reading of Ordinance 960 adding Section 10.02.115 and amending Section 10.02.010 of the City of Moreno Valley Municipal Code prohibiting the harassment and feeding of undomesticated burros.
2. Schedule the second reading and adoption of Ordinance 960 for the next regular Council meeting.

- A.9. Adoption of Updated City Rules and Procedures to Implement the California Environmental Quality Act (CEQA) (RESO. NO. 2019-54) (Report of: Community Development)

**Recommendations:**

That the City Council APPROVE Resolution 2019-54, and thereby:

1. CERTIFY that the adoption of the City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act is exempt in accordance with CEQA Guidelines based on the common sense exemption, Section 15061(b)(3); and
2. ADOPT the City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act based on the findings contained in Resolution 2019-XX and the attached Exhibit A.

- A.10. LIST OF PERSONNEL CHANGES (Report of: Human Resources)

**Recommendation:**

1. Ratify the list of personnel changes as described.

- A.11. REPORT OF APPROVED SALARY CHANGES (Report of: Human Resources)

**Recommendation:**

1. Receive and file the attached Report of Approved Salary Changes.

A.12. AUTHORIZATION TO AMEND GRANT SUPPORT SERVICES AGREEMENT WITH AVANT-GARDE, INC. (AGMT. NO. 2018-77-03)  
(Report of: Financial & Management Services)

**Recommendations: That the City Council:**

1. Amend the Agreement for Professional Services between the City and Avant-Garde, Inc. to provide grant support services.
2. Approve budget adjustments as set forth in the Fiscal Impact section of this report.
3. Authorize the City Manager to execute the Third Amendment, subject to approval as to form by the City Attorney, and subsequent amendments to the Agreement, including the authority to approve purchase orders in accordance with the terms of the Agreement, provided sufficient funding appropriations have been approved by the City Council.

A.13. PAYMENT REGISTER - JULY 2019 (Report of: Financial & Management Services)

**Recommendation:**

1. Receive and file the Payment Register.

A.14. AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO HOT LINE CONSTRUCTION, INC. FOR THE DAY STREET LINE EXTENSION IMPROVEMENTS, PROJECT NUMBER 805 0049 (AGMT. NO. 2019-447)  
(Report of: Financial & Management Services)

**Recommendations:**

1. Award the construction contract to Hot Line Construction, Inc., 9020 Brentwood Boulevard, Suite H, Brentwood, CA 94513, the lowest, responsible bidder, for the Day Street Line Extension Project.
2. Authorize the City Manager to execute a contract with Hot Line Construction, Inc.
3. Authorize the issuance of a Purchase Order to Hot Line Construction, Inc. for the amount of \$2,854,680 (\$2,283,744 bid amount plus 25% contingency) when the contract has been signed by all parties.
4. Authorize the Chief Financial Officer/City Treasurer to execute any subsequent related minor change orders to the contract with Hot Line Construction, Inc. up to, but not exceeding, the 25% contingency amount of \$570,936, subject to the approval of the City Attorney.

- A.15. APPROVE AND EXECUTE AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES BETWEEN CITY OF MORENO VALLEY AND BRIGHTON HILL ACADEMY SPORTS AND LEARNING CENTER DBA THE FIRST TEE OF THE INLAND EMPIRE (AGMT. NO. 2019-448) (Report of: Parks & Community Services)

**Recommendation:**

1. Approve the Agreement for On-site and/or Professional Services for Brighton Hill Sports Academy (BHA) and Learning Center DBA The First Tee of the Inland Empire (TFTIE).

- A.16. Approve an Agreement for Laserfiche Cloud Subscription Services (AGMT. NO. 2019-449) (Report of: City Clerk)

**Recommendation:**

That the Mayor and City Council:

1. Authorize the City Manager to execute a contract to Compulink Management Center, Inc., dba Laserfiche Solutions Group, of Long Beach, CA, for the design, configuration, and implementation an Enterprise Document Management System, subject to the approval of the 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. MINUTES - CLOSED SESSION OF SEP 3, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- B.3. MINUTES - REGULAR MEETING OF SEP 3, 2019 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

- B.4. APPROVE AND EXECUTE FACILITY LICENSE AGREEMENT BETWEEN CITY OF MORENO VALLEY AND HOUSE OF PRAISE ENTERPRISE DEVELOPMENT CENTER (AGMT. NO. CSD 2019-138) (Report of: Parks & Community Services)

**Recommendations:**

1. Approve the Facility License Agreement for House of Praise



Enterprise Development Center (HOPE).

2. Approve the amended budget as set forth in the Fiscal Impact section of this report.

- B.5. APPROVE AND EXECUTE LICENSE AGREEMENT BETWEEN CITY OF MORENO VALLEY AND RENU HOPE FOUNDATION (AGMT. NO. CSD 2019-139) (Mayor Gutierrez recused himself from this item) (Report of: Parks & Community Services)

Mayor Gutierrez recused himself from this item as he serves on the organization's board.

**Recommendation:**

1. Approve and execute the License Agreement between the City of Moreno Valley and Renu Hope Foundation.

**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 - CLOSED SESSION OF SEP 3, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- C.3. MINUTES - REGULAR MEETING OF SEP 3, 2019 6:00 PM (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 - CLOSED SESSION OF SEP 3, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- D.3. MINUTES - REGULAR MEETING OF SEP 3, 2019 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

## **E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY**

- E.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.2. MINUTES - CLOSED SESSION OF SEP 3, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- E.3. MINUTES - REGULAR MEETING OF SEP 3, 2019 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

In response to the bid protest made earlier by Mr. Morfin, City Attorney Koczanowicz remarked that the case law clearly states that the City must comply strictly with bid requirements and irregularities are unacceptable.

## **F. PUBLIC HEARINGS - NONE**

## **G. GENERAL BUSINESS - NONE**

## **H. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - NONE**

## **I. REPORTS**

### **I.1. CITY COUNCIL REPORTS**

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC) - None

Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC) - Mayor Pro Tem Baca

Mayor Pro Tem Baca reported the following:

The \$138 million SR60 Truck Lanes project through the Badlands is well underway. Crews are busy removing 2.1 million cubic yards of dirt to make room for the new truck climbing lanes and wider shoulders.

Motorists are reminded to slow down through the work zone, and if possible, avoid the area by using I-10 as a detour route.

You can sign up to receive construction updates at [www.rctc.org](http://www.rctc.org) <<http://www.rctc.org>>.

Construction completion is anticipated by late 2021.

Riverside Transit Agency (RTA) - None

Western Riverside Council of Governments (WRCOG) - Mayor Pro Tem Baca

Mayor Pro Tem Baca reported the following:

Items covered at the WRCOG Executive Committee meeting on September 9, 2019 include:

- Regional Housing Needs Assessment Methodology - The WRCOG Executive Committee gave authorization to WRCOG staff to submit a comment letter regarding SCAG's proposed regional housing needs methodology. WRCOG prepared and submitted a letter dated September 13, 2019, which states that the SCAG region would be better served through an allocation process which considers the high cost of increasing needed infrastructure, the lack of consideration of jobs/housing balance, and potential conflict with statewide goals on greenhouse gas emissions and vehicle miles traveled. WRCOG also expressed opposition for any action that would penalize agencies because the private market is not building homes within their jurisdiction.

Western Riverside County Regional Conservation Authority (RCA) - Council Member Marquez

Council Member Marquez reported the following:

Items covered at the RCA Board of Directors meeting on September 9, 2019 include:

- Moreno Valley's MSHCP fee collection totaled \$205,041 (68 residential permits and 8.7 acres of Commercial/Industrial uses) in April, May and June 2019.

School District/City Joint Task Force - None

## **I.2. CITY MANAGER'S REPORT**

(Informational Oral Presentation - not for Council action)

City Manager DeSantis addressed comments made by the public speakers. He thanked Mr. Lopez and his family for their service to the Country. He pointed out the City's commitment to its youth as evidenced by the number of youth related agreements on the Consent Calendar.

## **I.3. CITY ATTORNEY'S REPORT - NONE**

(Informational Oral Presentation - not for Council action)

**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 Thornton

1. Thanked her colleagues on the dais as well as City staff for coordinating the partnership with First Tee Inland Empire.

Council Member Marquez - None

Council Member Cabrera

1. Recognized the Parks and Recreation department for participating in the Equestrian Center clean up.
2. Preparing for an upcoming High School tour.
3. Notified everyone of the upcoming hike on September 28, 2019.
4. Announced the upcoming Open Mic Night and Art Walk at Jitterz Cafe on September 27, 2019.
5. Informed the public of his meeting with the Postmaster and Council Member Thornton to discuss mailbox theft.
6. Remarked on the successful El Grito event.

Mayor Pro Tem Baca

1. Thanked staff and the sponsors for their work on the El Grito event.
2. Attended the Eighth Annual Riverside County Women's Leadership Conference.
3. Attended the Sunshine Solarbration to accept the City's Sunshine Award.
4. Announced that over 200 volunteers participated in the Sunnymead Cleanup that occurred on September 7, 2019.
5. Reminded residents of ribbon cutting ceremony for Floor and Decor on September 18, 2019.

Mayor Gutierrez

1. Congratulated Mayor Pro Tem Baca on her 2019 Legacy of Exemplary Service award.
2. Commented on the well-attended El Grito event.
3. Communicated his excitement for the recently approved community programs.
4. Stated that 20,000 new jobs have been created in the past six years.
5. Addressed the incident at Landmark Middle School. Thanked Acting Chief of Police Lelevier for his management of the incident.
6. Mentioned the passing of his uncle, German Gonzalez.

**ADJOURNMENT**

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting in memory of his uncle German Gonzalez at 6:49 p.m.

Submitted by:

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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  
Secretary, Public Finance Authority

Approved by:

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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  
Chairperson, Public Financing Authority