

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
August 15, 2017

CALL TO ORDER - 5:00 PM

SPECIAL PRESENTATIONS

1. 4th Of July Parade Sponsor Recognitions:
 - a) Skechers - Presenting Sponsor
 - b) Waste Management - Liberty Sponsor
 - c) Duke Realty - Patriot Sponsor
 - d) Les Schwab Tire Center - Patriot Sponsor
 - e) Sares Regis Group - Patriot Sponsor

**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
August 15, 2017**

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 Gutierrez in the Council Chamber located at 14177 Frederick Street.

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Frank Wright.

INVOCATION

Pastor O.J. Philpot, Christ Community Church

ROLL CALL

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

INTRODUCTIONS

Staff:	Michelle Dawson	City Manager
	Martin Koczanowicz	City Attorney
	Pat Jacquez-Nares	City Clerk

Marshall Eyerman	Chief Financial Officer
Steve Hargis	Strategic Initiatives Manager
Michael Lloyd	Interim Public Works Director/City Engineer
Joel Ontiveros	Police Chief
Betsy Adams	Interim Parks & Community Services Director
Mike Lee	Economic Development Director
Allen Brock	Community Development Director

Mayor Gutierrez announced that Item E.3 was removed from the agenda at the request of the Developer.

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

Mayor Gutierrez opened the non-agenda items for public comments, which were received from:

Jorge Quintero

1. Thanked the City for the Interpreters.
2. The need for more parks in the City.
3. Increase sports in the community and make more sports available for free to families.

Jose Chavez

1. City improvement is getting better.
2. Requested that the parks not have sharp corners when being built.
3. Reported El Super's driveway was not wheelchair accessible.

Kathleen Dale

1. Moreno Valley Logistics Center project and the correct use on that property.
2. Special Election Certification at the June 16, 2017 Special Meeting.

Louise Palomarez

1. Disapproved of the previous speaker comments.
2. State of the Nation.

Tom Jerele, Sr.

1. Welcomed the City Council back from recess.
2. Great Fourth of July and parade.
3. Benefits of our community with properly planned development; Moreno Valley is a great place.

JOINT CONSENT CALENDARS (SECTIONS A-D)

Mayor Gutierrez opened the agenda items for the Consent Calendars for public comments, which was received from Kathleen Dale (A.4, A.7, A.8, A.10 and A.16).

Motion to Approve Joint Consent Calendar Items A.1 through D.4, with the exception of Items A.6 and A.26, which were pulled for separate action.

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

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 - Special Meeting (Ceremonial Swearing-in) - Dec 6, 2016 6:00 PM

Recommendation: Approve as submitted.

- A.3. City Council - Special Meeting (Regular Meeting) - Dec 12, 2016 6:00 PM

Recommendation: Approve as submitted.

- A.4. City Council - Regular Meeting - Jun 20, 2017 6:00 PM

Recommendation: Approve as submitted.

- A.5. LIST OF PERSONNEL CHANGES (Report of: Administrative Services)

Recommendation:

1. Ratify the list of personnel changes as described.

- A.6. Item was removed for separate action by Council Member Giba. (Report of: City Clerk)

1. Adopt Resolution No. 2017-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPOINTING DELEGATES AND ALTERNATES TO THE LEAGUE OF CALIFORNIA CITIES AS OFFICIAL REPRESENTATIVES OF THE CITY OF MORENO VALLEY; and

2. Direct staff to submit to the League a Certified copy of the Resolution appointing Mayor Pro Tem Victoria Baca as the Delegate and Council Member Ulises Cabrera as the Alternate before September 1, 2017.

A.7. MAYORAL APPOINTMENTS FOR THE RECREATIONAL TRAILS BOARD AND EMERGING LEADERS COUNCIL (Report of: City Clerk)

Recommendation:

1. Receive and confirm the slate of Mayoral appointments as follows:

Recreational Trails Board

<u>Name</u>	<u>Position</u>	<u>Term</u>	
Margie Breitzkreuz		Member	08/16/2017 to
	06/30/2020		
Gilbert Brooks		Member	08/16/2017 to
	06/30/2020		

Emerging Leaders Council

<u>Name</u>	<u>Position</u>	<u>Term</u>	
Sergio Camacho Soto*		Member	08/16/2017 to
	05/31/2019		

*Subject to completion of background

A.8. 2017 CITY COUNCIL COMMISSION, BOARD, AND TASKFORCE PARTICIPATION APPOINTMENTS (Report of: City Clerk)

Recommendations: That the City Council:

1. Ratify the appointments to the various committees and regional bodies as noted on the 2017 Council Committee Participation List – Terms End December 31, 2017.

A.9. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2016/2017 AS OF JULY 1, 2016 THROUGH JUNE 30, 2017 (Report of: City Clerk)

Recommendation:

1. Receive and file the Fiscal Year 2016/2017 Council Discretionary Expenditure Report as of July 1, 2016 through June 30, 2017.

A.10. PAYMENT REGISTER - APRIL 2017 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

A.11. PAYMENT REGISTER - MAY 2017 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

A.12. AUTHORIZATION TO AWARD CONTRACT TO HINDERLITER, DE LLAMAS AND ASSOCIATES FOR SALES TAX AUDIT AND RECOVERY SERVICES (Report of: Financial & Management Services)

Recommendations:

1. That the City Council award a contract to Hinderliter, De Llamas and Associates (HdL) to provide sales tax audit and recovery services
2. Authorize the City Manager to execute the Agreement, subject to approval as to form by the City Attorney, and subsequent amendments to the Agreement including the authority to approve purchase orders in accordance with the terms of the Agreement, provided sufficient funding appropriations have been approved by the City Council

A.13. AUTHORIZE THE AMENDMENT TO THE CONTRACT WITH TYLER TECHNOLOGIES FOR THE PURCHASE AND IMPLEMENTATION OF THE CASHIERING MODULE AND AUTHORIZE THE CITY MANAGER TO SIGN THE AMENDMENT (Report of: Financial & Management Services)

Recommendations: That the City Council

1. Authorize the amendment to the contract with Tyler Technologies for the purchase and implementation of the Tyler Cashiering module.
2. Authorize the City Manager to sign the amendment.
3. Authorize the transfer of \$50,000 from the Equipment Replacement Reserve Fund to the Technology Services Asset Fund for the replacement project.
4. Authorize the expenditure of \$50,000 for the purchase and implementation of the replacement software.

A.14. APPROVE AMENDMENT NO. 1 TO THE POWER PURCHASE AGREEMENT AMONG RE ASTORIA 2 LLC (AS SELLER) AND SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY (SCPPA), THE POWER AND WATER RESOURCES POOLING AUTHORITY (PWRPA), AND THE CITIES

OF LODI, CORONA, MORENO VALLEY, AND RANCHO CUCAMONGA
(TOGETHER, AS BUYERS) (Report of: Financial & Management Services)

Recommendation:

1. Approve Amendment No. 1 to the Power Purchase Agreement among RE Astoria 2 LLC (as Seller) and the Southern California Public Power Authority (SCPPA), the Power and Water Resources Pooling Authority (PWRPA), and the Cities of Lodi, Corona, Moreno Valley, and Rancho Cucamonga (together, as Buyers).
2. Authorize the City Manager to execute the Amendment.

A.15. APPROVAL OF CONTRACTS WITH ACCELA AND TRUEPOINT SOLUTIONS FOR DEVELOPMENT SERVICES SUPPORT AND PROFESSIONAL SERVICES (Report of: City Manager)

Recommendations:

1. Authorize the City Manager or her designee to execute contract additions to the initial contract with Accela for software support and professional services related to Development Services software for an amount not to exceed \$43,904.
2. Authorize the City Manager or her designee to execute a contract with TruePoint Solutions, LLC for software support and professional services related to Development Services software for an amount not to exceed \$111,950.
3. Authorize the City Manager or her designee to execute any subsequent related change orders to the contracts with these vendors up to, but not exceeding, a 10% contingency amount of \$15,585.

A.16. APPROVAL OF CONTRACT AMENDMENT AND NEW CONTRACT WITH LIBRARY SYSTEMS AND SERVICES FOR LIBRARY SERVICES (Report of: City Manager)

Recommendations:

1. Approve and authorize the City Manager or her designee to execute a contract with Library Systems and Services (LS&S) for provision of services at Moreno Valley's two library branches consistent with terms outlined in this report, with approval of the City Attorney.
2. Authorize the City Manager or her designee to execute a contract amendment to provide library services and furniture to a satellite library branch with (LS&S) for an amount not to exceed \$285,126

(\$151,265 for start-up costs and \$133,861 for operations).

3. Authorize the City Manager or her designee to execute any subsequent related change orders to the contracts up to, but not exceeding, a 10% contingency amount of \$182,320 annually.

A.17. APPROVE AN INDEPENDENT CONTRACTOR AGREEMENT FOR TREE TRIMMING AND REMOVAL SERVICES (Report of: Public Works)

Recommendations:

1. Approve the Independent Contractor Agreement with West Coast Arborists, Inc., 2200 E. Burton Street, Anaheim, CA 92806, in substantially the form attached hereto, to provide tree trimming and removal services in landscape maintenance districts.
2. Authorize the City Manager to execute the Independent Contractor Agreement with West Coast Arborists, Inc.
3. Authorize the issuance of purchase orders to West Coast Arborists, Inc. in the not-to-exceed amount totaling \$198,295 for fiscal year 2017/18.
4. Authorize the City Manager to execute subsequent amendments to the Agreement, including the authority to authorize purchase orders in accordance with the terms of the agreement, provided sufficient funding appropriations and program approvals have been granted by the City Council/CSD Board, which may include potential contingencies for unanticipated work.

A.18. APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF THE OLD RECHE VISTA DRIVE FROM HEACOCK STREET TO 1228 FEET NORTH WITHIN PARCEL B OF ASSESSOR'S PARCEL NUMBER 471-201-011 (Report of: Public Works)

Recommendations:

1. Approve and adopt the proposed resolution no. 2017-44, summarily vacating the Old Reche Vista Drive from Heacock Street to 1228 feet north within Parcel B of Assessor's Parcel Number (APN) 471-201-011.
2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.19. AUTHORIZATION TO AWARD PROFESSIONAL CONSULTANT SERVICES AGREEMENT TO NCE TO PROVIDE UPDATES TO THE PAVEMENT MANAGEMENT SYSTEM (Report of: Public Works)

Recommendations:

1. Award a Professional Consultant Services agreement to NCE to provide updates to the Pavement Management System (PMS).
2. Authorize the City Manager to execute a Professional Consultant Services agreement with NCE.
3. Authorize the issuance of a Purchase Order for NCE in the amount of \$123,800 when the agreement has been signed by all parties.
4. Authorize a budget adjustment set forth in the Fiscal Impact section of this report.

A.20. APPROVE THE GRANT OF EASEMENT TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (RCFC&WCD) FOR THE HEACOCK CHANNEL PROJECT NO. 804 0001 (Report of: Public Works)

Recommendations:

1. Approve the Grant of Easement to Riverside County Flood Control and Water Conservation District for the Heacock Channel project.
2. Authorize the City Manager to execute the Grant of Easement to Riverside County Flood Control and Water Conservation District.
3. Authorize the City Clerk to transmit the executed Grant of Easement to the Riverside County Recorder's Office for recordation.

A.21. AMENDMENT NO. 1 TO THE PURCHASE AND SALE AGREEMENT FOR SOUTHERN CALIFORNIA EDISON STREET LIGHTS (Report of: Public Works)

Recommendations: That the City Council:

1. Approve Amendment No. 1 to the Purchase and Sale Agreement with Southern California Edison, in substantially the form attached hereto, to acquire approximately 9,411 street lights and authorize the City Manager to execute the necessary documents.

A.22. PURSUANT TO A LANDOWNER PETITION, ANNEX ONE PARCEL INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AS AMENDMENT NO. 23 (Report of: Public Works)

Recommendation:

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2017-45, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said district.

A.23. PA04-0108 (TR 32515) APPROVE EASEMENT DEED FROM THE CITY OF MORENO VALLEY TO EASTERN MUNICIPAL WATER DISTRICT (EMWD) LOCATED AT PIGEON PASS ROAD, NORTH OF OLD LAKE DRIVE. DEVELOPER: LENNAR HOMES OF CALIFORNIA, INC. (Report of: Public Works)

Recommendations:

1. Approve the Easement Deed, located on the west side of Pigeon Pass Road, north of Old Lake Drive, by and between the City of Moreno Valley and Eastern Municipal Water District.
2. Authorize the City Manager to execute the Easement Deed with Eastern Municipal Water District.
3. Authorize the City Clerk to transmit the executed Easement Deed to the Riverside County Recorder's Office for recordation.

A.24. APPROVAL OF THE FOURTH AMENDMENT TO AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES WITH OVERLAND, PACIFIC & CUTLER, INC. FOR CAPITAL IMPROVEMENT PROJECTS (Report of: Public Works)

Recommendations:

1. Approve the Fourth Amendment to Agreement for On-Call Professional Consultant Services (Agreement) with Overland, Pacific & Cutler, Inc. (OPC) to provide Professional Consultant Real Property Services for Capital Improvement projects.
2. Authorize the City Manager to execute the Fourth Amendment with OPC.
3. Authorize the increase to the current OPC Purchase Order in the

amount of \$25,000, when the Fourth Amendment has been signed by all parties.

4. Authorize the Public Works Director to execute any subsequent amendments to the Agreement with OPC within the purchase order amount, subject to the approval of the City Attorney.

A.25. PA15-0002 (TR 35414) – OAK PARC APARTMENTS – APPROVE TRACT MAP LOCATED AT THE SOUTHEAST CORNER OF BOX SPRINGS ROAD AND CLARK STREET. DEVELOPER: RIVERVIEW PARTNERS, LP (Report of: Public Works)

Recommendations:

1. Approve Tract Map 35414 for PA15-0002.
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.26. Item was removed for separate action by Council Member Giba. (Report of: Public Works)

Recommendation:

1. Authorize a full Road Closure of Fir Avenue from Nason Street to 600 feet west of Nason Street for the reconstruction of Fir Avenue from August 31, 2017 - September 30, 2017.

A.27. APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works)

Recommendations:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake Total Maximum Daily Load (TMDL) Task Force approved as to form by the City Attorney;
2. Authorize the Mayor to execute Amendment No. 1 to Agreement;
3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement; and
4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority.

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 - REGULAR MEETING OF DEC 6, 2016 (See A.2)

Recommendation: Approve as submitted.

- B.3. MINUTES - REGULAR MEETING OF DEC 12, 2016 (See A.3)

Recommendation: Approve as submitted.

- B.4. MINUTES - REGULAR MEETING OF JUN 20, 2017 (See A.4)

Recommendation: Approve as submitted.

- B.5. ACCEPTANCE OF GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES FOR FISCAL YEAR 2017/18 AND ADOPTION OF THE RESOLUTION TO CERTIFY APPROVAL OF THE GOVERNING BOARD (Report of: Parks & Community Services)

Recommendations:

1. Authorize the acceptance of grant funds in the amount of \$663,817 and any subsequent adjustments for Fiscal Year (FY) 2017/18 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and
2. Adopt Resolution No. CSD 2017-26. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize designated personnel to sign contract documents for FY 2017/18.

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 - REGULAR MEETING OF DEC 6, 2016 (See A.2)

Recommendation: Approve as submitted.

C.3. MINUTES - REGULAR MEETING OF DEC 12, 2016 (See A.3)

Recommendation: Approve as submitted.

C.4. MINUTES - REGULAR MEETING OF JUN 20, 2017 (See A.4)

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 - REGULAR MEETING OF DEC 6, 2016 (See A.2)

Recommendation: Approve as submitted.

D.3. MINUTES - REGULAR MEETING OF DEC 12, 2016 (See A.3)

Recommendation: Approve as submitted.

D.4. MINUTES - REGULAR MEETING OF JUN 20, 2017 (See A.4)

Recommendation: Approve as submitted.

E. PUBLIC HEARINGS

E.1. PUBLIC HEARING TO OPEN 30-DAY PUBLIC COMMENT PERIOD FOR THE ASSESSMENT OF FAIR HOUSING (Report of: Financial & Management Services)

Mayor Gutierrez opened the public hearing; there being no comments in favor or in opposition the public hearing was closed at 6:46 p.m.

Recommendations: That the City Council:

1. Conduct a Public Hearing, in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements, to allow the public an opportunity to comment on the proposed Assessment of Fair Housing process.
2. Approve to open a 30-day public comment period for the Assessment of Fair Housing.

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

E.2. PUBLIC HEARING FOR TWO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDINGS (Report of: Public Works)

Mayor Gutierrez opened the public hearing; there being no comments in favor or in opposition the public hearing was closed at 6:49 p.m.

Motion to Approve Staff's Recommendation Nos. 1, 2 and 3.

Recommendations: That the City Council:

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceedings for Supreme West Property, Inc. and Moreno Valley Sleep One, LLC to approve the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate to be applied to the property tax bill(s).
2. Direct the City Clerk to count the returned NPDES ballots.
3. Verify and accept the results of the mail ballot proceedings as maintained by the City Clerk on the Official Tally Sheet.
4. Receive and file the Official Tally Sheet with the City Clerk's office.
5. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the Assessor's Parcel Numbers mentioned in this report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Cabrera, Gutierrez, Giba, Marquez, Baca

The City Clerk announced the results as follows:

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate:

Moreno Valley Sleep One, LLC
APN: 291-590-038 - Weighted Ballot Count: 1 "Yes" vote, -0- "No" vote;
passed

Supreme West Property, Inc.
APN: 297-130-065 - Weighted Ballot Count: 1 "Yes" vote, -0- "No" vote;
passed

Motion to Approve Staff's Recommendation Nos. 4 and 5.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Cabrera, Gutierrez, Giba, Marquez, Baca

- E.3. APPEAL RELATED TO IRONWOOD VILLAGE PROJECT WHICH PROPOSES A GENERAL PLAN AMENDMENT, A CHANGE OF ZONE, TENTATIVE TRACT MAP 37001, AND PLOT PLAN FOR DESIGN GUIDELINES FOR A 78.4 ACRE SINGLE FAMILY DEVELOPMENT PROJECT AT THE NORTHEAST CORNER OF IRONWOOD AVENUE AND NASON STREET, AND THE PROPOSED RELATED MITIGATED NEGATIVE DECLARATION ENVIRONMENTAL DOCUMENT (Report of: Community Development)

The Appellant requested that the appeal be removed from this meeting's agenda to be continued to a date uncertain. The item will be republished and re-noticed when the request is resubmitted by the Developer.

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

Items removed for separate action (A.6 and A.26) were heard after Mayor Gutierrez closed the public hearing testimony for Item E.2, before the ballots were opened and action was taken.

- F.1. (Item A.6) Selection of Voting Delegates for the California League of Cities 2017 Annual Conference (Report of: City Clerk)

Mayor Gutierrez opened the agenda item for public comments, which was received from Kathleen Dale (Opposed).

1. Adopt Resolution No. 2017-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPOINTING DELEGATES AND ALTERNATES TO THE LEAGUE OF CALIFORNIA CITIES AS OFFICIAL REPRESENTATIVES OF THE CITY OF MORENO VALLEY; and
2. Direct staff to submit to the League a Certified copy of the Resolution

appointing Mayor Pro Tem Victoria Baca as the Delegate and Council Member Ulises Cabrera as the Alternate before September 1, 2017.

RESULT:	APPROVED [3 TO 2]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Ulises Cabrera, Dr. Yxstian A. Gutierrez, Victoria Baca
NAYS:	Jeffrey J. Giba, David Marquez

F.2. (Item A.26) AUTHORIZATION TO CONDUCT A FULL ROAD CLOSURE OF FIR AVENUE FROM NASON STREET TO 600 FEET WEST OF NASON STREET FOR THE RECONSTRUCTION OF FIR AVENUE FROM AUGUST 31, 2017 - SEPTEMBER 30, 2017 (Report of: Public Works)

Mayor Gutierrez opened the agenda item for public comments, which were received from Leo Gonzales (Supports) and Louise Palomarez (Supports).

Recommendation:

1. Authorize a full Road Closure of Fir Avenue from Nason Street to 600 feet west of Nason Street for the reconstruction of Fir Avenue from August 31, 2017 - September 30, 2017.

RESULT:	APPROVED [3 TO 1]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Dr. Yxstian A. Gutierrez, Mayor
AYES:	Ulises Cabrera, Dr. Yxstian A. Gutierrez, Victoria Baca
NAYS:	David Marquez
ABSTAIN:	Jeffrey J. Giba

G. GENERAL BUSINESS

Mayor Gutierrez announced that Item G.5 would be heard prior to Item G.1

G.1. APPROVAL OF LEASE AGREEMENT WITH 2250 TOWN CIRCLE HOLDINGS, LLC FOR SPACE FOR A LIBRARY (Report of: City Manager)

Mayor Gutierrez opened the agenda item for public comments, which were received from Kathleen Dale (Questions on location) and Leonardo Gonzales (Concept of working together with the Moreno Valley College and Historical Society on providing a Learning Center).

Recommendations:

1. Authorize the City Manager or her designee to sign a lease agreement with 2250 Town Circle Holdings, LLC for space in the Moreno Valley Mall for a Library for an amount not to exceed

\$212,454.46.

2. Authorize the City Manager or her designee to execute any subsequent related change orders to the contract up to, but not exceeding, a 5% contingency amount of \$10,623.

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

G.2. APPROVAL OF A \$1.2 MILLION PHASE 1 CITYWIDE SLURRY SEAL PROJECT (Report of: Public Works)

Mayor Gutierrez opened the agenda item for public comments, which were received from Tom Jerele, Sr. (Supports) and Robert Palomarez (Supports).

1. Approve a Phase 1 Citywide Slurry Seal Project to repair roadways in all areas of the City of Moreno Valley.
2. Approve an appropriation of up to \$1,200,000 from State Gas Tax Funds (Senate Bill No. 1 Revenues) for the Phase 1 Citywide Slurry Seal Project, as part of the citywide Capital Improvement Plan.
3. Adopt Resolution No. 2017-46 - A Resolution approving the Local Streets and Roads Project List for submission to the California Transportation Commission.
4. Approve the amended budget as set forth in the Fiscal Impact Section of this report.
5. Authorize the Public Works Director to make any minor modifications to the project list to comply with the California Transportation Commission submission forms and filing requirements, once available.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Cabrera, Gutierrez, Giba, Marquez, Baca

Mayor Gutierrez recessed the meeting at 7:51 p.m.

Mayor Gutierrez reconvened the meeting at 8:03 p.m.

G.3. A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING A FORM OF PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE SALE AND DELIVERY OF ITS SUBORDINATE TAX ALLOCATION REFUNDING BONDS; CONFIRMING ACTIONS PREVIOUSLY TAKEN, INCLUDING APPROVAL OF A FORM OF BOND PURCHASE CONTRACT; MAKING CERTAIN DETERMINATIONS RELATING THERETO; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH (Report of: Financial & Management Services)

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

Recommendations: That the City Council as Successor Agency:

1. Adopt the resolution approving a Form of Preliminary Official Statement in connection with the sale and delivery of its subordinate tax allocation refunding bonds and authorizing actions related to the issuance of refunding bonds..

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

G.4. ADOPT AN ORDINANCE AMENDING THE MUNICIPAL CODE TO ADD CHAPTER 14.40 ADOPTING REGULATIONS FOR THE PLANTING AND MAINTENANCE OF TREES WITHIN THE CITY AND AUTHORIZE THE MAYOR TO SIGN THE APPLICATION FOR TREE CITY USA DESIGNATION (Report of: Public Works)

Mayor Gutierrez opened the agenda item for public comments, which were received from Kathleen Dale (Supports) and Tom Jerele, Sr (Supports).

Recommendations: That the City Council

1. Introduce and conduct first reading by title only of Ordinance No.923. An Ordinance of the City Council of the City of Moreno Valley, California, amending the Municipal Code to add Chapter 14.40 adopting regulations for the planting and maintenance of trees within the City.
2. Authorize the Mayor to sign the Application for Tree City USA Designation.

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

Item G.5 was heard before Item G.1.

G.5. MORENO VALLEY COLLEGE PROMISE INITIATIVE (Report of: City Clerk)

Mayor Gutierrez opened the agenda item for public comments, which were received from Louise Palomarez (Supports).

Recommendations: That the City Council:

1. Approve support for first year Moreno Valley resident students attending Moreno Valley College via the Promise Initiative. Support for the Moreno Valley College Promise Initiative would be offered as a pilot program for fiscal year 2017/18.
2. Authorize the City Manager to execute the attached agreement with Moreno Valley College and authorize the one-time \$50,000 expenditure.
3. Authorize a budget adjustment to the General Fund budget as set forth in Table 1 in the Fiscal Impact section of this report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Cabrera, Gutierrez, Giba, Marquez, Baca

G.6. REQUEST FOR CITY SPONSORSHIP OF CINEMA CULTURAS 4th ANNUAL FILM FEST (Report of: City Manager)

Mayor Gutierrez opened the agenda item for public comments, which were received from Tom Jerele, Sr. (Supports), Laura Banks (Supports) and Louise Palomarez (Supports).

Recommendations:

1. Consider a request by Cinema Culturas for City sponsorship for the 4th Annual Film Fest.
2. Approve budget adjustment as set forth in the Fiscal Impact section of this report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ulises Cabrera, Council Member
SECONDER:	David Marquez, Council Member
AYES:	Cabrera, Gutierrez, Giba, Marquez, Baca

G.7. Resolution Amending Rules of Procedure for Council meetings (Report of: City Attorney)

Mayor Gutierrez opened the agenda item for public comments, which were received from Kathleen Dale (Opposed), Tom Jerele, Sr. (Supports) and Louise Palomarez (Supports).

Recommendations: That the City Council:

1. Consider the adoption of a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS. Said Resolution updates the Rules of Procedure for Council Meetings to reflect the Directly Elected Mayor position, correct the Agenda Order section and change certain rules pertaining to placing items on an Agenda.

RESULT:	APPROVED [3 TO 2]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Ulises Cabrera, Dr. Yxstian A. Gutierrez, Victoria Baca
NAYS:	Jeffrey J. Giba, David Marquez

H. REPORTS

H.1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Mayor Gutierrez provided an update from the March Joint Powers Commission meetings held on June 28th, July 12th, and July 26th.

Over those meetings, the Commission approved the MS Alessandro Business Park project, a proposed 157 thousand sq. ft. development north of the Metrolink station.

We also approved the sublease of some space at the March Field Air Museum to the American Aerospace Technical Academy to operate a vocational training program for aerospace-related jobs.

We granted a force majeure extension of time to the March LifeCare project.

We also heard updates:

- by RCTC on their regional transportation improvements and
- by EMWD on the rising groundwater issue at the base.

Riverside County Habitat Conservation Agency (RCHCA)

No Report.

Riverside County Transportation Commission (RCTC)

Mayor Pro Tem Baca provided an update on RCTC:

The U.S. Department of Transportation announced an award of \$152 million to RCTC to help finance the construction of new [I-15 Express Lanes](http://i15project.info/) [<http://i15project.info/>](http://i15project.info/). The funds will come from the Transportation Infrastructure Finance and Innovation Act (TIFIA), a rigorous and highly competitive program.

This major funding award will offset the local taxpayers' share of the project cost and will allow the work to begin in 2018. The I-15 Express Lanes project, approximately 15 miles in length from Cajalco Road to the Riverside/San Bernardino County line, will reduce congestion, improve quality of life, and deliver commuters valuable time savings. The lanes are anticipated to open in mid-2020.

Riverside Transit Agency (RTA)

Council Member Marquez provided an update on RTA:

RTA will launch the new RapidLink Gold Line on August 28, 2017. The Gold Line is the first phase of limited-stop bus service that will travel along Route 1 between the University of California, Riverside (UCR) and the Corona Transit Center. RapidLink's weekday service will be frequent with buses departing Corona and UCR every 15 minutes during peak commuting hours. RTA is offering free rides on RapidLink service during the first week of service, August 28 through September 1. The 2nd phase of limited-stop bus service, the Blue Line, will be coming to Moreno Valley in the near future.

In addition, more than 2,500 RTA bus stops will receive sign upgrades. More modern versions will replace the "Bus Stops Here" signs and include larger route numbers color-coded by type of bus service, information on final destinations, RTA contact information, and universal bus symbols for non-English speaking transit users. The project will be completed over the next several months.

Western Riverside Council of Governments (WRCOG)

Mayor Gutierrez provided an update on the items covered at the WRCOG Executive Committee meeting on August 7, 2017 and during Council Recess that

included:

- The Executive Committee approved an update to the TUMF Fee Calculation Handbook to exempt fees for the first 3,000 square feet of new and existing retail and service use development.
- WRCG executed a TUMF Reimbursement Agreement of \$1,100,000 with the City of Moreno Valley for the Heacock Street Widening Project.
- The Executive Committee has given the go ahead for WRCOG staff to draft an opposition letter for Senate Bill 649, which would streamline permits and prohibit local review of small cell wireless telecommunications facilities in right of ways. Moreno Valley has already provided a separate letter of opposition for the item.
- The approved TUMF Reimbursement Agreement will include \$13,248.280 for the Moreno Beach/SR60 Interchange Project. Phase 2 will provide widening of the Moreno Beach Drive overcrossing and realignment of the westbound ramps.
- The Executive Committee has approved a final draft of the 2016 TUMF Nexus Study, which includes implementation of a four year fee reduction of \$3.00/square foot for retail land uses and a two year freeze/two year phased in \$545 per unit fee increase beginning in 2020 for single-family residential projects.
- The Executive Committee agreed to add a new TUMF fee category for active senior housing projects. The fee rate takes into consideration that senior housing projects generate less traffic. The new proposed TUMF fees are approximately 50% of the existing multiple-family TUMF rates.
- The recommended TUMF Fee adjustments include a 6% increase for single-family residential, a 2% reduction for multiple-family residential, a 3% increase for industrial, a 17% increase for retail and a 9% increase for service uses. The next step will be for the WRCOG Executive Committee to consider and take action, which is expected in July.
- The round two WRCOG Beyond Program funding allocations were discussed. Moreno Valley's allocation is \$161,049.24 and will be used for a variety of projects including the Juan Batista Trail crossing, a Healthy Moreno Valley Campaign and public outreach related to development of a new Healthy Community Element.
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Western Riverside County Regional Conservation Authority (RCA)

Council Member Giba provided an update from the most recent RCA Board meeting:

The MSHCP fee report received showed that in February, Moreno Valley collected \$17,928.00 for residential developments and \$186,856.80 for commercial/industrial development. In March, Moreno Valley collected \$31,872 for residential development.

School District/City Joint Task Force

Mayor Pro Tem Baca provided an update on the Joint Task Force that met earlier in the day. In addition to the City, representatives from Lake Perris State Recreation Area, Moreno Valley College, and Moreno Valley Unified School District attended the meeting.

- Lake Perris shared that the lake will be a site for 2028 Olympic rowing and canoeing competitions. Lake Perris also reported that dam repair work will be completed in the next few weeks. The lake's water level will then be increased by 44 vertical feet over the next 6 months. Attendance at Lake Perris is up 40% over the prior year.

Southern California Association of Governments (SCAG)

Council Member Giba provided an update from the Southern California Association of Governments (SCAG):

Attended the Legislative Communications and Membership Committee earlier in the day with discussions on an action item, which was approved on the SCAG sponsorship with UCLA Lewis Center Institute of Transportation Studies and SCAG sponsored \$20,000 to that symposium.

SB 35 was authored by Senator Weiner, the Planning Zoning and Affordable Housing streamlined approval process. The League of California Cities took a very strong “no support” and the raw bill that does conflicting with the streamline process as well. Initially the SCAG suggested supporting the bill, although there are 17 members that represent 17 different cities and districts in Southern California. The first vote was to oppose the bill, which failed by 9 to 8. The second was to oppose, unless amended, and was approved unanimously. He announced he would be going to Sacramento on August 30 to lobby on behalf of Southern California.

Plans to attend the Big Data and Open Data Subcommittee scheduled for August 16.

H.2. CITY MANAGER'S REPORT

City Manager Dawson reported that August 16 marks the one year since adoption of the Momentum MoVal, the City's first Strategic Plan. On September 5 the staff will be presenting a thorough update with regard to the excellent progress that the Council and staff are making on the priorities and objectives. The Council has advanced a number of them tonight with library services being enhanced and committing to funding to infrastructure and improving quality of life with the sponsorship of the Latin Film festival and your promise initiative as well.

H.3. CITY ATTORNEY'S REPORT

City Attorney Koczanowicz commended his staff for the information provided to PERMA for the recovery of approximately \$258,000 for the City COFRs.

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 Marquez

1. Shout out to Code Enforcement for doing great work.
2. Commented on the resident who spoke on the full road closure.
3. Comment made by resident earlier regarding tech school facts.
4. Comments made on being a bookend on Dais. Stated he made his own decisions and was not a Bookend.
5. Reminded everyone that schools are back in session and to be careful when driving and be aware of the children around the schools with kids on the streets.

Council Member Giba

1. Spent a week with students in Michigan over the Council recess, where he was invited by his brother to be an instructor at a leadership academy and their medical academy. He represented himself and our City as a Councilmember and leadership background from the United States Navy.

- Stayed at Central Michigan University and spent a day at Western Michigan Medical School, had a great time and opportunity to learn with the students.
2. The fire on Hidden Springs was not the first. He watched the fire from his balcony and shared there were multiple fire units during cleanup. While he spoke to the residents, he also thanked the fire crews for their hard work.
 3. Thanked Council Member Marquez for his assistance in speaking with the residents in his district during the fire.
 4. At the end of the SCAG agenda stated that any committee member may request to add any such requests.

Council Member Cabrera

1. Welcomed Chief Ontiveros back.
2. Thanked Chief Ahmad and the Fire Department for their hard work in putting out the fire. He also thanked the Police Department for their assistance with the evacuations.
3. While attending the Joint Task Force earlier in the day, a representative from Lake Perris shared with him that the Olympics 2028 is official and there will be rowing and canoeing at Lake Perris.
4. El Grito event will be held at the college on September 15 from 6:00 to 9:30 pm
5. Thanked staff.

Mayor Pro Tem Baca

1. Welcome back from Council recess.
2. Announced the El Grito event on September 15 at Moreno Valley College from 6:00 to 9:30 p.m.
3. Congratulated the winners of the 4th of July event.
4. Announced the State of the City would be held August 16 and the event is sold out. However there will be a simulcast of the event available in the Alessandro Room at the Conference and Recreation Center for those who do not have tickets and there will be light refreshments provided.
6. Momentum MoVal, excited for the good things happening in Moreno Valley and moving forward.

Mayor Gutierrez

1. The State of the City will be held tomorrow; the City of Los Angeles' 41st Mayor, Antonio Villagrosa will be attending who is running for Governor. Thank you to all of staff for their hard work in preparing for the event.
2. He confirmed he was Mr. Crayola at the first day of school.
3. Spoke on creating partnerships to bring people and different agencies together. He commended Dr. Steinbeck, of Moreno Valley College, for opening her doors for the El Grito event and with Promise Initiative.
4. Latin Film Festival; thanked Council Member Cabrera for his assistance and participation on the committee to get this event in our City for the first time.
5. Expansion of Library Services.
6. Encouraged everyone to take advantage of our interpreters.

ADJOURNMENT

There being no further business the Regular Meeting was adjourned at 9:37 p.m.

Submitted by:

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:

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