

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**October 2, 2018**

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

**SPECIAL PRESENTATIONS**

1. Business Spotlight
  - a) Mountain Mike's Pizza
2. Proclamation recognizing October 7 through 13 as Public Power Week
3. Proclamation recognizing October 7 through October 13 as Fire Prevention Week
4. Proclamation recognizing the month of October as National Community Planning Month

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

**REGULAR MEETING – 6:00 PM  
October 2, 2018**

**CALL TO ORDER**

The Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:01 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Frank Wright.

**INVOCATION**

Reverend Mark Krom, Moreno Valley United Methodist Church

**ROLL CALL**

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

**INTRODUCTIONS**

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

Mike Lee  
Rick Sandzimier  
David Kurylowicz  
Mark Williams  
Kathleen Sanchez  
Patti Solano  
Michael Wolfe

Economic Development Director  
Community Development Director  
Chief of Police  
Battalion Chief Fire Department  
Human Resources Director  
Parks and Community Services Director  
Public Works Director/City Engineer

Mayor Gutierrez thanked staff for their work.

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

### Brandon Carn

1. Upset with the campaign tactics employed by representatives of Mayor Gutierrez and other candidates on school premises.
2. Questioned why the Study Session which included an item to discuss the addition of a sixth council district was canceled.
3. Encouraged voters in District four to research candidate Barnard.

### Rafael Bruqueras

1. Refuted the previous speaker's comments regarding the campaigning at schools.
2. Suggested that speed dots be installed on Pigeon Pass Road to curb speeding drivers.

### Sandra Murphy

1. Congratulated the City Council on instituting the Moreno Learn program.
2. Thanked Mayor Gutierrez for his leadership.

### Bob Palomarez

1. Rebutted comments made by Council Member Marquez at the September 18th City Council meeting.

### Louise Palomarez

1. Disagreed with comments made by Council Member Marquez at the September 19th City Council meeting.

### Roy Bleckert

1. Expressed his desire for the City to be more welcoming to incoming businesses.
2. Encouraged the City Council to fast track the General Plan Amendment.

### Jason Hunter

1. Accused City Manager DeSantis of misappropriating funds for the Amphitheatre and Skate Park.
2. Reminded the City Council of their fiduciary responsibility and urged them to investigate.

Council Member Marquez

1. Council Member Marquez requested that City Attorney Koczanowicz to disclose the contents of a letter composed by the Montebello Chief of Police.
2. City Attorney Koczanowicz attested that the letter indicated Council Member Marquez retired from the Montebello Police Department.

JOINT CONSENT CALENDARS (SECTIONS A-D)

Council Member Giba requested that the vote result for Item No. A.7 reflect an abstention on his part.

Council Member Marquez requested clarification on Item No. A.7.

Council Member Cabrera remarked on Item No. A.8.

Mayor Gutierrez opened the Consent Agenda items for public comments, which were received from Rafael Brugueras (Supports Item No. A.7), Bob Palomarez (Supports Item No. A.7), and Louise Palomarez (Supports Item No. A.7).

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

**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 18, 2018 4:30 PM

**Recommendation:** Approve as submitted.

- A.3. City Council - Regular Meeting - Sep 18, 2018 6:00 PM

- A.4. 2018-145: BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE (RESO NOS. 2018-75, SA 2018-05, CSD 2018-22, AND HA 2018-02) (Report of: City Clerk)

**Recommendations:**

1. That the City Council adopt a Resolution, of the City Council of the City of Moreno Valley, California, Adopting an Amended Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, 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 a Resolution, 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.
3. That the City Council serving as Community Services District of the City of Moreno Valley adopt a Resolution, adopting an amended Conflict of Interest Code by reference to the fair political practices commission's standard model conflict of interest code, and repealing all prior enactments on the same subject.
4. That the City Council serving as the Housing Authority of the City of Moreno Valley adopt a Resolution, adopting an amended Conflict of Interest Code by reference to the fair political practices commission's standard model conflict of interest code, and repealing all prior enactments on the same subject.

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

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.6. AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO E. E. ELECTRIC, INC. FOR THE ALESSANDRO CROSTOWN TIE IMPROVEMENTS, PROJECT NO. 805 0044 (AGMT. NO. 2018-401) (Report of: Financial & Management Services)

**Recommendations:**

1. Award the construction contract to E. E. Electric, Inc., PO Box 465, Mira Loma, CA 91752, the lowest responsible bidder, for the Alessandro Crosstown Tie Project.
2. Authorize the City Manager to execute a contract with E. E. Electric, Inc.
3. Authorize the issuance of a Purchase Order to E. E. Electric, Inc. for the amount of \$3,015,312 (\$2,622,010 bid amount plus 15% 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 E. E. Electric, Inc. up to, but not exceeding, the 15% contingency amount of \$393,302, subject to the approval of the City Attorney.

5. Amend the FY 2017/2018 & 2018/2019 Adopted Capital Improvement Plan and appropriate \$526,000 from the Moreno Valley Utility Fund (Account No. 6011 30 80 80005 720199) to cover the construction and administrative costs.

A.7. APPROVE PROFESSIONAL CONSULTANT SERVICES AGREEMENTS WITH PARSONS TRANSPORTATION GROUP FOR THE STATE ROUTE 60/MORENO BEACH DRIVE PHASE 2 INTERCHANGE IMPROVEMENTS AND SR-60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECTS (AGMT. NOS. 2018-402 - 2018-403) (Report of: Public Works)

Council Member Marquez queried how the proposed improvements will be funded.

City Manager DeSantis stated that the funds will not be appropriated from the General Fund but rather the Transportation Uniform Mitigation Fee, Developer Impact Fee, and Capital Projects Reimbursement Funds.

**Recommendations:**

1. Approve an Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons) to provide environmental and specified engineering design services in the amount of \$600,000 for the SR-60/Moreno Beach Drive Phase 2 Interchange project;
2. Approve a separate Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons) to provide professional engineering services in the amount of \$60,000 for the SR-60/Nason Street Overcrossing Improvements project;
3. Authorize the City Manager to execute the agreements with Parsons, subject to the approval by the City Attorney;
4. Authorize the issuance of a Purchase Order to Parsons for the SR-60/Moreno Beach Drive Phase 2 Interchange Improvements in the amount of \$600,000 and authorize the issuance of a Purchase Order to Parsons for the SR-60/Nason Street Overcrossing Improvements in the amount of \$60,000 when the agreements have been signed by all parties; and
5. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the Agreements for Professional Consultant Services with Parsons, not to exceed the Purchase Order amounts, subject to the approval by the City Attorney.

A.8. AUTHORIZATION TO AWARD MAINTENANCE AND ENHANCEMENT CONTRACT FOR THE CITYWIDE CAMERA SYSTEM TO HITACHI VANTARA – RFP NO. 2018-024 (AGMT. NO. 2018-404) (Report of: City Manager)

Council Member Cabrera noted his support of Item No. A.8.

**Recommendations:**

1. Award contract to Hitachi Vantara, 2845 Lafayette Street, MS3208, Santa Clara, CA 95050, the highest qualified proposal for the maintenance and enhancement of the Citywide Camera System.
2. Authorize the City Manager to execute a contract with Hitachi Vantara.
3. Authorize the issuance of Purchase Orders to Hitachi Vantara according to the annual schedule in the Fiscal Impact section below (the five-year total is not-to-exceed the amount of \$1,029,821.63 (\$936,201.63 in maintenance and \$93,620 (10%) in contingency) when the contract has signatures from all parties.
4. Authorize the City Manager to execute any subsequent related amendments to the contract with Hitachi Vantara during the life of the contract, subject to approval by the City Attorney.
5. Authorize the City Manager to execute any subsequent purchases for system enhancements with Hitachi Vantara during the life of the contract up to a 10% contingency amount of (\$93,620) according to the discounts competitively obtained through this process, with budgeted funding and statements of work approved by the City Attorney.

A.9. APPROVE THE SECOND AMENDMENT TO AGREEMENT WITH DATA TICKET, INC. FOR PARKING CONTROL PROGRAM SERVICES (AGMT. NO. 2018-102-02) (Report of: Community Development)

**Recommendations:**

1. Approve the Second Amendment to Agreement with Data Ticket, Inc. for Parking Control program services.
2. Authorize the City Manager, or his designee, to execute the second amendment with Data Ticket, Inc. subject to the approval as to form by the City Attorney.

A.10. ACCEPTANCE OF THE TRANSFORMATIVE CLIMATE COMMUNITIES GRANT AWARD AND AUTHORIZATION TO AWARD TO MIG, INC., A PROJECT-RELATED SERVICES AGREEMENT FOR THE PREPARATION OF A DISADVANTAGED COMMUNITIES OUTREACH TOOLBOX, ENGAGE MOVAL (AGMT. NO. 2018-405) (Report of: Community Development)

**Recommendations:**

1. Accept the Transformative Climate Communities Planning grant award of \$93,960 from the Strategic Growth Council.
2. Authorize the City Manager, or his designee, to execute on behalf of the City of Moreno Valley, applications and other related documents required by the Strategic Growth Council for participation in the Transformative Climate Communities Program as well as for the purpose of obtaining funding assistance provided by the State Department of Conservation.
3. Approve and award a Project-Related Services Agreement with a "Not-to-Exceed" fee with MIG, Inc., to complete an outreach toolbox targeted to disadvantaged communities.
4. Authorize the City Manager, or his designee, to execute a Project-Related Services Agreement with MIG, Inc., subject to the approval as to form by the City Attorney.
5. Authorize the Chief Financial Officer, or his designee, to approve a purchase order in the amount of \$93,795 to MIG, Inc., in accordance with approved terms of the Agreement.
6. Authorize the Chief Financial Officer, or his designee, to make any necessary budget adjustments as stated in the Fiscal Impact section.

A.11. Second Reading and consideration of Adoption of Ordinance No. 943 authorizing a Change of Zone for the property located at the northwest corner of Brodiaea Avenue and Heacock Street (Report of: Community Development)

**Recommendation:**

That the City Council adopt Ordinance No. 943.



**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 of Sep 18, 2018 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- B.3. MINUTES of Sep 18, 2018 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

**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 of Sep 18, 2018 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- C.3. MINUTES of Sep 18, 2018 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 of Sep 18, 2018 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- D.3. MINUTES of Sep 18, 2018 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

**E. PUBLIC HEARINGS - NONE**

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

### **G. GENERAL BUSINESS**

- G.1. 3269: APPROVE CALTRANS ADOPT-A-HIGHWAY AGREEMENT (AGMT. NO. 2018-406) (RESO NO. 2018-76) (Report of: Public Works)

Public Works Director/City Engineer Wolfe provided the report.

Mayor Gutierrez requested clarification on the purpose of the second Resolution.

Public Works Director/City Engineer Wolfe explained the intention of the second Resolution.

Council Member Cabrera asked for explanation regarding encroachment permits.

Public Works Director/City Engineer Wolfe described the permit process.

Council Member Giba questioned the term of and when the pilot program will be evaluated to determine its effectiveness.

Public Works Director/City Engineer Wolfe stated that the pilot program runs annually and that Public Works staff will evaluate the successfulness of the program.

#### **Recommendations:**

1. Approve Agreement for California Department of Transportation (Caltrans) Adopt-a-Highway program with Adopt-a-Highway Litter Removal Services of America, Inc. (AAH-LRSA) for litter removal and vegetation control on State Route (SR) 60 Frederick/Pigeon Pass interchange in the amount of \$43,600 and authorize the City Manager to execute the Agreement; and
2. Adopt Resolution No. 2018-76, a Resolution of the City Council of the City of Moreno Valley, California, authorizing the City Manager to execute agreements, amendments, encroachment permits, and associated documents, subject to the City Attorney's approval, with Caltrans and Contracted Sponsors for the Adopt-a-Highway program, up to \$175,000 per project, per year, dependent upon the availability of funds in the City Council approved budget, and in accordance with Purchasing policies and applicable regulations.

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

Rafael Bruqueras

1. Expressed his support of the project.
2. Believes the program will control drifters entering the City.
3. Encouraged residents not to contribute to these individuals.

Sandra Murphy

1. Commended City staff for their work.
2. Supports the item.

Louise Palomarez

1. Complimented staff on their work.

Roy Bleckert

1. Remarked that attacks don't solve problems.
2. Urged the City Council, City staff, and residents to not encourage drifters.
3. Persuaded residents to be more involved in their communities.

Council Member Cabrera expressed his gratitude to staff for their work on the project. He noted his preference to equip the homeless with skills rather than provide money. Mentioned his desire for the City to one-day hold freeway cleanup events.

Council Member Marquez conveyed his pleasure with the agreement enabling the City to maintain portions of the freeway belonging to Caltrans. He thanked staff for negotiating the agreement.

Mayor Pro Tem Baca communicated her delight with the program which will help to clear the City of debris and looks forward to a similar program which will manage the flood channels. She acknowledged staff for their effort.

## **H. REPORTS**

### **H.1. CITY COUNCIL REPORTS**

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Mayor Pro Tem Baca reported the following:

The Commission approved the second amendment to the March LifeCare Campus Disposition and Development Agreement. Approval of this amendment

implements the Performance Schedule and reduces the agency note by \$2,040,750.

We also approved an Assignment and Assumption Agreement to enter into a ground lease with Truck Terminal Properties. This agreement assigns a ground lease to Truck Terminal Properties for truck and trailer storage needs on a 13-acre parcel, northwest of Heacock Street and San Michele Road.

#### Riverside County Habitat Conservation Agency (RCHCA)

Council Member Marquez reported the following:

- Stephens Kangaroo Rat fee transfers for Moreno Valley through June 30, 2018 are approximately \$146,000 and include nearly 15% of the total fees collected by the RCHCA.
- The RCHCA will conduct its annual “Celebrating Endangered Species” program on October 16 - 18, 2018 from 9:00 a.m. to 3:00 p.m. at Sycamore Highland Park in Riverside.
- The RCHCA Board of Directors have agreed to commence on a study that will determine the feasibility of installing small scale solar projects on RCHCA surplus lands for potential renewable energy revenue generation.

#### Riverside County Transportation Commission (RCTC)

Mayor Pro Tem Baca reported the following:

RCTC is encouraging motorists to participate in Rideshare Week, October 1-5. Commuters who make a pledge at [iecommuter.org](http://www.iecommuter.org) <<http://www.iecommuter.org/>> to rideshare at least once during Rideshare Week, are eligible to win great prizes. The IE Commuter program is intended to reduce traffic and improve air quality throughout the region. For further information, please call 1-866-RIDESHARE.

#### Riverside Transit Agency (RTA)

Council Member Marquez reported the following:

At the September 27 meeting, the Board renewed an agreement with La Sierra University extending their University Pass (U-Pass) program, allowing students to ride all RTA fixed-routes for free. The U-Pass Program is part of the RTA’s successful college and university pass programs. The estimated ridership of 5,400 trips annually directly translates to reduced congestion and improved air quality around the university.

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

Mayor Gutierrez reported the following:

- The WRCOG Executive Committee approved a policy revision to provide a change to the 3,000 square foot reduction policy for service and retail uses. Anchor tenants at or greater than 20,000 square feet would not be eligible for the reduction/exemption.
- The WRCOG Executive Committee approved the new TUMF Calculation Policy that would have WRCOG staff calculate fees rather than the local jurisdiction. The option is still available where a city can continue calculating TUMF fees.

Western Riverside County Regional Conservation Authority (RCA)

Council Member Giba reported the following:

- The August 2018 MSHCP Fee Collection Report for Moreno Valley indicates approximately \$223,000 was collected for residential and commercial/industrial projects. Four properties were approved for acquisition.

School District/City Joint Task Force - None

**H.2. CITY MANAGER'S REPORT**

(Informational Oral Presentation - not for Council action)

City Manager DeSantis responded to comments made earlier. He advised residents that every Monday in October the "M" on Box Springs Mountain will be illuminated pink in observance of Breast Cancer Month. He praised the participants of the Community Day of Service for making the event a success.

**H.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 Giba

1. Reminded the City Council that residents are still waiting on an agenda item to discuss the addition of a sixth district.
2. Requested the adoption of a General Plan Amendment.
3. Motioned for a future agenda to include a review of the video policy. Council Member Marquez seconded.

### Council Member Marquez - None

### Council Member Cabrera

1. Called for the number of days that a restaurant is allowed to sell food outside of their business to be increased. Mayor Gutierrez moved to place the item on a future Study Session Agenda.
2. Participated in the Community Day of Service.
3. Announced that the Police Substation on Iris and LaSalle is operational.
4. Mentioned that the food pantry has donated furniture available for the Police Substation.
5. Reminded residents that the food pantry is open the first and third Saturday of every month.
6. Indicated that the road improvements are more than halfway complete.
7. Additional improvements should include Moreno Beach Drive and Redlands Boulevard.
8. The golf course greens are improving.
9. The Zone four meeting was productive.
10. Raised concerns of potholes and a lack of lighting on Gilman Springs on behalf of a resident.
11. Expressed his gratitude to residents in attendance and those watching the video for engaging in local government.

### Mayor Pro Tem Baca

1. Encouraged everyone to vote.
2. Stated any disruptions at schools would have been relayed to her as she has a close relationship with Superintendent Kedziora.
3. Excited about the Caltrans agreement.
4. Looks forward to a similar relationship with the Riverside County Flood Control District.
5. Announced that the Amphitheatre ground breaking would take place on Wednesday, October 3, 2018.
6. Extended thanks to City Clerk Jacques-Nares and Executive Assistant to the Mayor and City Council Migao.

### Mayor Gutierrez

1. Recognized the importance of breast cancer awareness.
2. Invited everyone to the Amphitheatre ground breaking on Wednesday, October 3, 2018.
3. Urged residents to attend the Senior Center rededication.
4. Excited about the Adopt a Highway program.
5. Congratulated staff on a successful Community Day of Service.

## **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 7:23 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

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