

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**January 15, 2019**

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

**SPECIAL PRESENTATIONS**

1. Business Spotlights
  - a) Baskin Robbins
  - b) Moreno Family Donuts
2. Rancho Verde Crimson Regiment
3. Safe Surrender Awareness 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  
January 15, 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 and the Board of Library Trustees was called to order at 6:08 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Rafael Brugueras.

**INVOCATION**

Dr. Reverend Mark Krom, Mark Krom Ministries

**ROLL CALL**

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Victoria Baca	Mayor Pro Tem
	David Marquez	Council Member
	Dr. Carla J. Thornton	Council Member
Absent:	Ulises Cabrera	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  
Allen Brock  
Mike Lee  
Patty Nevins  
Dave Lelevier  
Abdul Ahmad  
Kathleen Sanchez  
Patti Solano  
Michael Wolfe

City Manager  
Assistant City Manager  
Economic Development Director  
Planning Official  
Acting Police Chief  
Fire Chief  
Human Resources Director  
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**

### Victoria Chafee

1. Expressed her concern with the City's landscape regulations.

### Tom Jerele Sr.

1. Encouraged the City Council to weigh ideas based on their merit and not on the suggester.
2. Optimistic that Sheriff Bianco will adopt an idea promoted by Council Member Marquez.
3. Supported an idea proposed by former Council Member Giba to annex vacant land.

### Rafael Bruqueras

1. Proclaimed 2018 was a successful year.
2. Confirmed his belief that 2019 would be just as fortunate.
3. Praised the publication, Soaring disseminated by the Parks and Recreation Department.
4. Expressed his appreciation for Highland Fairview.

### Ben Burton

1. Questioned how a false vehicle identification occurred, which led him and his family to be subjected to a felony vehicle traffic stop.

### Jeanette Burton

1. Requested accountability from those responsible for the incident endured by her and her family members, after her vehicle was inaccurately reported as felonious.

Mayor Gutierrez remarked that the occurrence will be investigated and if it did transpire on Sixth Street, it would be under the jurisdiction of the March Joint Powers Authority.

## **JOINT CONSENT CALENDARS (SECTIONS A-D)**

Mayor Gutierrez corrected some of the assignments that were made for Item No. A.9. For RCTC, he appointed Mayor Pro Tem Baca as the alternate and Council Member Thornton as the alternate. The primary for the RTA is Council Member Marquez and the

alternate is Council Member Cabrera.

Mayor Gutierrez opened the Consent Agenda items for public comments, which were received from Rafael Brugueras (Supports Item Nos. A.8., A.9., B.5. and B.6.).

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

#### **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 - Dec 11, 2018 6:00 PM

**Recommendation:** Approve as submitted.

- A.3. City Council - Closed Session - Dec 18, 2018 4:30 PM

**Recommendation:** Approve as submitted.

- A.4. City Council - Regular Meeting - Dec 18, 2018 6:00 PM

**Recommendation:** Approve as submitted.

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

**Recommendation:**

1. Ratify the list of personnel changes as described.

- A.6. PURSUANT TO A LANDOWNER PETITION, ANNEX THREE PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AMENDMENT NO. 31 (RESO. NO. 2019-01) (Report of: Public Works)

**Recommendation:**

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2019-01, 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.7. APPROVE AND EXECUTE AGREEMENT WITH MICON CONSTRUCTION FOR THE CONSTRUCTION OF A SKATE PARK AT MORENO VALLEY COMMUNITY PARK (AGMT. NO. CSD 2019-09) (Report of: Parks & Community Services)

**Recommendations:**

1. Approve the Agreement for the Construction of a Skate Park at Moreno Valley Community Park with Micon Construction.
2. Authorize the Executive Director to execute the Agreement for the Construction of a Skate Park at Moreno Valley Community Park with Micon Construction; and issuance of the Purchase Order for construction once the Agreement has been fully executed.
3. Authorize the Executive Director to execute any subsequent related Extensions or Amendments to the Agreement within the authorized funding, subject to the approval of the City Attorney.
4. Authorize the Parks and Community Services Director to accept the improvements into the Moreno Valley Community Services District's maintained system upon acceptance of the improvements as complete.

- A.8. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2018/2019 AS OF JULY 1, 2018 THROUGH NOVEMBER 30, 2018 (Report of: City Clerk)

**Recommendation:**

1. Receive and file the Fiscal Year 2018/2019 Council Discretionary Expenditure Report for July 1, 2018 through November 30, 2018.

- A.9. 2019 CITY COUNCIL COMMISSION, BOARD, AND TASKFORCE PARTICIPATION APPOINTMENTS (Report of: City Clerk)

**Recommendation: That the City Council:**

1. Ratify as one slate the Mayor's appointments to the various committees as noted on the 2019 Council Committee Participation List.

## **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 - SPECIAL MEETING OF DEC 11, 2018 6:00 PM (See A.2)

**Recommendation:** Approve as submitted.

- B.3. MINUTES - CLOSED SESSION OF DEC 18, 2018 4:30 PM (See A.3)

**Recommendation:** Approve as submitted.

- B.4. MINUTES - REGULAR MEETING OF DEC 18, 2018 6:00 PM (See A.4)

**Recommendation:** Approve as submitted.

- B.5. APPROVE THE FIRST AMENDMENT TO THE ON-SITE AND/OR PROFESSIONAL SERVICES AGREEMENT (CONTRACT NO. CSD 2018-50) FOR LANDSCAPE MAINTENANCE SERVICES (LANDSCAPE MAINTENANCE - ZONE 02) (AGMT. NO. CSD 2018-50-01) (Report of: Public Works)

**Recommendations:**

1. Approve the First Amendment to the On-Site and/or Professional Services Agreement (Contract No. CSD 2018-50) for Landscape Maintenance – Zone 02, Maintenance of Parkway, Median, and Open Space Landscaping and Irrigation (“Agreement”) with Mariposa Landscapes, Inc., 6232 Santos Diaz St., Irwindale, CA 91702, to provide landscape and irrigation maintenance services for Zone 02 of Landscape Maintenance District (LMD) No. 2014-02 for a total contract amount Not-To-Exceed (NTE) \$1,619,200.
2. Approve the budget adjustment as set forth in the Fiscal Impact section of this report.
3. Authorize the Public Works Director/City Engineer to execute the First Amendment, in substantially the form as attached hereto, subject to the approval of the City Attorney.

- B.6. NAMING OF PARK LOCATED NEAR RAINBOW RIDGE ELEMENTARY SCHOOL, EAST OF INDIAN AVENUE AND SOUTH OF SANTIAGO AVENUE (Report of: Parks & Community Services)

**Recommendation:**

1. Adopt the name for the new park located within Tract 36760, near Rainbow Ridge Elementary School, east of Indian Street and south of Santiago Avenue, as "Santiago Park."

**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 - SPECIAL MEETING OF DEC 11, 2018 6:00 PM (See A.2)

**Recommendation:** Approve as submitted.

- C.3. MINUTES - CLOSED SESSION OF DEC 18, 2018 4:30 PM (See A.3)

**Recommendation:** Approve as submitted.

- C.4. MINUTES - REGULAR MEETING OF DEC 18, 2018 6:00 PM (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 - SPECIAL MEETING OF DEC 11, 2018 6:00 PM (See A.2)

**Recommendation:** Approve as submitted.

- D.3. MINUTES - CLOSED SESSION OF DEC 18, 2018 4:30 PM (See A.3)

**Recommendation:** Approve as submitted.

- D.4. MINUTES - REGULAR MEETING OF DEC 18, 2018 6:00 PM (See A.4)

**Recommendation:** Approve as submitted.

## E. PUBLIC HEARINGS

### E.1. PUBLIC HEARING FOR ONE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDING (Report of: Public Works)

Public Works Director/City Engineer Wolfe provided the report.

Mayor Gutierrez opened the Public Hearing at 6:34 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 6:34 p.m.

#### **Recommend that the City Council:**

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceeding(s) for the National Pollutant Discharge Elimination System (NPDES) Common Interest, Commercial, Industrial, and Quasi-Public Use maximum Regulatory Rate to be applied to three property tax bill(s);
2. Direct the City Clerk to open and count the returned NPDES ballot(s);

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

3. Verify and accept the results of the mail ballot proceeding(s) 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; and,
5. If approved, set the rate and impose the NPDES Common Interest, Commercial, Industrial, and Quasi-Public Use Regulatory Rate on the Assessor's Parcel Number(s) as mentioned



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

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

**G. GENERAL BUSINESS - NONE**

**H. REPORTS**

**H.1. CITY COUNCIL REPORTS**

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Mayor Pro Tem Baca announced that she was elected to be the Vice Chair of the March Joint Powers Authority.

Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC) - None

Riverside Transit Agency (RTA) - None

Western Riverside Council of Governments (WRCOG) - None

Western Riverside County Regional Conservation Authority (RCA) - None

School District/City Joint Task Force - None

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

(Informational Oral Presentation - not for Council action)

City Manager DeSantis addressed the issue brought forth by the Burtons and affirmed that the stop occurred within the jurisdiction of the March Joint Powers Authority. Wished everyone a happy new year and reassured the Council and Public that measures have been taken to prepare for the coming inclement weather. Declared that the City was named a 2019 Top Workplace by Inland Empire magazine.

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

(Informational Oral Presentation - not for Council action)

City Attorney Koczanowicz wished everyone a happy new year and expressed his enthusiasm for the coming year.

### **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. Wished everyone a happy new year and conveyed her eagerness for resuming her work with constituents and City businesses.

#### Council Member Marquez

1. Indicated his enthusiasm for the Council Meetings to be back in session.
2. Thanked all the well-wishers for their concern regarding his recent hospital stay.
3. Remarked on his visit to Sacramento the previous week. Encouraged by Governor Newsom's objectives to increase affordable housing, combat homelessness, and improve public safety.

#### Mayor Pro Tem Baca

1. Expressed her joy that the Council Meetings had resumed.
2. Wished everyone a happy new year.
3. Commented on the successfulness of 2018 and noted her contention that 2019 will be even better.
4. Welcomed Interim Police Chief Lelevier.
5. Announced that she, Mayor Gutierrez, and Council Member Thornton met with the newly elected Sheriff Bianco.

#### Mayor Gutierrez

1. Wished all the residents a happy new year.
2. Mentioned various upcoming projects including the amphitheater, skate park, and a town center.
3. Declared that the budget process for the following two years has commenced and invited residents to utilize Balancing Act to provide their input.
4. Welcomed Acting Commander Lelevier.

### **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 6:46 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