



AGENDA
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

December 11, 2018

SPECIAL MEETING – 6:00 PM

City Council Study Sessions

Second Tuesday of each month – 6:00 p.m.

City Council Meetings

Special Presentations – 5:30 P.M.

First & Third Tuesday of each month – 6:00 p.m.

City Council Closed Session

Will be scheduled as needed at 4:30 p.m.

City Hall Council Chamber – 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Dr. Yxstian A. Gutierrez, Mayor

Victoria Baca, Mayor Pro Tem
Ulises Cabrera, Council Member

David Marquez, Council Member
Carla Thornton, Council Member

**AGENDA
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**

***THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD
MEETINGS***

**SPECIAL MEETING – 6:00 PM
DECEMBER 11, 2018**

CALL TO ORDER

Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item.

INVOCATION

Senior Pastor Donald Wilson, Lighthouse Baptist Church

PRESENTATION OF COLORS

Blue Eagles Total Force Honor Guard

NATIONAL ANTHEM

Canyon Springs High School Choir

PLEDGE OF ALLEGIANCE

Frank Wright

POSTING OF COLORS

Blue Eagles Total Force Honor Guard

AMERICA THE BEAUTIFUL

Emily Adkins, Soloist, Canyon Springs High School

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA ONLY

SPECIAL ORDER OF BUSINESS

1. RESOLUTION RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2018, DECLARING THE OFFICIAL RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW (Report of: City Clerk)

Recommendation: That the City Council:

1. Adopt A Resolution of the City Council of the City of Moreno Valley, California, reciting the fact of the General Municipal Election held on November 6, 2018, declaring the results and such other matters as provided by law.

RECOGNITION OF OUTGOING CITY OFFICIALS

City Council Comments/Presentations

Jeffrey Giba

PRESENTATION OF THE CERTIFICATES OF ELECTION AND ADMINISTRATION OF THE OATHS OF OFFICE TO NEWLY ELECTED OFFICIALS

Council Member District 2 - Oath and Remarks

Council Member District 4 - Oath and Remarks

Mayor - Oath and Remarks

RECOGNITION TO NEWLY ELECTED CITY OFFICIALS BY THE CITY COUNCIL AND/OR OTHER PUBLIC OFFICERS

RECESS TO RECEPTION IN THE MAIN LOBBY

RECONVENE CITY COUNCIL MEETING

ROLL CALL

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

- A.1. MINUTES - SPECIAL MEETING (CLOSED SESSION) - NOV 13, 2018 4:30 PM

Recommendation: Approve as submitted.

- A.2. MINUTES - SPECIAL MEETING - NOV 13, 2018 6:00 PM

Recommendation: Approve as submitted.

- A.3. MINUTES - SPECIAL MEETING - NOV 19, 2018 5:00 PM

Recommendation: Approve as submitted.

- A.4. RECEIVE THE ANNUAL AB1600 COMPLIANCE REPORT FOR FISCAL YEAR 2017-18 AND THE FIVE-YEAR REPORT (Report of: Financial & Management Services)

Recommendations:

1. Receive and file the Annual AB 1600 Compliance Report for FY 2017-18 and the Five-Year Report in compliance with California Government Code sections 66006 and 66001.
2. Approve the finding that staff has demonstrated a continuing need to hold unexpended Development Impact Fees.

- A.5. APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Financial & Management Services)

Recommendation:

1. Approve Resolution No. 2018-XX. A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates for Moreno Valley Utility (MVU).

- A.6. AUTHORIZE AN INCREASE TO THE CONTRACT AMOUNT WITH HIGH COUNTRY LINE CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE KITCHING STREET ELECTRICAL SUBSTATION AND SWITCHYARD PROJECT (Report of: Financial & Management Services)

Recommendations:

1. Approve a Change Order and an increase in existing Purchase Order for High Country Line Construction, Inc. in the amount of \$465,000 to cover unanticipated work including additional work required by Southern California Edison.
2. Authorize the City Manager to execute a Change Order to High Country Line Construction, Inc.

- A.7. AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO HOT LINE CONSTRUCTION, INC. FOR THE HEACOCK CROSSTOWN TIE IMPROVEMENTS, PROJECT NO. 805 0043 (Report of: Financial & Management Services)

Recommendations:

1. Award the construction contract to Hot Line Construction, Inc., 9020 Brentwood Boulevard, Suite H, Brentwood, CA 94513, the lowest responsible bidder, for the Heacock Crosstown Tie 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 \$1,816,798 (\$1,579,824 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 Hot Line Construction, Inc. up to, but not exceeding, the 15% contingency amount of \$236,974, subject to the approval of the City Attorney.
5. Amend the FY 2017/2018 & 2018/2019 Adopted Capital Improvement Plan and Appropriate \$357,300 from the Moreno Valley Utility Fund (Account No. 6011 30 80 80005 720199) to cover the construction and administrative costs.

- A.8. LIST OF PERSONNEL CHANGES (Report of: Human Resources)

Recommendation:

1. Ratify the list of personnel changes as described.

A.9. CONSIDERATION OF PROPOSED VOLUNTARY EARLY RETIREMENT INCENTIVE PROGRAM (Report of: Human Resources)

Recommendation:

1. Staff recommends that the City Council approve the Proposed Voluntary Early Retirement Incentive (VERI) program.

A.10. APPROVAL TO FUND A COMMUNITY SERVICES COORDINATOR POSITION (Report of: Human Resources)

Recommendation:

1. Authorize the Parks and Community Services Department to de-fund one Administrative Assistant position and fund one Community Services Coordinator position.
2. Authorize the City Position Summary, as amended, to reflect the de-funding of one Administrative Assistant position and the funding of one Community Services Coordinator position.

A.11. TELECOMMUNICATIONS LICENSE AGREEMENT WITH LOS ANGELES SMSA LIMITED PARTNERSHIP, d/b/a VERIZON WIRELESS, FOR A CELL TOWER AT EL POTRERO PARK (Report of: Parks & Community Services)

Recommendations:

1. Authorize the Mayor to execute a Telecommunications License Agreement with Los Angeles SMSA Limited Partnership, d/b/a Verizon Wireless, on the property known as El Potrero Park.
2. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreement, subject to the approval of the City Attorney.
3. Approve the amended budget as set forth in the Fiscal Impact Section of this report.

A.12. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2018/2019 AS OF JULY 1, 2018 THROUGH OCTOBER 31, 2018 (Report of: City Clerk)

Recommendation:

1. Receive and file the Fiscal Year 2018/2019 Council Discretionary Expenditure Report for July 1, 2018 through October 31, 2018.

A.13. MAYORAL APPOINTMENTS TO THE EMERGING LEADERS COUNCIL, SENIOR CITIZEN'S BOARD AND THE ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD (Report of: City Clerk)

Recommendation:

1. Receive and confirm the Mayoral appointments as follows:

Emerging Leaders Council

<u>Name</u>	<u>Position</u>	<u>Term</u>
Patrick Samones	Member	Ending 05/31/2020

Senior Citizen's Board

<u>Name</u>	<u>Position</u>	<u>Term</u>
Cleveland Johnson	Member	Ending 06/30/2021

Environmental and Historical Preservation Board

<u>Name</u>	<u>Position</u>	<u>Term</u>
Gerald Michael Budlong	Member	Ending 06/30/2021

A.14. ADOPTION OF ORDINANCE LOCAL MORENO VALLEY COMMERCIAL CANNABIS ACTIVITY TAX. (Report of: City Clerk)

Recommendations: That the City Council:

1. By motion, adopt an Ordinance of the People of the City of Moreno Valley, California, Amending Moreno Valley Municipal Code to add Chapter 3.28 "Commercial Cannabis Activity Tax" Setting the Maximum Amount of Tax Rate at Eight Percent (8%) And \$15.00 Per Square Foot for Cultivation Businesses for the Purpose of Funding Local General Municipal Services

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. MINUTES - SPECIAL CLOSED SESSION OF NOV. 13, 2018 (See A.1)

Recommendation: Approve as submitted.

- B.2. MINUTES - SPECIAL MEETING OF NOV. 13, 2018 (See A.2)

Recommendation: Approve as submitted.

B.3. MINUTES - SPECIAL MEETING OF NOV. 19, 2018 (See A.3)

Recommendation: Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1. MINUTES - SPECIAL CLOSED SESSION OF NOV. 13, 2018 (See A.1)

Recommendation: Approve as submitted.

C.2. MINUTES - SPECIAL MEETING OF NOV. 13, 2018 (See A.2)

Recommendation: Approve as submitted.

C.3. MINUTES - SPECIAL MEETING OF NOV. 19, 2018 (See A.3)

Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1. MINUTES - SPECIAL CLOSED SESSION OF NOV. 13, 2018 (See A.1)

Recommendation: Approve as submitted.

D.2. MINUTES - SPECIAL MEETING OF NOV. 13, 2018 (See A.2)

Recommendation: Approve as submitted.

D.3. MINUTES - SPECIAL MEETING OF NOV. 19, 2018 (See A.3)

Recommendation: Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Sergeant-at-Arms.

E.1. PROPOSED GENERAL PLAN AMENDMENT FOR PROJECTS 1 AND 2; PROJECT 1, CENTERPOINTE COMMERCE CENTER, INCLUDING A CHANGE OF ZONE AND PLOT PLAN FOR THE DEVELOPMENT OF A 204,022 SQUARE FOOT WAREHOUSE PROJECT ON 8.8 ACRES; AND PROJECT 2, BRODIAEA RESIDENTIAL PROJECT, INCLUDING A CHANGE OF ZONE, AND TENTATIVE TRACT MAP FOR 45 SINGLE-FAMILY RESIDENTIAL LOTS ON APPROXIMATELY 8.85 ACRES (Report of: Community Development)

Recommendations: That the City Council:

1. **CONDUCT** a public hearing for review of Project 1 and defer taking action on Project 1 until after the public hearing for Project 2; and
2. **CONDUCT** a public hearing for review of Project 2, then take action on Project 1 and Project 2; and
3. **ADOPT** Resolution No. 2018-XX; A Resolution of the City Council of the City Moreno Valley for Project 1 **CERTIFYING** the Final Mitigated Negative Declaration (MND, PEN18-0026) prepared for the Centerpointe Commerce Center Project, inclusive of all related applications on file with the Community Development Department, incorporated herein by this reference, whereby the Final MND has been completed in compliance with the California Environmental Quality Act and reflects the City's independent judgement and analysis; and **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Centerpointe Commerce Center project; and
4. **ADOPT** Resolution No. 2018-XX; A Resolution of the City Council of the City Moreno Valley for Project 2 **CERTIFYING** the Final Mitigated Negative Declaration (MND, PEN18-0055) prepared for the Brodiaea Residential Project inclusive of all related applications on file with the Community Development Department, incorporated herein by this reference, whereby the Final MND has been completed in compliance with the California Environmental Quality Act and reflects the City's independent judgement and analysis; and **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Brodiaea Residential Project; and
5. **APPROVE** Resolution No. 2018-17, A Resolution of the City of Moreno Valley approving a General Plan Amendment thereby establishing General Plan designations for Project 1 and Project 2, as described in the Resolution and included on the revised General Plan Land Use Maps; and,
6. **INTRODUCE** and conduct the first reading by title only of Ordinance No. 2018-XX approving a Zone Change (PEN18-0025) for Project 1 from Office (O) to Light Industrial (LI), based on the findings in the Ordinance, and the revised Zoning Atlas; and
7. **APPROVE** Resolution No. 2018-XX: A Resolution of the City Council of the City of Moreno Valley approving Plot Plan PEN18-0023 for Project 1 based on the findings contained in this resolution, and subject to the conditions of approval included as Exhibit A; and

8. **SCHEDULE** the introduced Ordinance for the second reading and final action for the next regular City Council meeting.
9. **INTRODUCE** and conduct the first reading by title only of Ordinance No. 2018-XX approving a Change of Zone (PEN18-0054) for Project 2 from R3 (maximum 3 units/acre) to RS10 (single-family residential, maximum 10 units/acre) based on the findings in the Ordinance, and the revised Zoning Atlas; and
10. **APPROVE** Resolution No. 2018-XX: A Resolution of the City Council of the City of Moreno Valley approving a Tentative Tract Map (PEN18-0092) for Project 2 based on the findings contained in this resolution, and subject to the conditions of approval included as Exhibit A; and
11. **SCHEDULE** the introduced Ordinance for the second reading and final action for the next regular City Council meeting.

E.2. A GENERAL PLAN AMENDMENT, CHANGE OF ZONE, AND CONDITIONAL USE PERMIT FOR DEVELOPMENT OF A DONUT STORE / CONVENIENCE STORE WITH GASOLINE SALES AND CAR WASH LOCATED AT THE NORTHEAST CORNER OF PERRIS BOULEVARD AND COTTONWOOD AVENUE (Report of: Community Development)

Recommendations: That the City Council:

1. ADOPT Resolution No. 2018-XX: A Resolution of the City Council of the City of Moreno Valley CERTIFYING the Mitigated Negative Declaration prepared for the Yum Yum Donuts Moreno Valley project, inclusive of all related applications on file with the Community Development Department, incorporated herein by this reference, whereby the Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act, and the information and findings contained in the Mitigated Negative Declaration reflects the City's independent judgment and analysis; and ADOPTING the Mitigation Monitoring and Reporting Program prepared for the Yum Yum Donuts Moreno Valley project; and
2. ADOPT Resolution No. 2018-XX approving the request by Yum Yum Donuts for a General Plan Amendment (PEN16-0086), from Residential/Office (R/O) to Commercial (C) for a 1.77-acre site located at the northeast corner of Perris Boulevard and Cottonwood Avenue, based on the findings in the Resolution, the Revised General Plan Land Use Map; and
3. INTRODUCE and conduct the first reading by title only of Ordinance No. 2018-XX approving the request of Yum Yum Donuts for a Zone Change (PEN16-0087) from Office Commercial (OC) to Community Commercial (CC) for a 1.77-acre site located at the northeast corner of

Perris Boulevard and Cottonwood Avenue, as described in the Ordinance, based on the findings in the Ordinance, and the revised Zoning Atlas; and

4. ADOPT Resolution No. 2018-XX: A Resolution of the City Council of the City of Moreno Valley approving the request of Yum Yum Donuts for a Conditional Use Permit PEN16-0088 for a convenience store with gasoline sales, carwash, and alcohol beer and wine sales for a 1.77-acre site located at the northeast corner of Perris Boulevard and Cottonwood Avenue, based on the findings contained in this Resolution, and subject to the conditions of approval included as Exhibit A; and
5. SCHEDULE the introduced Ordinance for second reading and final action for the next regular City Council meeting.

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

G. GENERAL BUSINESS

- G.1. CONSIDERATION OF CHANGING THE NUMBER OF COMMERCIAL CANNABIS BUSINESS PERMITS ALLOWED IN THE CITY (Report of: Financial & Management Services)

Recommendations: That the City Council:

1. Consider a change in the maximum number of Commercial Cannabis Business Permits that would be issued in the City.

H. REPORTS

H.1. CITY COUNCIL REPORTS

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Riverside County Habitat Conservation Agency (RCHCA)

Riverside County Transportation Commission (RCTC)

Riverside Transit Agency (RTA)

Western Riverside Council of Governments (WRCOG)

Western Riverside County Regional Conservation Authority (RCA)

School District/City Joint Task Force

H.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

H.3. CITY ATTORNEY'S REPORT

(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.

ADJOURNMENT

PUBLIC INSPECTION

The contents of the agenda packet are available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

Any written information related to an open session agenda item that is known by the City to have been distributed to all or a majority of the City Council less than 72 hours prior to this meeting will be made available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

CERTIFICATION

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, certify that 72 hours prior to this Regular Meeting, the City Council Agenda was posted on the City's website at: www.moval.org and in the following three public places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Pat Jacquez-Nares, CMC & CERA
City Clerk

Date Posted: December 7, 2018