

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**October 1, 2019**

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

**SPECIAL PRESENTATIONS**

1. Business Spotlight
  - a) Unlimited Quest
  - b) BurgerIM
2. Public Power Week Proclamation
3. Fire Prevention Week Proclamation
4. Community Planning Month Proclamation

**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 1, 2019**

**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, Moreno Valley Public Financing Authority and the Board of Library Trustees was called to order at 6:07 p.m. by Mayor Pro Tem Baca in the Council Chamber located at 14177 Frederick Street.

Mayor Pro Tem Baca 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 Abel Cordero, Moreno Hills Seventh-Day Adventist Church

**ROLL CALL**

Council:	Victoria Baca	Mayor Pro Tem
	Ulises Cabrera	Council Member
	Dr. Carla J. Thornton	Council Member

Absent:	Dr. Yxstian A. Gutierrez	Mayor
	David Marquez	Council Member

**INTRODUCTIONS**

Staff:	Pat Jacquez-Nares	City Clerk
	Kathryn Vigil	Deputy City Clerk
	Marshall Eyerman	Chief Financial Officer/City Treasurer

Martin Koczanowicz  
Tom DeSantis  
Allen Brock  
Mike Lee  
Patty Nevins  
Dave Lelevier  
Abdul Ahmad  
Patti Solano  
Michael Wolfe

City Attorney  
City Manager  
Assistant City Manager  
Economic Development Director  
Acting Community Development Director  
Acting Chief of Police  
Fire Chief  
Parks and Community Services Director  
Public Works Director/City Engineer

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

### Keith Howerton

1. As a recent recipient of a parking citation, he expressed concern over the lack of signage notifying residents of the street sweeping schedule.

### Daryl Terrell

1. Communicated his prayers to Diego's family and the students and parents of Landmark Middle School.
2. Encouraged residents to believe in themselves.

### Nick Filippelli

1. Suggested that the City Council consider allowing small farm animals on residential properties.

### Adriana Kingston

1. Invited residents to the Bear Valley Elementary School Afterschool Open House on October 24, 2019.

### Marcia Narog

1. Dissatisfied with the condition of the roads on the Northeast end of the City.
2. Shopping cart theft, mail theft, and break-ins contradict the City's idyllic image.

### Barbara Baxter

1. Remarked on the successful Equine Disaster Expo and thanked Council Member Thornton for attending.
2. Announced that the next Expo is scheduled for 9/19/2020.
3. Upset about the insurance requirement for the four hour long event. Praised Parks and Community Services Director Solano for covering the cost.

### Bob Palomarez

1. Thanked Acting Chief of Police Lelevier and Chief Ahmad for their work.
2. Attended the School Board Meeting regarding the death of the student at Landmark Middle School.
3. Disappointed with what he sees as a lack of accountability from the School District. Advocated for recalling them.

Sandra Murphy

1. Introduced an anti-bullying petition.

Louise Palomarez

1. Asked that the meeting be closed in memory of Diego, the murdered student at Landmark Middle School.
2. Frustrated with the School Board.
3. Supports the City Council.

#### JOINT CONSENT CALENDARS (SECTIONS A-E)

Mayor Pro Tem Baca opened the Consent Agenda item for public comments, where was received from Louise Palomarez (Support Item No. A.14).

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

#### 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 - Regular Meeting - Sep 17, 2019 6:00 PM

**Recommendation:** Approve as submitted.

- A.3. MAYORAL APPOINTMENT TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk)

**Recommendation:**

1. Receive and confirm the following Mayoral appointment:

#### **TRAFFIC SAFETY COMMISSION**

<u>Name</u>	<u>Position</u>	<u>Term</u>
Marla A. Matime	Member	Ending 06/30/21

A.4. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2019/2020 AS OF JULY 1, 2019 THROUGH AUGUST 31, 2019 (Report of: City Clerk)

**Recommendation:**

1. Receive and file the Fiscal Year 2019/2020 Council Discretionary Expenditure Report for July 1, 2019 through August 31, 2019.

A.5. APPROVE THE SALE PRICE FOR APN 485-163-027-2 AND SIGNATURE ON THE ASSOCIATED AGREEMENT FOR A TAX-DEFAULT ACQUISITION BY THE RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT (AGMT. NO. 2019-451) (Report of: Public Works)

**Recommendations:**

1. Agree to the sale price of APN 485-163-027-2 in the amount of \$3,947.67 to be purchased by the Riverside County Flood Control & Water Conservation District through a tax-default acquisition; and
2. Authorize the Mayor to sign the Agreement to Purchase Tax-Defaulted Property between the Board of Supervisors of Riverside County and Riverside County Flood Control & Water Conservation District.

A.6. MASTER LICENSE AGREEMENT FOR WIRELESS FACILITIES IN THE RIGHT OF WAY BETWEEN THE CITY OF MORENO VALLEY AND NEW CINGULAR WIRELESS PCS, LLC (AGMT. NO. 2019-452) (Report of: Public Works)

**Recommendations:**

1. Approve the Master License Agreement for Wireless Facilities in the Right of Way between the City of Moreno Valley and New Cingular Wireless PCS, LLC;
2. Authorize the City Manager or designee to execute the Master License Agreement for Wireless Facilities in the Right of Way between the City of Moreno Valley and New Cingular Wireless PCS, LLC, subject to City Attorney approval;
3. Authorize the City Manager or designee to execute amendments to the Agreement, subject to the approval of the City Attorney; and
4. Authorize the Public Works Director/City Engineer or designee to execute the Supplemental License Agreements with New Cingular Wireless PCS, LLC.

A.7. LIST OF PERSONNEL CHANGES (Report of: Human Resources)

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.8. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ONYX PAVING COMPANY INC FOR PAVEMENT REHABILITATION FOR VARIOUS LOCAL STREETS - CDBG FISCAL YEAR 2019/20 – PROJECT NO. 801 0084 (AGMT. NO. 2019-453) (Report of: Public Works)

Council Member Cabrera pointed out that the City is awarding a contract for road repairs. He reminded everyone that last year \$1,000,000 was allocated to road reconstruction. He promoted the City's Pothole Reporting app.

**Recommendations:**

1. Award a construction contract to Onyx Paving Company, Inc., 2890 East La Cresta Avenue, Anaheim, CA 92806, for the Pavement Rehabilitation for Various Local Streets - CDBG Fiscal Year 2019/20 Project and authorize the City Manager to execute a contract with Onyx Paving Company, Inc. in substantial conformance with the attached contract in the amount of \$1,528,000.00;
2. Authorize the issuance of a Purchase Order for Onyx Paving Company, Inc. in the amount of \$1,604,400.00 (\$1,528,000.00 bid amount plus 5% contingency) when the contract has been signed by all parties;
3. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract, but not exceeding the total contingency of \$76,400.00 subject to the approval of the City Attorney; and
4. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

A.9. ADOPTION OF RESOLUTION FOR UPDATE OF THE CITY USER FEE SCHEDULE - MISCELLANEOUS (NON-DEVELOPMENT) FEES FOR FY 2019/20 (RESO. NO. 2019-55) (Report of: Financial & Management Services)

**Recommendation:**

1. That the City Council adopt Resolution 2019-55 approving the increase in Miscellaneous (Non-Development) User Fees

- A.10. ADOPT A RESOLUTION SETTING THE LOCAL MORENO VALLEY COMMERCIAL CANNABIS ACTIVITY TAX PURSUANT TO MUNICIPAL CODE 3.28.030 (RESO. NO. 2019-56) (Report of: Financial & Management Services)

**Recommendation:**

1. Adopt Resolution No. 2019-56, a Resolution of the City Council of the City of Moreno Valley, California, setting the Local Moreno Valley Commercial Cannabis Activity Tax initial rate at 5% of gross revenues, 1% of gross revenues for Testing facilities and \$7.00 per square foot for Cultivation.

- A.11. PEN17-0128 (TR 37369) – APPROVE TRACT MAP 37369 LOCATED ON EUCALYPTUS AVENUE EAST OF INDIAN STREET. DEVELOPER: SILVIA E. ROMERO, HECTOR E. ROMERO, AND MICHAEL B. STREET (Report of: Public Works)

**Recommendations:**

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

- A.12. ORDINANCE AMENDING CHAPTER 2.18 PLANNING COMMISSION (ORD. NO. 961) (Report of: City Attorney)

**Recommendation:**

1. It is recommended that the City Council introduce and conduct the first reading by title only, of Ordinance 961, amending Chapter 2.18 of the Municipal Code to reinstate Planning Commission to 7 members.

- A.13. AUTHORIZATION TO AWARD PROJECT-RELATED SERVICES AGREEMENT FOR A COMPREHENSIVE GENERAL PLAN UPDATE, NEW ENVIRONMENTAL JUSTICE AND ECONOMIC DEVELOPMENT ELEMENTS, AND ENVIRONMENTAL IMPACT REPORT (AGMT. NO. 2019-454) (Report of: Community Development)

Council Member Cabrera conveyed his excitement for the General Plan Update. He identified two new components, environmental justice and economic development.

**Recommendation:**

1. Approve and award a Project-Related Services Agreement with a

“Not-to-Exceed” fee with Dyett and Bhatia to provide services to complete a Comprehensive General Plan Update, New Environmental Justice and Economic Development Elements, and an Environmental Impact Report.

2. Authorize the City Manager, or his designee, to complete the development of scope of service and execute a Project-Related Services Agreement with Dyett and Bhatia, subject to the approval of the City Attorney.
3. Authorize the Chief Financial Officer to approve a purchase order with a “Not-to-Exceed” amount of \$1,498,500 to Dyett and Bhatia, in accordance with approved terms of the Agreement.

## **B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT**

- B.1. APPROVE AND EXECUTE FIRST AMENDMENT TO THE AGREEMENT WITH THINK TOGETHER, INC. FOR OPERATION OF THE CITY'S FY 19/20 AFTER SCHOOL EDUCATION AND SAFETY (ASES) EXPANDED LEARNING PROGRAM (AGMT. NO. CSD 2019-84-01) (Report of: Parks & Community Services)

Council Member Cabrera noted that the item is a result of the extra funding that was secured for the ASES program.

### **Recommendations:**

1. Authorize the Executive Director to execute the First Amendment to the Agreement with Think Together, Inc. to utilize additional per-student funding authorized in the California State Budget for Fiscal Year 2019/20 for the After School Education and Safety (ASES) program.
2. Authorize the Executive Director to execute any subsequent related Extensions or Amendments to the Agreement, subject to the approval of the City Attorney.
3. Authorize the budget adjustment as set forth in the Fiscal Impact section of this report, to appropriate the additional 69 cents of State funding per student for the ASES Expanded Learning Program, totaling an additional \$474,692.40.

## **C. CONSENT CALENDAR - HOUSING AUTHORITY - NONE**

## **D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES - NONE**

## **E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY - NONE**



Mayor Pro Tem Baca recognized the newly appointed Traffic Safety Commissioner, Marla Matime.

**F. PUBLIC HEARINGS - NONE**

**G. GENERAL BUSINESS - NONE**

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

**I. REPORTS**

**I.1. CITY COUNCIL REPORTS**

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC) - Mayor Pro Tem Baca

Mayor Pro Tem Baca reported the following:

Tonight, I'm providing an update from the March Joint Powers Commission meeting held on September 25th.

At that meeting, the Commission approved an extension of the lease with U.S. Vets, which is operating in the former March Air Force Base barracks. The 2018 lease provided five 1-year terms. This is the first of 4 annual extensions.

Riverside County Habitat Conservation Agency (RCHCA) - Council Member Thornton

Council Member Thornton reported the following:

Items covered at the RCHCA Board of Directors meeting on September 19, 2019 include:

- As of June 30, 2019, the City has collected a total of \$79,719 in RCHCA fees for Fiscal Year 2018/2019. These funds are provided to the Riverside County Habitat Conservation Agency for conservation purposes.
- The Habitat Conservation Plan provides an educational outreach program to increase awareness of threatened and endangered species in Riverside County. As part of the program, in October, the RCHCA will be holding the second of its annual Celebrating Endangered Species events for approximately 1,000 students from schools in Riverside County.

Riverside County Transportation Commission (RCTC) - None

Riverside Transit Agency (RTA) - Council Member Thornton

Council Member Thornton reported the following:

Good news for transit riders. Now you can buy RTA passes from anywhere using the Token Transit app on your smartphone.

Customers can purchase passes for immediate use, or for future trips on all RTA fixed-route buses. Through the month of October, RTA is offering a 30 percent discount on your first mobile pass purchase. Please visit [www.riversidetransit.com](http://www.riversidetransit.com) <<http://www.riversidetransit.com>> for more details.

Western Riverside Council of Governments (WRCOG) - None

Western Riverside County Regional Conservation Authority (RCA) - None

School District/City Joint Task Force - None

## **I.2. CITY MANAGER'S REPORT**

(Informational Oral Presentation - not for Council action)

City Manager DeSantis addressed comments made by prior public speakers. Urged everyone to take note of the M on Box Springs mountain which is lit in orange in observance of Bullying Prevention Awareness month.

## **I.3. CITY ATTORNEY'S REPORT**

(Informational Oral Presentation - not for Council action)

City Attorney Koczanowicz explained how insurance costs are calculated for ultra hazardous events.

## **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 Thornton

1. Requested that City Manager DeSantis speak on the subject of animal zoning proposed by a public speaker.

City Manager DeSantis stated that the resident's comment is timely as the commencement of the General Plan update was just approved.

2. Persuaded residents to build an emergency fund.
3. Praised Barbara Baxter for organizing the Equine Disaster Preparedness Expo.
4. Announced her upcoming Meet and Greet taking place at the Equestrian Park on October 12, 2019.

5. Commended Cal Vet for holding the inaugural Veterans Pathway to Citizenship workshop.
6. Asked residents to save the date on November 11, 2019 for the Veterans Day ceremony.
7. Expressed her gratitude to Economic Development Director Lee and Business and Workforce Development Program Manager Melendez for coordinating her Business Roundtable.

#### Council Member Cabrera

1. Expressed his regret over missing the Equine Disaster Preparedness Expo. Promised to attend next year.
2. Urged residents to sign up for the USPS' Informed Delivery service.
3. Requested and received consensus from the City Council to research the implementation of lighting to deter mail theft.
4. Provided information regarding various projects throughout the City.
5. Amazed by the amount of support demonstrated by the Community at the fundraiser for Diego.

#### Mayor Pro Tem Baca

1. Attended the Floor and Decor grand opening on September 19th.
2. Utilizes Informed Delivery and suggested residents opt to receive their bills electronically.
3. Remarked on the resilience of the Community as it comes together to combat bullying during this time of sorrow.

### **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Pro Tem Baca adjourned the meeting in memory of Diego, the slain Landmark Middle School student, at 7:06 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  
Secretary, Public Finance Authority

Approved by:

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Victoria Baca  
Mayor Pro Tem  
City of Moreno Valley  
Vice President, Moreno Valley Community Services District  
Vice Chairperson, City as Successor Agency for the Community  
Redevelopment Agency of the City of Moreno Valley  
Vice Chairperson, Moreno Valley Housing Authority  
Vice Chairperson, Board of Library Trustees  
Vice Chairperson, Public Financing Authority