

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
March 26, 2013

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentations to Officer Kevin Dixon (3rd Quarter) and Corporal Michael Koehler (4th Quarter)

2. Officer of the Year 2012 - Corporal Michael Koehler

**MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:00 PM
March 26, 2013**

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 6:05 p.m. by Mayor Tom Owings in the Council Chamber located at 14177 Frederick Street

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Pete Bleckert.

INVOCATION - Pastor Mark Orellana - Victory Outreach Church

ROLL CALL

Council:

Tom Owings	Mayor
Marcelo Co	Mayor Pro Tem
Victoria Baca	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Management Services Director

Suzanne Bryant
Michelle Dawson
Joel Ontiveros
Ahmad Ansari
Barry Foster
Tom DeSantis
Mike McCarty
Michele Patterson
Mike Smith

Acting City Attorney
Assistant City Manager
Police Chief
Public Works Director
Community and Economic Development Director
Administrative Services Director
Parks & Community Services Director
Assistant to the City Manager
Fire Battalion Chief

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

Jeff Giba

1. Study Sessions

Mary Mahon - representing Victory Gardens

1. Request to waive citation fee

Alicia Napper-Berridge - representing Rising Star Business Academy

1. Permit for occupancy

Lashe Rodriguez, representing Assemblyman Jose Medina

1. Legislative update - Assembly Bill 27

Tom Jerele, Sr.

1. Seussical musical play at Vista del Lago High School; theatre as a venue for students
2. Commented on the speaker's comments from the last meeting regarding Supervisors' compensation

De Ann Harned (member of Riverside County Anti-Human Trafficking Task Force)

1. Human trafficking - Invited everyone to a meeting that will be held at Moreno Valley Christian Assembly Church on Nason Street on April 4 at 7 p.m.

Macaria Padilla, owner of P & G Home Medical & Supplies

1. Asked for financial assistance to keep her business open

Deanna Reeder

1. Public comments; respecting the public
2. Disseminating information; keeping the public informed; employment by Skechers

Joe Iannicari

1. Trash bins left outside
2. Safety in the City

Louise Palomarez

1. Skechers; commented on a meeting at Valley View High School

Jose Chavez

1. Medical care/Help for people needing wheelchairs
2. Sierra Club

Robin Gilbert

1. Waste Management trash bins
2. Commented on a effects of d diesel trucks

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Tom Owings announced that the applicant asked to continue Item A.11.

Motion to Continue item A.11 by m/Council Member Richard A. Stewart, s/Council Member Victoria Baca

Approved by a vote of 5-0.

Mayor Tom Owings opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Item A.7, A.8, A10).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF MARCH 12, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

A.3 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

A.4 [AWARD CONSTRUCTION CONTRACT TO RASMUSSEN BROTHERS CONSTRUCTION, INC. FOR THE CITY HALL SECOND LEVEL FLOORING REHABILITATION \(SEISMIC RETROFIT & ROOF RESTORATION\), PROJECT NO. 803 0014 30 40](#)

(Report of: Public Works Department)

Recommendations

1. Waive any and all minor irregularities and award the construction contract for \$648,743.60 to Rasmussen Brothers Construction, Inc., 40441 Gavilan Mountain Road, Fallbrook, CA 92028, the lowest responsible bidder, for construction of the City Hall Second Level Flooring Rehabilitation (Seismic Retrofit & Roof Restoration) project.
2. Authorize the City Manager to execute the Agreement with Rasmussen Brothers Construction, Inc.
3. Authorize the issuance of a Purchase Order to Rasmussen Brothers Construction, Inc. for \$778,492.32 (\$648,743.60 bid plus 20% 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

Rasmussen Brothers Construction, Inc. up to, but not exceeding, the contingency amount of \$129,748.72, subject to the approval of the City Attorney.

5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintenance system, and release the retention to Rasmussen Brothers Construction, Inc., if no claims are filed against the project.
6. Authorize the transfer of \$250,000 from the Equipment Replacement Reserve Fund (Fund 7510) to the Facilities Maintenance Fund (Fund 7310).
7. Authorize an additional appropriation of \$250,000 from the Facilities Maintenance Fund (Fund 7310) to the City Hall Second Level Flooring Rehabilitation (Seismic Retrofit & Roof Restoration) project (GL: 7310-70-77-80003, Project No.: 803 0014 30 40) upon approval of the above transfer.

A.5 [APPROVAL OF PAYMENT REGISTER FOR JANUARY, 2013](#)

(Report of: Financial & Management Services Department)

Recommendation:

Adopt Resolution No. 2013-18, approving the Payment Register for the month of January, 2013 in the amount of \$14,248,448.89.

Resolution No. 2013-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Payment Register for the Month of January, 2013

A.6 [ACCEPTANCE OF THE STATE SAFE ROUTES TO SCHOOL \(SR2S\) GRANT AND FUNDING APPROPRIATION FOR DELPHINIUM AVENUE SIDEWALK IMPROVEMENTS](#)

(Report of: Public Works Department)

Recommendations

1. Accept the grant award of up to \$416,700 in state funds for Project No. SR2SL-5441 (052), Delphinium Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program.
2. Authorize the appropriation of \$463,100 from unencumbered Measure "A" (Fund 2001) fund balance for the design, construction, and public outreach/education costs for Delphinium Avenue Sidewalk Improvements.

A.7 [AWARD CONSTRUCTION CONTRACT TO FUSION SIGN & DESIGN, INC. FOR THE WAYFINDING SIGNS](#)

PROJECT NO. 801 0048 70 77

(Report of: Public Works Department)

Recommendations

1. Waive any and all minor irregularities and award the construction contract for \$99,200 to Fusion Sign & Design, Inc., 680 Columbia Avenue, Riverside, CA 92507, the lowest responsible bidder, for the Wayfinding Signs Project.
2. Authorize the City Manager to execute the Agreement with Fusion Sign & Design, Inc.
3. Authorize the issuance of a Purchase Order to Fusion Sign & Design, Inc. for \$119,040 (\$99,200 bid plus 20% 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 Fusion Sign & Design, Inc. up to, but not exceeding, the contingency amount of \$19,840, subject to the approval of the City Attorney.
5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to Fusion Sign & Design, Inc., if no claims are filed against the project.
6. Authorize the transfer of \$30,000 from the Traffic Signal Equipment/Upgrades project to the Wayfinding Signs project.

A.8 [PA02-0100, PM 30882 – ACCEPT DEVELOPMENT IMPACT FEE \(DIF\) IMPROVEMENT REIMBURSEMENT AGREEMENT #D12-003 FOR EUCALYPTUS AVENUE IMPROVEMENTS ASSOCIATED WITH THE MORENO BEACH WALMART PROJECT](#)

(Report of: Community & Economic Development Department)

Recommendations

1. Accept the Development Impact Fee Improvement Reimbursement Agreement #D12-003 (DIF Agreement) for PA02-0100, PM 30882 Eucalyptus Avenue improvements.
2. Authorize the Mayor to execute the DIF Agreement.

A.9 [AUTHORIZE THE SUBMISSION OF GRANT PROPOSAL FOR THE SURFACE TRANSPORTATION PROGRAM \(STP\) AND ADOPT RESOLUTION NO. 2013-19 COMMITTING TO PROVIDE LOCAL MATCHING FUNDS AT A MINIMUM OF 11.47% OF THE TOTAL PROJECT COST](#)

(Report of: Public Works Department)

Recommendations

1. Authorize the Public Works Director/City Engineer to submit the grant proposal to the Riverside County Transportation Commission (RCTC) for the Surface Transportation Program (STP).
2. Adopt Resolution No. 2013-19 committing to provide local matching funds at a minimum of 11.47% of the total project cost.

Resolution No. 2013-19

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Certification of Available Matching Funds for the Surface Transportation Program

A.10 [COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2012](#)

(Report of: Financial & Management Services Department)

Recommendation:

The Finance Sub-Committee reviewed and recommends the receipt and filing of the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2012.

A.11 [PA12-0048 \(PM 36511\) – APPROVE PARCEL MAP](#)

(Report of: Community & Economic Development Department)

Recommendation:

1. Approve Parcel Map 36511.
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.12 [AUTHORIZE THE APPLICATION AND ACCEPT THE AWARD OF "IT'S UP TO ALL OF US" PEDESTRIAN SAFETY PUBLIC EDUCATION CAMPAIGN GRANT](#)

(Report of: Police Department)

Recommendations

1. Approve the grant application and authorize acceptance (if granted)

of the "It's Up to All of Us" Pedestrian Safety Public Education Campaign Grant in the amount of \$3,600 for the period beginning April 15, 2013 and ending September 15, 2013.

2. Authorize the revenue and expense budgets in the California Department of Public Health – Police Fund (Fund 2705) for the "It's Up to All of Us" Grant in the amounts of \$3,600, respectively, upon approval and acceptance of the grant from the California Department of Public Health, Pedestrian Safety Program.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- B.2 [MINUTES - REGULAR MEETING OF MARCH 12, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- C.2 [MINUTES - REGULAR MEETING OF MARCH 12, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- D.2 [MINUTES - REGULAR MEETING OF MARCH 12, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 by m/Council Member Jesse L. Molina, s/Council Member Richard A. Stewart

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 [FY 2013/14 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME INVESTMENT PARTNERSHIP \(HOME\) PROGRAMS](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a Public Hearing for CDBG and the HOME grant programs to allow public comment on the proposed FY 2013/14 programs.
2. Review and select programs for funding for social service, housing, and economic development activities to be included in the City's FY 2013/14 Annual Action Plan.

Mayor Tom Owings opened the public testimony portion of the public hearing. Public testimony was received from Rochelle Lewis (PW Enhancement Center) and Karyn Young-Lowe (Light House Treatment Center).

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

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

G. REPORTS

G.1 [MONTHLY REPORT: MORENO VALLEY ANIMAL SHELTER ADOPTION RATE](#)

(Report of: Administrative Services Department)

Recommendations That the City Council:

Receive and file the Monthly Report: Moreno Valley Animal Shelter Adoption Rate for the period of February 1, 2013 to February 28, 2013.

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

G.2 [APPOINTMENTS TO THE PLANNING COMMISSION](#)

(Report of: City Clerk Department)

Recommendations That the City Council:

1. Appoint four (4) members for terms expiring March 31, 2017.
2. Appoint one (1) member for a term expiring March 31, 2015.
3. If the appointments are not made, authorize the City Clerk to re-notice the positions as vacant.

Mayor Tom Owings opened the agenda item for public comments, which were received from Deanna Reeder.

The City Clerk announced that she tallied the votes and the candidates receiving the lowest points were Ray Baker, Jeffrey Giba, and Carlos Ramirez. Two applicants tied for fourth place: Brian Lowell and Jeffrey Sims. A toss of a coin was performed by the City Clerk to determine who will serve the short term expiring March 31, 2015. The person whose side of the coin appears shall serve in the partial term. Brian Lowell was the "head," and Jeffrey Sims was the "tail." It was a tail.

Motion to Approve to appoint Ray Baker, Jeffrey Giba, Carlos Ramirez, Brian Lowell to terms expiring March 31, 2017, and Jeffrey Sims to a term expiring March 31, 2015, by m/Mayor Pro Tem Marcelo Co, s/Council Member Victoria Baca

Approved by a vote of 4-0-1, Council Member Jesse L. Molina abstained.

Recess;
Reconvened

G.3 [SQUATTER PREVENTION PROGRAM UPDATE](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Approve the forms contained in the ownership packet for the Abandoned and Distressed Property Registration Program.
2. Direct staff to begin an outreach program with the local Board of Realtors, Financial Institutions and Homeowner Associations citywide.

Motion to Continue the item to the next Council meeting by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

G.4 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE REVISED OPERATING BUDGET FOR FISCAL YEAR 2012-13

(Report of: Financial & Management Services Department)

Recommendations That the City Council:

1. Receive and file this report discussing the mid-year status of the budget for FY 2012-13.
2. Adopt Resolution No. 2013-20, approving the Revised Operating Budget for the City of Moreno Valley for FY 2012-13, pursuant to the revenue and expenditure changes presented in Exhibits A and B to the Resolution.

Resolution No. 2013-20

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Revised Operating Budget for Fiscal Year 2012-13

3. Approve the Position Control Roster that includes the reorganization of various divisions and the new titles of Administrative Services Director and Chief Financial Officer. Specific positions are discussed on Page 3 of this staff report and listed on Attachment 3 to the staff report.

Recommendations That the CSD:

Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2013-01, approving the Revised Operating Budget for the Moreno Valley Community Services District for FY 2012-13, pursuant to the revenue and expenditure changes presented in Exhibit B to the Resolution.

Resolution No. CSD 2013-01

A Resolution of the Moreno Valley Community Services District, Adopting the Revised Operating Budget for Fiscal Year 2012-13

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

Motion to Approve Recommendation No. 1 by m/Council Member Richard A. Stewart, s/Council Member Victoria Baca

Approved by a vote of 5-0.

Motion to Approve Resolution 2013-20 by m/Council Member Richard A. Stewart, s/Council Member Victoria Baca

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Council Member Richard A. Stewart, s/Council Member Victoria Baca

Approved by a vote of 5-0.

Motion to Approve CSD Recommendation No. 1 by m/Board Member Richard A. Stewart, s/Board Member Victoria Baca

Approved by a vote of 5-0.

- G.5 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.14.130(A) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO REQUIREMENTS FOR THE UNDERGROUNDING OF OVERHEAD UTILITIES
(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Introduce Ordinance No. 862, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.14.130(a) of Title 9 of the City of Moreno Valley Municipal Code relating to requirements for the undergrounding of overhead utilities.

Ordinance No. 862

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sub-Section 9.14.130(A) of Title 9 of the City of Moreno Valley Municipal Code Relating to Requirements for the Undergrounding of Overhead Utilities

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

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Marcelo Co

Approved by a vote of 5-0.

- G.6 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#) - none

Item G.7 was taken after Item H.1.1.

G.7 [CITY ATTORNEY'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

Acting City Attorney Suzanne Bryant reported the following:

Case Goodwin vs. the City of Moreno Valley, Riverside Superior Court, RIC 10017990, has been dismissed and settled for \$15,000. Case Balvaneda vs. the City of Moreno Valley, Riverside Superior Court, RIC 1203151, has been dismissed and settled for \$15,000.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

Item H.1.1 was taken after Item G.5

H.1.1 [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 2.25 TO THE CITY OF MORENO VALLEY MUNICIPAL CODE ESTABLISHING A UTILITIES COMMISSION \(Report of: Public Works Department\)](#)

Recommendations That the City Council:

1. Receive and file this report.
2. Introduce Ordinance No. 863 adding Chapter 2.25 to the City of Moreno Valley Municipal Code establishing a Utilities Commission (as listed on the ordinance). (Roll call required)

Ordinance No. 863

An Ordinance of the City Council of the City of Moreno Valley, California, Adding Chapter 2.25 to the City of Moreno Valley Municipal Code Establishing a Utilities Commission

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

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Victoria Baca

Approved by a vote of 5-0.

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

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Council Member Jesse Molina

1. Thanked Bud's Tire for helping with dog adoption
2. Explained that he abstained from voting because didn't see the coin toss
3. Stated that California has issues with water; we should start with local water representatives; asked to partner with all Southern California and ask the State Capitol to let more water down here (97 percent of water comes from the northern California); concerned with possible shortage of water
4. Thanked everybody for attending the meeting
5. Was passing flyers to the homeless people on Sunnymead Blvd.; hate to see teenagers roaming on the streets; this problem needs to be addressed; stated that he is an advocate for homeless and veterans

Mayor Tom Owings

1. Congratulated newly appointed Planning Commissioner; reminded everyone that Planning Commissioners serve at the pleasure of the Council and need to be in some agreement with the general direction where the city council in conjunction with its management team has decided to take the City
2. Draft City Charter information will be posted soon on the Web site for public comments; several televised study session will be held to go over the completed sections

Council Member Richard A. Stewart

1. Ralph is closing its store at Sunnymead Ranch; personally spoke with the vice-president of Ralph and was advised that it was an economic decision to close; people are shifting their shopping habits; working to obtain users for this side

2. Stated that Charter Ad Hoc Committee, even though is not required, is fully noticed; in addition, a citizens' advisory group will give us information and advice; asked residents to contact City Council with ideas. This is a transparent, open public process; we will have a televised study session

3. We had a first homicide in 2013; Sunnymead Blvd. improving safety efforts have strengthened; commended the Police Department for this cleanup

4. DUI checkpoints held recently resulted in 10 arrests - high number

5. Planning Commission appointments - people who applied did a fantastic job; asked to not get discouraged, if not selected

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:56 p.m. by unanimous informal consent.

Submitted by:

City Clerk Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community
Redevelopment Agency of the City of Moreno Valley
Secretary, Moreno Valley Housing Authority
Secretary, Board of Library Trustees

Approved by:

Mayor Tom Owings
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community
Redevelopment Agency of the City of Moreno Valley
Chairperson, Moreno Valley Housing Authority
Chairperson, Board of Library Trustees

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