

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**October 4, 2016**

**CALL TO ORDER - 5:00 PM**

**SPECIAL PRESENTATIONS**

1. Employee of the Quarter
2. Department of Public Social Services - Proclamation
3. Proclamation Recognizing Public Power Week - October 2 - 8, 2016
4. Senior Center Nutrition Program Staff & Volunteers - Mayoral Proclamations
5. Introduction of the Mayor's Cup Basketball Challenge Players - Team MoVal

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

**REGULAR MEETING – 6:00 PM  
October 4, 2016**

**CALL TO ORDER**

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:00 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Rafael Brugueras

**INVOCATION**

Pastor Donald Wilson, Lighthouse Baptist Church

**ROLL CALL**

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

**INTRODUCTIONS**

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

Mike Lee  
Allen Brock  
Kathy Gross

Economic Development Director  
Community Development Director  
Executive Assistant

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

Kelly Fitzpatrick

1. School Board meeting of 9/17/16; bullying in schools
2. Unity

Roy Bleckert

1. Transient Occupancy Tax (Hotel Tax)

Rafael Bruqueras

1. Strategic Planning
2. Roy Bleckert's comments

Daryl Terrell

1. Unity in our City

Jorge Quintero

1. Issues with the school district and the lack of transparency

Jose Chavez

1. School Board

Librada Murillo

1. School Board meeting and how they interfere with City Council meetings

Pete

1. Taxes

JoAnn Stephens

1. Spoke on previous Council meeting and contributions

Robert Harris

1. Jesse Molina's campaign forms and contributions received of approximately \$192,000

Louise Palomarez

1. School Board meeting and Measure M

Mayor Gutierrez opened the floor to any Council Members wishing to speak early on their closing comments:

Council Member Jempson

1. Reminder of October 5 being International Walk to School Day. Stated the importance to ensure the kids are safe.
2. Oktoberfest will be Saturday from 10-2 at Conference and Recreation Center
3. Art Commission and their work on putting events together; need support from the people.
4. Ribbon Cutting Ceremony for So Cal Perris Fair; take the family and enjoy.
5. MVHS 50<sup>th</sup> Class Reunion and was asked to present a proclamation. They were the first graduating class of Moreno Valley.
6. Thanked Victory Outreach for participating in community event car show at Bridges Learning Center.

JOINT CONSENT CALENDARS (SECTIONS A-D)

Mayor Gutierrez opened the agenda items for the Consent Calendars for public comments, which were received from Rafael Brugueras (A.4, A.5), Albert Renteria (A.4), and Mr. Renteria deferred his comments to Section F as the item was moved for separate action.

Motion to Approve Joint Consent Calendar Items A.1 through D.1 with the exception of A.4, which was pulled for separate action.

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

**A. CONSENT CALENDAR-CITY COUNCIL**

- A.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

**Recommendation:** Waive reading of all Ordinances.

- A.2. BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE (Report of: City Clerk)

**Recommendations:**

1. That the City Council adopt Resolution No. 2016-68, adopting an amended Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject.

2. That the City Council serving as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution No. SA 2016-03, adopting an amended Conflict of Interest Code to amend the list of designated employees having filing requirements, and repeal all prior enactments on the same subject.
- A.3. PA04-0016 (TRACT 31414) – EXONERATE SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THOSE PORTIONS OF PIGEON PASS ROAD, SUNNYMEAD RANCH PARKWAY, SIENNA LANE, DEVILLE DRIVE, IMPERIAL DRIVE, AND CAPRICE WAY ASSOCIATED WITH THIS PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM DEVELOPER: PIGEON PASS LLC (Report of: Public Works)

**Recommendations:**

1. Adopt Resolution No. 2016-69. A Resolution of the City Council of the City of Moreno Valley, California, authorizing the acceptance of the public improvements as complete within Project PA04-0016 (Tract 31414) and acceptance of those portions of Pigeon Pass Road, Sunnymead Ranch Parkway, Sienna Lane, Deville Drive, Imperial Drive, and Caprice Way associated with this Project into the City’s Maintained Street System.
2. Authorize the City Engineer to exonerate the Irrevocable Letter of Credit as Faithful Performance security, and in 90 days exonerate the Irrevocable Letter of Credit as Material and Labor security if there are no stop notices or liens on file with the City Clerk.

A.4. This item has been moved to F.

A.5. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR BOX SPRINGS COMMUNICATIONS TOWER- PROJECT NO. 803 0011 30 39 (Report of: Public Works)

**Recommendations:**

1. Award the construction contract to Jitney Company, Inc., 1541 Commerce St., Corona, CA 92880, the lowest responsible bidder for the Box Springs Communication Tower Project.
2. Authorize the City Manager to execute a contract with Jitney Company, Inc.
3. Authorize the issuance of a Purchase Order to Jitney Company, Inc. in the amount of \$490,469.10 (\$445,881.00 bid amount plus 10%

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 Jitney Company Inc. up to, but not exceeding, the 10% contingency amount of \$44,588.10, subject to the approval of the City Attorney.

A.6. PAYMENT REGISTER - JULY 2016 (Report of: Financial & Management Services)

**Recommendation:**

1. Receive and file the Payment Register.

A.7. LIST OF PERSONNEL CHANGES (Report of: Administrative Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.8. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2016/2017 AS OF 7/1/16 AND REIMBURSABLE ACTIVITIES REPORT FOR JULY 1, 2016 - AUGUST 31, 2016 (Report of: City Clerk)

**Recommendation:**

1. Receive and file the Fiscal Year 2016/2017 Council Discretionary Expenditure Reports and the Reimbursable Activities Report as of July 1, 2016.

**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. RECOMMENDATION TO APPROVE SECOND AMENDMENT TO CONTRACT MOWING AND MAINTENANCE OF PARKS IN ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO LANDCARE, USA, LLC (Report of: Parks & Community Services)

**Recommendations:**

1. Approve the Second Amendment to Independent Contractor Agreement with Landcare, USA, LLC to provide contract mowing and

maintenance of Parks in Zone A and Community Facilities District #1 in the amount of \$145,127.19 (\$121,031.04 for Zone A and \$24,096.15 for CFD #1.)

2. Approve a budget adjustment of \$2,848, as set forth in the Fiscal Impact Section.
3. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreement, including the authority to authorize associated Purchase Order changes in accordance with the terms of the Agreement, subject to the approval of the City Attorney and provided sufficient funding appropriations and program approvals have been granted by the City Council.

**B.3. BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE  
(Report of: City Clerk)**

**Recommendations:**

1. That the City Council, acting in its capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD), adopt Resolution No. CSD 2016-26, adopting an amended Conflict of Interest Code to amend the list of designated employees having filing requirements, and repeal all prior enactments on the same subject.

**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. BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE  
(Report of: City Clerk)**

**Recommendations:**

1. Receive and file the 2016 Local Agency Biennial Notice confirming that no amendment is required to the Conflict of Interest Code for the Moreno Valley Housing Authority.

**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.

**E. PUBLIC HEARINGS - NONE**

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

A.4. REQUEST FOR CITY SPONSORSHIP OF SOUTHWEST VETERANS' BUSINESS RESOURCE CENTER EVENT (Report of: Parks & Community Services)

**Recommendations: That the City Council:**

1. Evaluate a request for sponsorship funds by the Southwest Veterans Business Resource Center based on criteria prescribed in the City's Sponsorship Policy.
2. Direct staff to actively promote the SVBRC's upcoming event in Moreno Valley. Offer assistance through the City's communication programs and approve the budget adjustments necessary to fund the activities.

Mayor Gutierrez opened the agenda item for public comments, which were received from JoAnn Stephan, Louise Palomarez and Robert Harris.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>SECONDER:</b>	Jeffrey J. Giba, Mayor Pro Tem
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

Recess: 7:22 p.m.  
Reconvened at 7:28 p.m.

**G. REPORTS**



## G.1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

(Informational Oral Presentation - not for Council action)

### March Joint Powers Commission (JPC)

Council Member Molina provided an update from the March Joint Powers Commission meeting held on September 28th.

The JPC agenda contained numerous non-controversial, consent calendar updates on various JPA activities including:

- Heacock Channel: The channel construction plans are 90% complete. All regulatory permits are anticipated within four weeks and a Mitigation Agreement has been completed. We are waiting for a permit from the Army Corps of Engineers.
- The JPC approved an easement to SCE for an on-site electrical distribution system to implement the U.S. Vets Housing Project.
- Finally, the JPC adopted a resolution related to minor roadway realignment/open space dedications for the South Campus of the Meridian Specific Plan.

### Riverside County Habitat Conservation Agency (RCHCA) - No Report

### Riverside County Transportation Commission (RCTC)

Mayor Gutierrez provided an update from the September 26th Programs and Projects Committee meeting, the Board:

- Approved an agreement with Caltrans to maintain the State Route 91 Express Lanes for a 50-year term. The Express Lanes project is scheduled to open in early 2017.
- Approved the opening day toll rates for the SR-91 Express Lanes. The toll rates are based upon hour by hour traffic congestion levels for both weekdays and weekends.
- Lastly, approved a three-year agreement with Mobile Relay Associates to provide a digital radio system and equipment in support of the Freeway Service Patrol (FSP) program. The new equipment will greatly enhance the reliability of communications between FSP drivers and CHP dispatch within the counties of Riverside and San Bernardino.

### Riverside Transit Agency (RTA)

Council Member Molina provided an update from the September 22nd RTA meeting:

- The Board approved an agreement with the University of California, Riverside Bourns College of Engineering Center to participate in a Department of Energy grant for the development and testing of an integrated powertrain operation for hybrid electric buses. Based on information such as route characteristics and passenger origin-destination flow, the power train will be optimized to improve efficiencies compared to that of a normal bus.
- In addition, the Board approved an amendment to the Short Range Transit Plan to include the new Downtown Riverside Perris Valley Line (PVL) shuttle service. The new shuttle route will serve all PVL trains stopping at the Downtown Riverside MetroLink Station. The operation of this new service, which began on October 3, will be weekdays, consistent with the days of operation of MetroLink weekday service.

#### Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Giba provided a brief update on the items covered at the WRCOG Executive Committee meeting on October 3, 2016.

#### **WRCOG Environmental Department Activities**

WRCOG's litter initiative will include components of the Lake Elsinore Pilot Litter Program, which emphasizes education and incentives as a way to instill community pride. The goal is to build upon the City's first year efforts and develop a regional initiative that will encompass all interested jurisdictions.

#### **WRCOG Transportation Department Activities Update**

WRCOG funds have been identified to commence a grant writing assistance program for its member jurisdiction. WRCOG is completing a Request or Proposal which will provide a bench of consultants to assist member jurisdictions with the grant application process. Program specifics and monies allocated have not yet been determined.

#### **Western Riverside Energy Leader Partnership Update**

The August 19, 2016 Net Zero Energy Conference was discussed, which included information on how to achieve, create and implement net zero designs in residential and commercial buildings. The California Public Utilities Commission adopted the goal of achieving Zero Net Energy (ZNE) building standards for new residential buildings by 2020 and new commercial buildings by 2030. A ZNE building includes zero energy consumption, with the total annual amount of energy used by the building equal to the amount of renewable energy created on the site.

#### Western Riverside County Regional Conservation Authority (RCA)

Council Member Jempson provided a brief update on the items covered at the RCA Board meeting on October 3, 2016.

## **Multiple Species Habitat Conservation Plan Local Development Mitigation Fee Collection and Civic/Infrastructure Contribution Report for August**

RCA reports monthly on Multiple Species Habitat Conservation Plan local development mitigation fee collection and Civic/Infrastructure contributions. The report for August indicates \$1,550,241 in receipts. The City of Moreno Valley did not have any activity to report for the month of August.

### School District/City Joint Task Force - No Report

### Southern California Association of Governments (SCAG)

Mayor Pro Tem Giba provided a brief update on SCAG

- Air Quality Board new Logo
- Draft Housing Summit “Cost of Not Housing”
- At the meeting of September 29<sup>th</sup> they approved proposals for 11 million grant programs.
- Look out for the Executive Summary and the District 69 report

### Box Springs Mutual Water District (BSMWD)

Council Member Jempson reported on Box Springs Mutual Water District's financial statements and stated they're moving money to new banks and the most recent inspection report.

- G.2. Authorize the Award of the Construction Contract to Hot Line Construction, Inc. for the Channel 12kV Circuit #1 Improvements from the Kitching Substation to the Lasselle Sports Park, Project No. 805 0037 (Report of: Financial & Management Services)

### **Recommendations: That the City Council:**

1. Award the construction contract to Hot Line Construction, Inc., 9020 Brentwood Boulevard, Brentwood, CA 94513, the lowest responsible bidder, for the Kitching Substation Channel 12kV Circuit #1 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 \$1,040,000 (\$945,100 bid amount plus 10% 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 10% contingency amount of \$94,900, subject to the approval of the City Attorney.

5. Appropriate \$628,000 from the Moreno Valley Utility Fund (Account No. 6011 30 80 80005 720199) to cover the cost of items and administrative costs.

Mayor Gutierrez opened the agenda item for public comments, which was received from Rafael Brugueras.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse L. Molina, Council Member
<b>SECONDER:</b>	D. LaDonna Jempson, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

### G.3. CITY MANAGER'S REPORT

No Report.

### G.4. CITY ATTORNEY'S REPORT

(Informational Oral Presentation - not for Council action)

## H. LEGISLATIVE ACTIONS

- H.1. ORDINANCES - 1ST READING AND INTRODUCTION - NONE
- H.2. ORDINANCES - 2ND READING AND ADOPTION - NONE
- H.3. ORDINANCES - URGENCY ORDINANCES - NONE

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

### Council Member Molina

1. Welcome to Martin Koczanowicz our new City Attorney
2. Perris Fairground with Moreno Valley; we should reach out for future joint activity ventures.
3. Thank you to Mike Lee and Marshall Eyerman

### Council Member Price

1. Thank you to Jeff Giba and Rotary Club for the house that was cleaned up near his home; looks great.
2. Welcomed Martin Koczanowicz our new City Attorney
3. Attended "Tip a Cop" with Deputy Riley and the following week attended "Tip a Firefighter" at St. Jude. Council Member Price expressed the need to publicize these events.
4. Attended the fair in Perris and noticed the City of Perris had a booth; the City of Perris has a night and asked if staff would look into something like that for

Moreno Valley residents

5. Expressed interest in talking to the Lake Ranger at Perris for Olympic events.

#### Mayor Pro Tem Giba

1. October 13 at 10:00 a.m., there will be a ground breaking ceremony at Shadow Mountain Park and asked Gabe to provide an update on project.
2. JPA program "Honorary Commander" asked Marshall to provide an update on the implementation of the program. Mayor Pro Tem Giba reminded the audience of the civic leaders that will be considered "Ambassadors".
3. Allen and Nick successfully began to implement program and asked Allen to provide an update on Keep MoVal Beautiful Program.
4. Students earned 4 community hours for working this event
5. Water Task Force meeting will be November 28<sup>th</sup>.

#### Mayor Gutierrez

1. Thanked the speakers for their comments regarding the special education concerns.
2. Reminded the audience that we are a different agency than the school district.
3. Oktoberfest and Mayors Cup

## **ADJOURNMENT**

There being no further business the Regular Meeting was adjourned at 8:02 p.m.

Submitted by:

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Marie Macias, MMC, Interim City Clerk  
Secretary, Moreno Valley Community Services District  
Secretary, City as Successor Agency for the Community Redevelopment Agency of the  
City of Moreno Valley  
Secretary, Moreno Valley Housing Authority  
Secretary, Board of Library Trustees

Approved by:

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Dr. Yxstian Gutierrez, Mayor  
President, Moreno Valley Community Services District  
Chairperson, City as Successor Agency for the Community Redevelopment Agency of  
the City of Moreno Valley  
Chairperson, Moreno Valley Housing Authority  
Chairperson, Board of Library Trustees