

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
June 25, 2013

CALL TO ORDER

[SPECIAL PRESENTATIONS](#)

[1. Shor Denny - Safe Routes to School Award Presentation](#)

**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 25, 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 6:02 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.

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
Richard Teichert	Chief Financial Officer/City Treasurer
Suzanne Bryant	Acting City Attorney
Michelle Dawson	City Manager
Joel Ontiveros	Police Chief
Abdul Ahmad	Fire Chief
Ahmad Ansari	Public Works Director
Tom DeSantis	Assistant City Manager
Mike McCarty	Parks & Community Services Director

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jeffrey Giba.

INVOCATION - Pastor Mark Orellana - Victory Outreach

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

Mayor Tom Owings announced that 15 minutes will be allowed for public comments. Public comments will be taken until 6:20 p.m., and the remainder before Closed Session.

Jeffrey Giba

1. City business/concerns

Betty Masters

1. Opposed to World Logistics Center

Sherald Koliboski (MVCEA)

1. Thanked for selecting City Manager Michelle Dawson as a city manager
2. Thanked the mayor for establishing relationship with employees

Kathy Savala (MVCEA)

1. Thanked for selecting City Manager Michelle Dawson as a city manager
2. Employees relationship with the Mayor
3. Congratulated MVTV-3 staff for Emmy nomination

Kenny Bell

1. Voicing opinions

Deanna Reader

1. Community involvement
2. Input from the public

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 opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF JUNE 11, 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 [APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY](#)

(Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2013-48 amending the Electric Rates for Moreno Valley Utility. A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility.

A.5 [AUTHORIZE PLACEMENT OF AN OFFICER ON THE "WESTERN RIVERSIDE COUNTY POST-RELEASE ACCOUNTABILITY AND COMPLIANCE TEAM"](#)

(Report of: Police Department)

Recommendation:

Approve the placement of an officer on the "Western Riverside County Post-Release Accountability and Compliance Team" (WEST-PACT).

A.6 [APPROVE EQUIPMENT LEASE AND PURCHASE OPTION AGREEMENT BETWEEN MUNI-FED ENERGY, INC. AND THE CITY OF MORENO VALLEY](#)

(Report of: Public Works Department)

Recommendations

1. Approve Equipment Lease and Purchase Option Agreement between Muni-Fed Energy, Inc. and the City of Moreno Valley.
2. Authorize the City Manager to execute the Agreement on behalf of the City.

A.7 [APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4-MAINTENANCE MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2013/14](#)

(Report of: Financial & Management Services Department)

Recommendation:

Acting in its capacity as the legislative body of Moreno Valley Community Facilities District No. 4-Maintenance ("CFD No. 4-M" or "District") approve and adopt Resolution No. 2013-49. A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 4-Maintenance Maximum Special Tax Rate For Fiscal Year 2013/14.

A.8 [APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 \(AUTO MALL REFINANCING\) MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2013/14](#)

(Report of: Financial & Management Services Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District No. 3 (Auto Mall Refinancing), adopt Resolution No. 2013-50. A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Maximum Special Tax Rate for Community Facilities District No. 3 (Auto Mall Refinancing) for Fiscal Year 2013/14.

A.9 [APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 \(TOWNGATE\) MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2013/14](#)

(Report of: Financial & Management Services Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District No. 87-1 (Towngate) adopt Resolution No.

2013-51. A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Calculation of the Maximum Special Tax Rate For Community Facilities District No. 87-1 (Towngate) for Fiscal Year 2013/14.

A.10 [APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 \(TOWNGATE\) IMPROVEMENT AREA NO. 1 MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2013/14](#)

(Report of: Financial & Management Services Department)

Recommendation:

Acting in its capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1, Improvement Area No. 1 to adopt Resolution No. 2013-52. A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Maximum Special Tax Rate for Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 for Fiscal Year 2013/14.

A.11 [APPROVAL OF THE CALCULATION OF THE MAXIMUM SPECIAL TAX RATE FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2013/14](#)

(Report of: Financial & Management Services Department)

Recommendation:

Acting in its capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt Resolution No. 2013-53. A Resolution of the City Council of the City of Moreno Valley, California, Approving the Calculation of the Maximum Special Tax Rate for Moreno Valley Community Facilities District No. 5 for fiscal year 2013/14.

A.12 [AWARD OF AN INDEPENDENT CONTRACTOR AGREEMENT FOR PROJECT NO. WQB 12/13 CITY OF MORENO VALLEY LANDSCAPING AND IRRIGATION MAINTENANCE OF THE WATER QUALITY CONTROL BASINS](#)

(Report of: Community & Economic Development Department)

Recommendations

1. Approve the Agreement for WQB-12/13 City of Moreno Valley Landscaping and Irrigation Maintenance of the Water Quality Control Basins with Excel Landscape, Inc., 710 Rimpau Ave., Suite 108, Corona, CA 92879 for landscape maintenance services of the water quality control basins.
2. Authorize the City Manager to execute the Agreement for WQB-12/13 with Excel Landscape, Inc.

3. Authorize the issuance of purchase orders for services beginning July 1, 2013 to Excel Landscape, Inc. in the not-to-exceed (NTE) amount of \$80,880.00 (\$74,880.00 for base and \$6,000.00 for additional work).
4. Authorize the City Manager to execute subsequent Extensions or Amendments to the Agreement, including the authority to authorize the associated purchase order (P.O.) in accordance with the terms of the Agreement, subject to the approval of the City Attorney.

A.13 P10-085 – ACCEPT THE AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS

(Report of: Community & Economic Development Department)

Recommendations

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for P10-085.
2. Authorize the Mayor to execute the agreement.
3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation.
4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.14 TRACT MAP 31319 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF DUNLAVY COURT, INDIAN STREET AND HUBBARD STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

(Report of: Community & Economic Development Department)

Recommendations

1. Adopt the proposed Resolution No. 2013-54. A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tract Map 31319 and Accepting the Portions of Dunlavy Court, Indian Street, and Hubbard Street Associated with the Project into the City's Maintained Street System.
2. Authorize the City Engineer to execute the 90% reduction to the

Faithful Performance Bond, exonerate the remaining Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.15 [WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2013/2014 RATE ADJUSTMENT](#)

(Report of: Public Works Department)

Recommendation:

Approve the Waste Management of the Inland Empire proposed FY 2013/2014 Rate Adjustment.

A.16 [ADOPT RESOLUTION OF THE CITY OF MORENO VALLEY SUPPORTING THE RE-DESIGNATION OF RIVERSIDE COUNTY AS A RECYCLING MARKET DEVELOPMENT ZONE DUE TO AN INCREASE IN BOUNDARIES](#)

(Report of: Public Works Department)

Recommendation:

Adopt Resolution No. 2013-55. A Resolution of the City of Moreno Valley Supporting the Redesignation of Riverside County as a Recycling Market Development Zone Due to an Increase in Boundaries.

A.17 [PA07-0165 \(PM 35859\) – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF KNOX STREET, SAN MICHELE ROAD, NANDINA AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM](#)

(Report of: Community & Economic Development Department)

Recommendations

1. Adopt the proposed Resolution No. 2013-56. A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within PA07-0165 (Parcel Map 35859) and Accepting the Portions of Knox Street, San Michele Road, Nandina Avenue and Perris Boulevard Associated with the Project into the City’s Maintained Street System.
2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.18 [AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES TO KTU+A FOR THE CITY OF MORENO VALLEY BICYCLE MASTER PLAN UPDATE - PROJECT NO. 801 0045 70 76](#)

(Report of: Public Works Department)

Recommendations

1. Approve the Agreement for Professional Consultant Services with KTU+A, for the City of Moreno Valley Bicycle Master Plan Update project.
2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with KTU+A.
3. Authorize the issuance of a Purchase Order to KTU+A in the amount of \$134,381.00 when the Agreement has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with KTU+A, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

A.19 [FINAL APPROPRIATION FOR CAPITAL PROJECTS FUNDED BY THE 2007 TAX ALLOCATION BONDS](#)

(Report of: Financial & Management Services Department)

Recommendations

1. Approve the final appropriation for capital projects funded by the 2007 Tax Allocation Bonds as presented in Attachment 1.
2. Approve the creation of the Capital Project Reimbursement Fund (Fund 3008) to record the receipt of federal, state and local project reimbursements and appropriate the revenues and expenses presented in Attachment 1 in the amount of \$834,525.

A.20 [RESOLUTION TO RATIFY THE APPLICATION FOR THE 2013 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM \(JAG\) AND TO ACCEPT THE \\$60,317 ALLOCATION TO THE CITY](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Approve Resolution 2013-58 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant (JAG) and to accept the \$60,317 allocated to the City. A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the

Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the \$60,317 Allocation.

2. Authorize revenue and expenditure budget appropriations of \$60,317 respectively to a new JAG Grant Fund for FY 2013-14.

A.21 AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES TO BURST COMMUNICATIONS, INC. FOR THE MVTV-3 BROADCAST EQUIPMENT UPGRADE PROJECT –

PROJECT NO. 803 0021 70 77

(Report of: Public Works Department)

Recommendations

1. Approve the Agreement for Professional Consultant Services with Burst Communications, Inc., 8200 S. Akron Street, Suite 108; Centennial, CO 80112, for the MVTV-3 Broadcast Equipment Upgrade Project.
2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with Burst Communications, Inc. in the form attached hereto.
3. Authorize the issuance of a Purchase Order to Burst Communications, Inc., totaling \$460,000 (\$450,720 plus \$9,280 contingency) when the Agreement has been signed by all parties.
4. Authorize the Public Works Director / City Engineer to execute any subsequent related minor Amendments to the Agreement for Professional Consultant Services with Burst Communications, Inc. up to, but not to exceed, the contingency amount of \$9,280, subject to the approval of the City Attorney.
5. Authorize the transfer of \$500,000 within the Public / Education / Government Access Program (PEG) Fund from account 2011-16-16-16150-620910 to the CIP – Buildings account 2011-70-77-80003-720199.

A.22 SECOND AMENDMENT TO AGREEMENT WITH DMC DESIGN GROUP FOR MORENO TOWNSITE AREA STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS BETWEEN ALESSANDRO BOULEVARD AND DRAINAGE FACILITY LINE F - PROJECT NO. 801 0011 70 77

(Report of: Public Works Department)

Recommendations

1. Approve the Second Amendment to Agreement for Professional Consultant Services with DMC Design Group for the additional work needed to complete the design for the Moreno Townsite Area Storm Drain and Miscellaneous Street Improvements.
2. Authorize the City Manager to execute the Amendment to Agreement for Professional Consultant Services with DMC Design Group.
3. Authorize an increase to the Purchase Order to DMC Design Group not to exceed the amount of \$28,000 once the Amendment to Agreement has been signed by all parties.

- A.23 [ADOPT RESOLUTION NO. 2013-59 APPROVING THE LOAN AGREEMENT FROM THE GENERAL FUND TO THE POLICE FACILITIES DEVELOPMENT IMPACT FEE FUND IN THE AMOUNT OF \\$3,000,000, THE RECREATION CENTER DEVELOPMENT IMPACT FEE FUND IN THE AMOUNT OF \\$145,000 AND THE ANIMAL SHELTER DEVELOPMENT IMPACT FEE FUND IN THE AMOUNT OF \\$175,000](#)
(Report of: Financial & Management Services Department)

Recommendation:

Staff recommends that the Council adopt Resolution 2013-59 approving the Loan Agreements from the General Fund to the Police Facilities Development Impact Fee Fund in the amount of \$3,000,000, the Recreation Center Development Impact Fee Fund in the amount of \$145,000 and the Animal Services Development Impact Fee Fund in the amount of \$175,000. A Resolution of the City Council of the City of Moreno Valley, California, Authorizing an Loan Agreement Between the City of Moreno Valley and the Police Facility Development Impact Fee Fund in the Amount of \$3,000,000, the Recreation Center Development Impact Fee Fund in the Amount of \$145,000 and the Animal Shelter Development Impact Fee Fund in the Amount of \$175,000.

- A.24 [ADOPT RESOLUTION NO. 2013-60 APPROVING THE FIRST EXTENSION TO THE LOAN AGREEMENT FROM THE LIBRARY DEVELOPMENT IMPACT FEE FUND TO THE FACILITY CONSTRUCTION FUND](#)
(Report of: Financial & Management Services Department)

Recommendations

1. Adopt Resolution 2013-60. A Resolution of the City Council of the City of Moreno Valley, California, Approving the First Extension to the Loan Agreement Between the Library Development Impact Fee Fund and the Facility Construction Fund in the Amount of \$4,000,000

Plus Interest for the FY 2012/13 Period Extending the Repayment Term to June 30, 2014.

2. Authorize the City Manager to execute the First Extension to Loan Agreement for the interfund loan from the Library Development Impact Fee Fund to the Facility Construction Fund.

A.25 [ADOPT RESOLUTION NO. 2013-61 APPROVING THE FIRST EXTENSION TO THE LOAN AGREEMENT FROM THE CORPORATE YARD DEVELOPMENT IMPACT FEE FUND TO THE FACILITY CONSTRUCTION FUND](#)

(Report of: Financial & Management Services Department)

Recommendations

1. Adopt Resolution 2013-61. A Resolution of the City Council of the City of Moreno Valley, California, Approving the First Extension to the Loan Agreement from the City of Moreno Valley Corporate Yard Development Impact Fee Fund to the City of Moreno Valley Facility Construction Fund in the amount of \$2,500,000 plus interest for the FY 2012/13 period extending the repayment term to June 30, 2014.
2. Authorize the City Manager to execute the First Extension to Loan Agreement for the interfund loan from the Corporate Yard Development Impact Fee Fund to the Facility Construction Fund.

A.26 [AMENDMENTS TO PERSONNEL POLICY 5.14 – MANAGEMENT CONTRACTS](#)

(Report of: City Manager Department)

Recommendation:

Approve Personnel Policy 5.14 which updates terms for employment of at-will management employees.

A.27 [APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND CITY MANAGER MICHELLE DAWSON FOR THE POSITION OF CITY MANAGER](#)

(Report of: City Attorney Department)

Recommendation:

Approve the Employment Agreement between the City of Moreno Valley and City Manager Michelle Dawson for the position of City Manager.

A.28 [REQUEST TO ESTABLISH THE BUILDING & NEIGHBORHOOD SERVICES DIVISION MANAGER POSITION](#)

(Report of: Administrative Services Department)

Recommendation:

Adopt the new position, class specification and salary range of the Building & Neighborhood Services Division Manager in the Community & Economic Development Department.

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 JUNE 11, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

B.3 [AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON THURSDAY, JULY 4, 2013](#)

(Report of: Parks & Community Services Department)

Recommendations

1. Authorize the closure of the following streets between the hours of 6:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2013. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way; Frederick Street between Centerpointe Drive and Cactus Avenue; Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive; Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive; Dracaea Avenue between Pan Am Boulevard and Kochi Drive; Atlantic Circle east of Frederick Street; Brabham Street between Frederick Street and Andretti Street; TownGate Boulevard between Frederick Street and Heritage Way; Bay Avenue between Kristina Court and Courage Street; Alessandro Boulevard between Chagall Court and Elsworth Street; Brodiaea Avenue between Joy Street, and Frederick Street; Resource Way between Frederick Street and Corporate Way; Corporate Way between Calle San Juan de Los Lagos and Resource Way; Eastridge Street between Frederick Street and Heritage Way; Calle San Juan De Los Lagos between Frederick Street and Veterans Way; Veterans Way between Business Center Drive and Alessandro Boulevard; New Hope between Veterans Way and Elsworth; Veterans Way between Cactus Avenue and Alessandro Boulevard, and Heritage Way between TownGate Boulevard and Town Circle.
2. Authorize the closure of Dracaea Avenue between Morrison Street and Nason Street, between the hours of 6:00 a.m. on Thursday, July

4, 2013 through 5:00 p.m. on Friday, July 5, 2013 for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2013.

3. For a short period of time and immediately following the fireworks display, authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.4 APPROVAL OF THE CALCULATION OF THE MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 MAXIMUM SPECIAL TAX RATE FOR FISCAL YEAR 2013/14

(Report of: Financial & Management Services Department)

Recommendation:

Acting in its capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2013-15 approving the calculation of the Community Facilities District No. 1 maximum special tax rate for fiscal year 2013/14. A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Community Facilities District No. 1 Maximum Special Tax Rate for Fiscal Year 2013/14

B.5 AWARD OF AN INDEPENDENT CONTRACTOR AGREEMENT FOR PROJECT NO. E-2 (HIDDEN SPRINGS) MAINTENANCE OF PARKWAY, MEDIAN AND OPEN SPACE LANDSCAPING AND IRRIGATION

(Report of: Financial & Management Services Department)

Recommendations

1. Approve the Agreement for Project No. E-2/13-14 (Hidden Springs) Maintenance of Parkway, Median and Open Space Landscaping and Irrigation with Mariposa Landscapes, Inc., 15529 Arrow Highway, Irwindale, CA 91706 for landscape maintenance services of the parkways, medians and paseos (open spaces).
2. Authorize the City Manager to execute the Agreement for Project No. E- 2/13-14 with Mariposa Landscapes, Inc.
3. Authorize the issuance of purchase orders for services beginning July 1, 2013 to Mariposa Landscapes, Inc. in the not-to-exceed (NTE) amount of \$104,282.00 (\$85,482.00 for base and \$18,800.00 for additional work).
4. Authorize the City Manager to execute subsequent Extensions or Amendments to the Agreement, including the authority to authorize associated purchase orders (P.O.s) in accordance with the terms of

the Agreement, subject to the approval of the City Attorney.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 [MINUTES - REGULAR MEETING OF JUNE 11, 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 JUNE 11, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

Motion to Continue Items A.4 and B.5 to July 9, 2013 City Council meeting by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 (except Items A.4 and B.5, which were continued) by m/Council Member Victoria Baca, s/Council Member Richard A. Stewart

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 [PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS](#)

(Report of: Public Works Department)

Recommendations That the City Council:

1. Approve placing the submitted list of delinquent solid waste accounts that are attached to this report on the Fiscal Year (FY) 2013/2014 Riverside County property tax roll for collection.

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution No. 2012-55 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Mayor Tom Owings opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve Recommendation No. 1 by m/Council Member Jesse L. Molina, s/Council Member Richard A. Stewart

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 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 - none

G. REPORTS

G.1 [RECOMMENDATION TO OUTSOURCE MORENO VALLEY LIBRARY SERVICES](#)

(Report of: City Manager Department)

Recommendations That the City Council:

1. Select Library Systems and Services, LSSI to provide library services in the City of Moreno Valley, with a target implementation date prior to September 15, 2013.
2. Authorize the City Manager to sign a contract for provision of outsourced library services consistent with the terms outlined in this report, with approval by the City Attorney.

Recess;
Reconvened

Mayor Tom Owings opened the agenda item for public comments, which were received from Les Johnson (opposes), Evelyn Bell (opposes), Tom Thornsley, John Tabarrini, Paula Winter (opposes), and Deanna Reeder (opposes).

Motion to Approve by m/Council Member Victoria Baca, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

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

Approved by a vote of 5-0.

G.2 **APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS**

(Report of: City Clerk Department)

Recommendations That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate.
2. Appoint those applicants who received majority vote by the City Council.
3. Confirm the appointment of Shor Denny to the Traffic Safety Commission as the Moreno Valley Parent-Teacher Council representative, with a term expiring June 30, 2016.
4. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

Motion to Continue the item to August 27, 2013 and extend the expiring terms of the current board members and commissioners to August 31, 2013 by m/Council Member Jesse L. Molina, s/Council Member Richard A. Stewart

Approved by a vote of 5-0.

G.3 **APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES ASSOCIATION AND MORENO VALLEY MANAGEMENT ASSOCIATION FOR THE PERIOD OF JULY 1, 2013 THROUGH JUNE 30, 2015**

(Report of: Administrative Services Department)

Recommendations That the City Council:

1. Approve the successor Memoranda of Understanding (MOUs) between the City of Moreno Valley and the Moreno Valley City Employees Association (Attachment A), and Moreno Valley Management Association (Attachment B) for the period of July 1, 2013 through June 30, 2015.
2. Extend the economic provisions of these Agreements to employees represented by the Moreno Valley Confidential Management Employees as well as those in unrepresented classifications.
3. Approve updates to the Salary Schedule and Personnel Rules & Regulations to incorporate revisions as specified in the attached MOUs.
4. Direct the Chief Financial Officer to adjust FY 2013-14 and FY 2014-15 Budget Appropriations as outlined in this report (projected cost of \$1,706,870 with General Fund impact projected at \$734,527) to reflect the Council's approval of these Memoranda of Understanding.

Mayor Tom Owings opened the agenda item for public comments, which were received from Daryl Terrell, Deanna Reeder and Tom Thornsley (opposes).

Motion to Approve Recommendation No. 1 by m/Council Member Jesse L. Molina, s/Council Member Victoria Baca

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Council Member Jesse L. Molina, s/Council Member Victoria Baca

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Council Member Jesse L. Molina, s/Council Member Victoria Baca

Approved by a vote of 5-0.

Motion to Approve Recommendation No. 4 by m/Council Member Jesse L. Molina, s/Council Member Victoria Baca

Approved by a vote of 5-0.

- G.4 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

City Manager stated that this is the first time since 2008 that the City has a balanced budget without using reserves; the addition of Aldi, an international grocery chain, to our business community is a huge win for Moreno Valley. Aldi has selected Moreno Valley to locate its distribution center and regional headquarters; staff is ready to facilitate their move to our community. With the approval of the MOUs tonight, the City Council re-established City Hall hours to our development community; the development services staff is ready to welcome our business community back on the 2nd and 4th Fridays of the month beginning on July 12. Thanked the Moreno Valley Chamber of Commerce, local restaurants and members of the executive team that participated in the Taste of the Valley event last weekend. Executive management team members will participate in this year's July 4th parade.

- G.5 [CITY ATTORNEY'S REPORT \(Informational Oral Presentation - not for Council action\)](#) - none

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

- H.1.1 [AMENDMENT TO CHAPTER 6.02 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADOPTION OF THE PROPOSED ORDINANCE RELATED TO ILLEGAL HAULING AND COMMERCIAL RECYCLING BIN SCREENING \(Report of: Public Works Department\)](#)

Recommendations That the City Council:

Introduce the proposed Ordinance No. 866. An Ordinance of the City Council of the City of Moreno Valley, California, amending Municipal Code Section 6.02 of Chapter 6 of the City of Moreno Valley Municipal Code Relating to Refuse Collection, Transfer and Disposal.

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

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

Approved by a vote of 5-0.

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2.1 [ORDINANCE NO. 870 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION NO. PA13-0007, CHANGING THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL AND R15 TO R30 AND OPEN SPACE FOR APPROXIMATELY 10 ACRES LOCATED AT THE SOUTHEAST CORNER OF ALESSANDRO BOULEVARD AND LASSELLE STREET \(ASSESSOR'S PARCEL NUMBER 486-280-044 AND A PORTION OF -043\). \(RECEIVED FIRST READING AND INTRODUCTION ON JUNE 11, 2013 BY A 4-0-1 VOTE, MAYOR TOM OWINGS RECUSED HIMSELF\) \(Report of: Community & Economic Development Department\)](#)

Recommendations That the City Council:

Adopt Ordinance No. 870. An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application No. PA13-0007, Changing the Land Use Designation From Neighborhood Commercial and R15 to R30 and Open Space for Approximately 10 Acres Located at the Southeast Corner of Alessandro Boulevard and Lasselle Street (Assessor's Parcel Number 486-280-044 and a Portion Of -043).

Mayor Tom Owings recused himself and left the Council Chamber in order to fulfill a campaign promise of not voting on matters that involve large contributors to his campaign.

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

Approved by a vote of 4-0-1, Mayor Tom Owings recused himself.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

AGENDA ORDER

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

Continued the remainder of the public comments:

Curtis Gardner (Concerned Citizens of Moreno Valley)

1. Citizens' voice in government; accountability and transparency

Craig Givens

1. FBI investigation
2. Budget issue - concession on utilities; jobs; revenues
3. March Joint Power

Alicia Espinoza (Moreno Valley Concerned Citizens)

1. Recall of the Mayor

Brandon Cam (Moreno Valley Historical Society)

1. Preservation/restoration of local historic properties, including Red Cross building on former military land (March Joint Powers property) established during World War II; more information on the Historical Society Web site

Tom Thornsley

1. Community awareness meeting regarding World Logistic Center - invited everyone to attend a meeting on July 13 at Moreno Valley High School
2. Lawsuit opposing Medical facility planned at March Air Force Base

Louise Palomarez

1. Congratulated the new City Manager Michelle Dawson and the new Acting City Attorney Suzanne Bryant
2. Budget/jobs

Robert Palomarez

1. Budget; Commented on other speakers' comments

Jo Ann M. Stephan

1. Great job done by Council
2. Proposal for the library

Daryl Terrell

1. Comes with solutions to problems
2. Cuts in public safety
3. Warehouses
4. Campaign contributions

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 Victoria Baca

1. Asked the Parks and Recreation Director for July 4th celebration update
2. Is proud that the Council appointed women to leadership positions (City Manager, City Clerk and City Attorney)
3. Reducing furlough will help very much, bringing staff on Fridays to meet community's needs
4. Is very optimistic and happy about Aldi coming to Moreno Valley; Aldi will be the second building coming up against Freeway 60; heard a lot of positive comments; we will have more businesses coming to Moreno Valley; glad about business-friendly attitude

Mayor Pro Tem Marcelo Co

1. Stated that we have a brighter future now; asked citizens for suggestions for improvements and solutions to the problems; emphasized that any job is a good job; any business that wants to come to the City, is welcomed and should be given a break; asked for residents' positive input; is trying to bring jobs

Council Member Jesse Molina

1. Concurred with Mayor Pro Tem Marcelo Co's remarks; stated that the Council has to make tough decisions; loyalty is to the City first, not to other agencies; we are losing the war of commerce to surrounding cities, resulting in budget cuts; we need to get the jobs here
2. Wants to go in a positive direction

Council Member Richard Stewart

1. Stated that the article in L.A. Times regarding Aldi foods is very positive. The City did concession on utilities - the reason we started the utility is to attract business; Aldi is bringing headquarters along with its distribution center; we need to give incentives to be competitive and attract business
2. Interim Economic & Development Director John Terrell is working with possible clients to come in to the old Albertson and Ralphs
3. Moreno Valley Sheriff's Department is using updated sophisticated methods to fight crime: sophisticated tracking devices that can be used during robbery, new camera system to assist crime solutions, checkpoints, which are successful at catching criminals, special burglary suppression team to solve crimes, computerized assessment allocation of resources; almost every year new innovations are coming; cuts are coming next year - hopes that revenues will go up
4. Warehouses next to the freeway are at the proper place; is not proper to put houses next to the freeway

Mayor Tom Owings

1. Applauded the City Manager for the new stricter dress code, which is a sign of respect
2. Stated that you can learn a lot about a person how he treats others: Mayor Pro Tem Marcelo Co participated in the last Council meeting via telephone, as he was abroad attending his mother's funeral; he took care of his 95 year-old mother; Is proud of remarks made by Council Member Jesse Molina - the only things Council Member Molina has in mind is good for the City; might disagree with Council Member Richard Stewart from time to time, but both usually vote alike; has the highest regard for Richard's experience on this Council – stated that we have a very unified council and that he believes that majority of population supports the current council
3. On Saturday, attended Rising Star Academy graduation, which graduated 117 students; the Academy is getting students through high school with aspiration for meaningful life and job
4. Attended with his wife the 25th anniversary of ROTC program; it was astonishing to see these cadets with almost 95% graduation rate; the community needs to support these kids; asked the community to see what good is going on and duplicate it; ROTC program is run by Valley View High School

5. Shared the City Manager's appreciation for the good press about Aldi

6. Stated that last November he was candid with voters what he is going to do to keep Moreno Valley from becoming the next San Bernardino; no mayor should be afraid to make an unpopular decision

There being no further business to conduct, the meeting was adjourned at 10:33 p.m. to Closed Session by unanimous informal consent.

CLOSED SESSION

The City Attorney announced that three cases listed on the agenda under Government Code Section 54956.9(d)1 will be discussed.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Mayor Tom Owings opened the Closed Session items for public comments; there being none, public comments were closed.

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority was held in Conference Room C, First Floor, City Hall. The City Council met in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

The Closed Session was held pursuant to Government Code:

1 SECTION 54956.9(d)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) [Rodriguez, Olga V. City of Moreno Valley](#)

b) [Silver Creek Industries, Inc. V. City of Moreno Valley](#)

c) [Verizon California Inc. V. California State Board of Equalization, et al.](#)

2 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9

Number of Cases: 5

3 SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:45 p.m. by unanimous informal consent.

Submitted by:

City Clerk Jane Halstead, 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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