

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**September 20, 2016**

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

**SPECIAL PRESENTATIONS**

1. North Ridge Elementary School - Mayoral Proclamation
2. Officer of the 1st Quarter - Officer Yesenia Hernandez
3. Class of 1966 - 50 Year Anniversary
4. Fire Prevention Week - 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  
September 20, 2016**

**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 6:06 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 Rafael Brugueras.

**INVOCATION**

Pastor Owen Christian, Faith Baptist Church

**ROLL CALL**

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Jeffrey J. Giba	Mayor Pro Tem
	George E. Price	Council Member
	Jesse L. Molina	Council Member
	D. LaDonna Jempson	Council Member

**INTRODUCTIONS**

Staff:	Michelle Dawson	City Manager
	Steve Quintanilla	Interim City Attorney
	Marie Macias	Interim City Clerk
	Marshall Eyerman	Chief Financial Officer
	Thomas M. DeSantis	Assistant City Manager
	Ahmad Ansari	Public Works Director/City Engineer
	Joel Ontiveros	Police Chief

Abdul Ahmad  
Terrie Stevens  
Mel Alonzo

Mike Lee  
Allen Brock  
Kathy Gross

Fire Chief  
Administrative Services Director  
Parks & Community Services Division  
Manager  
Economic Development Director  
Community Development Director  
Executive Assistant

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

Public comments were received from:

### Kelly Fitzpatrick

1. Social Network page - Pay for Play

### Roy Bleckert

1. Desean Welch, a basketball star for the School for Deaf in Riverside lost his life in front of Rancho Verde High School.
2. Building a safe community.
3. Public Safety Subcommittee will meet on Wednesday; should be well attended.

### Chris Baca

1. Soccer fields and our youth being charged for increased league fees
2. Lighting at parks

### Francisco Cuevas

1. Soccer fields for our youth - private soccer leagues are demanding cash payments daily to play on City fields. This should be only done by Parks and Recreation.
2. Equestrian center has lighting; could be an alternative for the youth to utilize.

### Abraham Solorzano

1. Soccer coach addressed the Council regarding the soccer fields for our youth and reiterated previous speaker comments.

### Bob Palomarez

1. State of the City Address
2. Support of Mayor Gutierrez

### Emil Dragovich

1. Political signs

### Melissa Martinez

1. Moreno Valley App - need to add "stray animals"
2. Streets in Edgemont; thank you to Public Works and staff

3. Neighborhood Works and the Lend a Helping Hand Project for Mr. Alvarez
4. 11/18 is a Citywide all Districts Neighborhood Cleanup of Moreno Valley

Lindsay Robinson

1. Member of Represent Us, National Non-partisan organization - get big money out of politics.
2. Ethics Item pulled
3. Contribution Limits

Curtis White

1. Photographed two landmarks in Moreno Valley in District 2 and wanted to present these photos to the City of Moreno Valley.

Daniel Peeden

1. Moreno Valley against Corruption Act proposal
2. Consider a policy on getting the "big money" out of our city.

Evan Morgan

1. Ethics item pulled
2. Campaign finance reform is needed, although it is about getting the message out to the people.

Rafael Brugueras

1. Political
2. Previous comments by soccer coach

Pete

1. Transient Occupancy Tax (TOT)

Keith Howerton

1. Ethics - Non Solution solution

Jose Chavez

1. Citizens' rights
2. Moreno Valley Community and their civil rights

Santiago Hernandez

1. Ethics proposal

Robert Harris

1. Supports Yxstian Gutierrez
2. Council must maintain professionalism while at the dais.

Mayor announced that this concludes public comments at this time, so they can conduct business.

Mayor Gutierrez asked if there were any Council Members wishing to have their closing comments early.

Council Members comments, if any:

Council Member Jempson

1. Encouraged everyone to attend the Police Zoning meeting, which will be held at the Police Department tomorrow (Wednesday) at 7:00 p.m.
2. Soccer parents' concerns that the director and coaches have been pocketing money from their youth. It's \$2 per hour per field and chose to work with Universal Soccer.
3. Melissa Martinez, thank you. Lending a hand project showed 40 people helping.
4. Safe Routes to School; please get involved to help your children get to school safely, reduce traffic at schools, children walking together in groups and prevent bullying.

Council Member Molina

1. Soccer issues at Cottonwood and Kitching, next to old Moreno Valley High School. This was to be placed into the Parks and Recreation inventory and it has been placed into the City's inventory. Requested an answer as to why this was done?
2. Comments mentioned this evening; its silly season. Reform is needed in this City.

Recess at 7:18 p.m.

Reconvened at 7:28 p.m.

Mayor Gutierrez announced that they would hear item G.2. before the Joint Consent calendars.

JOINT CONSENT CALENDARS (SECTIONS A-D)

Motion to Approve Joint Consent Calendar Items A.1 through D.1.

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	D. LaDonna Jempson, Council Member
<b>SECONDER:</b>	George E. Price, Council Member
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, George E. Price, D. LaDonna Jempson
<b>ABSTAIN:</b>	Jesse L. Molina

Council Member Molina made a Substitute Motion to show A.3. as a "No" vote.

Motion failed due to lack of a second.

Mayor Gutierrez opened the agenda items for the Consent Calendars for public comments, which were received from Rafael Brugueras (A.9, A.11) and Raychele Sterling (A.3, A.4).

## **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. SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES RESOLUTION FOR VISION ZERO (Report of: Public Works)

**Recommendations:**

1. That the City Council takes a support position for the League of California Cities resolution for Vision Zero, toward zero deaths, and other programs or initiatives to make safety a top priority for transportation projects.
2. Direct the City of Moreno Valley delegate to represent the City's position at the League's Annual Conference held on October 5-7, 2016

- A.3. AWARD OF CONTRACT TO REPLACE AIR CONDITIONING IN THE CITY HALL SERVER ROOM (Report of: Administrative Services)

**Recommendations:**

1. Approve the Agreement for Professional Construction Services with United Mechanical Contractors to provide Air Conditioning Equipment and Installation Services.
2. Authorize the City Manager to execute the Agreement for Professional Construction Services with United Mechanical Contractors in the amount of \$349,650 to provide Air Conditioning Equipment and Installation Services.
3. Authorize the Purchasing and Facilities Division Manager to issue a Purchase Order to United Mechanical Contractors in the amount of \$349,650 to provide Air Conditioning Equipment and Installation Services.
4. Authorize the City Manager to execute any subsequent related amendments or change orders as included in the Agreement, subject to the approval of the City Attorney and provided sufficient funding

appropriations and program approvals have been granted by the City Council.

- A.4. PA11-0009 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THOSE PORTIONS OF IRIS AVENUE, WEST OF OLIVER STREET ASSOCIATED WITH THIS PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM DEVELOPER: KAISER FOUNDATION HEALTH PLAN & KAISER FOUNDATION HOSPITALS (Report of: Public Works)

**Recommendations:**

1. Adopt Resolution No. 2016-65, a Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Project PA11-0009 and Acceptance of those Portions of Iris Avenue, West of Oliver Street Associated with this Project into the City's Maintained Street System.
2. Authorize the City Engineer to execute a 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

- A.5. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE EDGEMONT NEIGHBORHOOD PAVEMENT REHABILITATION – PROJECT NO. 801 0070 (Report of: Public Works)

**Recommendations:**

1. Award the construction contract to Hardy & Harper, Inc., 1312 E. Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder for the Edgemont Neighborhood Pavement Rehabilitation Project.
2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.
3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of \$440,450.00 (\$383,000.00 bid amount plus 15% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hardy & Harper, Inc. up to, but not exceeding, the 15% contingency amount of \$57,450.00, subject to the approval of the City Attorney.

- A.6. PURSUANT TO LANDOWNER PETITION, ANNEX ONE PARCEL INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) — AS AMENDMENT NO. 15 (Report of: Public Works)

**Recommendation:**

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2016-66, 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. LIST OF PERSONNEL CHANGES (Report of: Administrative Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

- A.8. RESCIND RESOLUTION NO. 2014-44 AND ADOPT RESOLUTION 2016-67 DESIGNATING AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE APPLICATIONS AND DOCUMENTS FOR THE PURPOSES OF OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY AND SUB-GRANTED THROUGH THE STATE OF CALIFORNIA (Report of: Fire Department)

**Recommendation:**

1. Adopt Resolution No. 2016-67, a Resolution of the City Council of the City of Moreno Valley, California, Rescinding Resolution No. 2014-44 and Designating and Authorizing Certain City Officials to Execute Applications and Documents for the Purposes of Obtaining Federal Financial Assistance Provided by the Federal Department of Homeland Security and Sub-granted through the State of California.

- A.9. ORDINANCE NO. 913, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 8.42 TO TITLE 8 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE ESTABLISHING THE EXPEDITED PERMITTING PROCEDURE FOR ELECTRIC VEHICLE CHARGING STATION SYSTEMS (Report of: Community Development)

**Recommendation: That the City Council:**

1. Introduce Ordinance No. 913, an Ordinance of the City Council of the City of Moreno Valley, California, Adding Chapter 8.42 to Title 8 of the



City of Moreno Valley Municipal Code Establishing the Expedited Permitting Procedure for Electrical Vehicle Charging Station Systems.

- A.10. INTRODUCTION OF AN ORDINANCE NO. 914 AMENDING SECTION 5.02.010 OF THE MUNICIPAL CODE DEFINING THE TERM "EMPLOYEE" (Report of: Financial & Management Services)

**Recommendations: That the City Council:**

1. Introduce Ordinance No. 914, an Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 5.02.010 of Title 5 of the City of Moreno Valley Municipal Code Relating to Definition of "Employee".

- A.11. APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN CITY OF MORENO VALLEY AND MARTIN KOCZANOWICZ FOR THE POSITION OF CITY ATTORNEY (Report of: City Attorney)

**Recommendation:**

1. Approve the Employment Agreement between the City of Moreno Valley and Martin Koczanowicz for the position of City Attorney.

**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. APPROVE AND EXECUTE AGREEMENT FOR EXCHANGE OF REAL PROPERTY ASSOCIATED WITH TENTATIVE TRACT MAP 31592 (Report of: Parks & Community Services)

**Recommendations:**

1. Approve the Agreement for Exchange of Property for the .86 acres located within the Markborough park site for 1.45 acres located within Tentative Tract Map 31592.
2. Authorize the President of the Board of Directors to execute the Agreement in the form attached hereto upon concurrence by the property owner, and authorize the Parks and Community Services Director to approve any changes that may be requested by the property owner or the City of Moreno Valley Parks and Community Services Department "CSD," subject to the approval of the Legal

Counsel.

**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.

**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.

**E. PUBLIC HEARINGS**

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

**Recommendations: That the City Council:**

1. Conduct the Public Hearing and accept public testimony regarding the mail ballot proceeding for Focus Day Street for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate to be applied to the property tax bill.
2. Direct the City Clerk to count the returned NPDES ballot.
3. Verify and accept the results of the mail ballot proceeding 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 Number mentioned in this report.

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

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse L. Molina, Council Member
<b>SECONDER:</b>	D. LaDonna Jempson, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

Motion to Approve Staff's Recommendation Nos. 3,4 & 5

The City Clerk announced the results as follows:

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate for APN: 291-650-021

Focus Day Street - Weighted Ballot Count: 1 "Yes" vote, -0- "No" vote; passed

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse L. Molina, Council Member
<b>SECONDER:</b>	George E. Price, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

Recess at 8:24 p.m.

Reconvened at 8:38 p.m.

Mayor Gutierrez announced that Council would hear the remaining public comments for matters not on the agenda at this time.

Sandra Murphy

1. Code of Ethics - Campaign contributions

Louise Palomarez

1. Commended Mayor Gutierrez on State of the City Address and his job as Mayor
2. Thanked Steve Quintanilla for his service to the City

Irma Florez

1. Council Member Molina invited former District Attorney Pacheco two years ago to speak on ethics

Raychele Sterling

1. Need to restore ethics
2. Stated Moreno Valley is most corrupt in the region

Tom Jerele, Sr.

1. Mr. Curtis' pictures
2. Marijuana shops

Scott Heveran

1. Ethics

## 2. Candidates Forum

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

### **G. REPORTS**

#### **G.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 meeting held on September 14th.

The JPC conducted an extensive review and discussion about the potential reorganization of the MJPA's mission, purpose, implementation activities, and authority.

The presentation focused on two priorities:

- Protecting March Air Reserve Base from the threat of base downsizing; and
- Facilitating the eventual transfer of non-base properties to the member agencies at some future time.

After much discussion about the process, impacts, revenues, and obligations, the JPC directed staff to analyze how the MJPA's municipal services (public safety, etc.) are currently provided and funded. We'll be reviewing those results in January.

We also authorized staff to contract with LAFCO to complete a Municipal Services Review, which is a comprehensive study to determine the adequacy of governmental services being provided. I understand that the results will indicate each member agency's capacity to provide municipal services to various parts of the JPA territory. Once started, the MSR process will take approximately 10 months.

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

Council Member Price provided an update of items covered at the RCHCA Board meeting on September 15, 2016.

##### **Status Report Concerning Reserve Managers' Coordinating Committee**

A status report was provided to the RCHCA Board on the Reserve Managers' Coordinating Committee (RMCC). The Committee is a collaborative forum held

quarterly for Stephens' Kangaroo Rat reserve and land managers in which members share biological and management issues, discuss monitoring methodology, and consider potential habitat restoration and enhancement opportunities. As part of this effort, the RMCC met to discuss and follow up on action items defined during the Wildland Fire Response Workshop to include standardization of fire maps for all reserves and preserves, identification of exposure, hazards, exclusions/avoidance areas, and establishment of report/communication strategies in working with the Cal Fire Incident Commander.

### **Agreement between the Riverside County Habitat Conservation Agency and Southern California Gas Company Regarding Incidental Take Authorization for the Stephens' Kangaroo Rat**

The RCHCA Board approved an agreement between RCHCA and Southern California Gas Company (SoCal Gas) that will convey Stephens' Kangaroo Rat (SKR) incidental take authorization for the Line 6900 Mainline Valve 1B Station Improvement Project. The Project is part of SoCal Gas' Pipeline Safety Enhancement Plan implementation involving upgrade to its natural gas pipeline. The project is located off Davis Road southeast of Moreno Valley in the unincorporated area of Riverside County (Nuevo). The "Project Area" covers four parcels including 0.93 acres of land and is not located in a SKR HCP Core Reserve. The project is being completed for safety purposes and will upgrade, replace or retrofit the Line with technology that allows the valve to be opened or closed remotely or that automatically shuts off the flow of natural gas in the event of a large pressure drop.

### Riverside County Transportation Commission (RCTC)

Mayor Gutierrez provided an update from the September 14th RCTC meeting, the Board:

- Approved an agreement with Caltrans to operate toll lanes on the Interstate 15 Express Lanes for a period of 50 years and established a new RCTC Operations Center for Toll Operations.
- In partnership with Riverside Transit Agency, established a new Downtown Riverside Perris Valley Line shuttle service that will provide a direct connection for several downtown employment centers including the County of Riverside Administrative Center, Courts, and Riverside City Hall. Operation of this new service will begin October 3<sup>rd</sup> and will be weekdays only, consistent with the days of operation of Metrolink weekday service.
- Lastly, I am pleased to report that the Perris Valley Line Metrolink project has been awarded Project of the Year by the American Public Works Association for large projects.

### Riverside Transit Agency (RTA)

Council Member Molina provided an update from the September 7th RTA meeting.

At the September 7<sup>th</sup> Administration and Operations Committee meeting, the Board approved the transfer of two 40-foot heavy-duty surplus buses to the Riverside County Fire Department (RCFD) to be used as training aids for firefighter students at the Ben Clark Training Center (BCTC). The BCTC will use the buses as training aids to instruct firefighter student in the latest rescue techniques for transit buses, school buses, tour coaches, big rig extractions, as well as advanced heavy vehicle stabilization for commercial vehicles.

Also, as in past years, the Board approved offering free bus rides on New Year's Eve to support those that have to work that evening and to provide an alternative mode of travel for those that may have had too much to drink. The free service will begin on December 31 from 2:30 p.m. until the end of the bus schedule for each particular route.

### Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Giba provided an update on the items covered at the WRCOG Executive Committee meeting on September 12, 2016.

#### **WRCOG Clean Cities Coalition Activities Update**

WRCOG continues to upgrade their Good Neighbor Guidelines for citing new or modified warehouse distribution facilities. The Guidelines focus on the relationship between land use, permitting, and air quality, and assist in addressing issues associated with citing warehouse/distribution facilities.

Three key elements of the update include:

1. Identifying strategies used by other agencies
2. Updating references to any technical documents in the guidelines
3. Reviewing the guidelines to update them as appropriate

WRCOG will now meet with the South Coast Air Quality Management District (SCAQMD) and other parties to further update the Guidelines, with the goal of completing a final product by 2017.

#### **Water Security Coalition**

The WRCOG Executive Committee is supporting a Water Security Coalition through California Water Fix (CWF) to remedy California's aging water distribution system. The effort by CWF includes upgrade of the state's 50-year-old water infrastructure in the following five (5) ways:

1. Modify California's aging water infrastructure by protecting water supplies and delivering through a modern water pipeline
2. Use modern engineering and technology to improve security of the state's water system through innovative technologies and engineering practices
3. Build a water delivery system that is able to protect California's water supplies from earthquakes, floods, and other natural disasters

4. Improve the ability to move water to storage facilities throughout the state to capture it for use in dry years
5. Restore the state's habitat by providing more natural water flow above ground in rivers and streams to reduce impacts on endangered fish and other wildlife

#### Western Riverside County Regional Conservation Authority (RCA)

Council Member Jempson provided an update from the RCA meeting of September 12th.

#### **Fee Credit and Waiver Policy Revision**

On September 12, 2016, the RCA Executive Committee reviewed and approved the updated provisions regarding the Fee Credit and Waiver Policy. The purpose of the policy is to provide implementation guidance to Member Agencies and allow RCA oversight regarding fee credits and waivers. Specifically, the Fee Credit and Waiver Policy reviews and defines the application process, timelines and standards, levels of approval authority, decision and appeal process, reporting, and conveyance of conservation land.

#### School District/City Joint Task Force - No Report

#### Southern California Association of Governments (SCAG)

Mayor Pro Tem Giba provided an update on SCAG and to look out for the District 69 letter coming out.

#### Box Springs Mutual Water District (BSMWD)

Council Member Jempson provided an update.

### G.2. APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk)

Item G.2 heard before the Joint Consent Calendar

Mayor Gutierrez opened the agenda item for public comments, which were received from Pete and Rafael Brugueras.

#### **Recommendations: That the City Council:**

1. Appoint those applicants who receive a majority vote by the City Council.
2. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

Motion to Approve re-appointing Dr. Mary E. McBean to the Accessibility Appeals Board for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>SECONDER:</b>	Jeffrey J. Giba, Mayor Pro Tem
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, George E. Price, D. LaDonna Jempson
<b>AWAY:</b>	Jesse L. Molina

There are two terms on the Arts Commission, the first expiring June 30, 2018.

Motion to Approve appointing Stephanie Godoy to the Arts Commission for a term expiring June 30, 2018, pending a background check.

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	D. LaDonna Jempson, Council Member
<b>SECONDER:</b>	Jeffrey J. Giba, Mayor Pro Tem
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, George E. Price, D. LaDonna Jempson
<b>AWAY:</b>	Jesse L. Molina

The second term for the Arts Commission expiring June 30, 2019.

Motion to Approve appointing Lindsay Robinson to the Arts Commission for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	George E. Price, Council Member
<b>SECONDER:</b>	Jesse L. Molina, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

There are three terms on the Environmental and Historical Preservation Board expiring June 30, 2019 and we have two applicants.

Motion to Approve re-appointing Arlen Henry Gaynor and Naeem M. Qureshi to the Environmental and Historical Preservation Board for terms expiring June 30, 2019, pending a background check.



<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey J. Giba, Mayor Pro Tem
<b>SECONDER:</b>	George E. Price, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

There are two terms on the Library Commission expiring June 30, 2019.

Motion to Approve appointing Otis Harrison, Jr. to the Library Commission for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [4 TO 1]</b>
<b>MOVER:</b>	D. LaDonna Jempson, Council Member
<b>SECONDER:</b>	Jeffrey J. Giba, Mayor Pro Tem
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, George E. Price, D. LaDonna Jempson
<b>NAYS:</b>	Jesse L. Molina

The second nomination for the Library Commission

Motion to Approve appointing Christin Walters to the Library Commission for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse L. Molina, Council Member
<b>SECONDER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

There are three terms on the Parks and Recreation Commission expiring June 30, 2019. The first nomination is James C. Baker.

Motion to Approve re-appointing James C. Baker to the Parks and Recreation Commission for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse L. Molina, Council Member
<b>SECONDER:</b>	Jeffrey J. Giba, Mayor Pro Tem
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

The second nomination for the Parks and Recreation Commission is Juanita Maria Barnes.

Motion to Approve re-appointing Juanita Maria Barnes for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	George E. Price, Council Member
<b>SECONDER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

The third nomination for the Parks and Recreation Commission is Jonathan Glen Vaughn.

Motion to Approve appointing Jonathan Glen Vaughn for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	D. LaDonna Jempson, Council Member
<b>SECONDER:</b>	Jesse L. Molina, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

There are five terms expiring on the Recreational Trails Board; three expiring June 30, 2019, one expiring June 30, 2018 and the fifth expiring on June 30, 2017.

Motion to Approve appointing Irick V. Hale for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse L. Molina, Council Member
<b>SECONDER:</b>	D. LaDonna Jempson, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

The second nomination for the Recreational Trails Board is Sarah Martinez.

Motion to Approve appointing Sarah Martinez for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	George E. Price, Council Member
<b>SECONDER:</b>	D. LaDonna Jempson, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

The third nomination for the Recreational Trails Board is John Menke.

Motion to Approve appointing John Menke for a term expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	George E. Price, Council Member
<b>SECONDER:</b>	D. LaDonna Jempson, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

The fourth nomination for the Recreational Trails Board with a term expiring June 30, 2018 is Luis Antonio Testa.

Motion to Approve appointing Luis Antonio Testa for a term expiring June 30, 2018, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	D. LaDonna Jempson, Council Member
<b>SECONDER:</b>	Jesse L. Molina, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

There are three terms expiring on June 30, 2019 for the Senior Citizens' Board and we have three applicants.

Motion to Approve re-appointing Miguel Arciniega, Dr. Mary E. McBean and appoint Felipe Delao to the Senior Citizens' Board with terms expiring June 30, 2019, pending a background check.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>SECONDER:</b>	George E. Price, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

There are two terms expiring June 30, 2019 on the Traffic Safety Commission and four applicants.

Motion to Approve Margaret Park-Robinson and Anita Robinson to the Traffic Safety Commission with terms expiring June 30, 2019, pending a background check. The remaining two applicants were already appointed to another board or commission.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse L. Molina, Council Member
<b>SECONDER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

Motion to direct the City Clerk to re-advertise the vacancies that were not filled this evening and to carry over any remaining applications for reconsideration of appointment at a future date.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey J. Giba, Mayor Pro Tem
<b>SECONDER:</b>	Jesse L. Molina, Council Member
<b>AYES:</b>	Gutierrez, Giba, Price, Molina, Jempson

**G.3. CODE OF ETHICS DISCUSSION (Report of: City Attorney)**

Recess at 10:28 p.m.

Reconvened at 10:34 p.m.

Mayor Gutierrez opened the agenda item for public comments, which were received from Scott Heveran (Supports), Susan Billinger (Supports), Chris Baca (Supports), Raychele Sterling (Supports), Rafael Brugueras (Opposed), Tom Jerele, Sr., Roy Bleckert, Louise Palomarez, Robert Harris (Opposed), Evan Morgan and Leo Gonzales.

**G.4. CITY MANAGER'S REPORT**

No Report

**G.5. CITY ATTORNEY'S REPORT**

Interim City Attorney Quintanilla reported on the following:

1. Medical Marijuana Dispensaries - the City has shut down several of these dispensaries; either closed or landlords have shut down, with the help of Allen Brock and the Code staff and the support of property managers as well as landlords. The City has been very aggressive in shutting these down.
2. Proposition 64 Recreational Marijuana proposition - the City still has the authority to ban the sale of marijuana even if the proposition passes, but not the use. There are whistle blower procedures, in personnel under the standard ethics under procedures. He will be sharing with Marshall Eyerman and provide some copies of some whistle blowers of non-profits and special districts he represents, which will help in updating City procedures.
3. Joint Powers Authorities - Issues brought up is when does your member need to come to the City Council to seek input or consent on certain items? The answer will be in the joint powers agreement, check in bylaws or implementation agreements. You can discover what decisions can be made by majority of executive committee or super majority or unanimous vote and which items have to go back to the legislative bodies of the City Council for consent. Your new City Attorney can look at the various documents.
4. Campaign signs - the law requires that the sign identifies the person and

committee who paid for sign; disclosure has to be in contrasting color, height of letters must be at least 5% of height of the sign.

5. New City Attorney was approved tonight, a new employee of the City.
6. Thank you to the City Council for the opportunity to work for the City of Moreno Valley; he enjoyed working here, and was always treated with respect.
7. Staff has been very professional and responsive.

## **H. LEGISLATIVE ACTIONS**

- H.1. ORDINANCES - 1ST READING AND INTRODUCTION - NONE
- H.2. ORDINANCES - 2ND READING AND ADOPTION - NONE
- H.3. ORDINANCES - URGENCY ORDINANCES - NONE

## **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 Price

1. Thank you Steve Quintanilla and good luck.
2. Received a really good picture today and there are sprinklers working on the golf course. The pumps are working and filled the lake on the lake nine; hired a company, who have 60 days to clear the weeds and brush, and will take out all of the silt.
3. Thank you to the residents. Mentioned he had several meetings, met on Championship Drive above the golf course with residents who have had to put up with individuals hanging around being up to no good. Thank you to Chief Ontiveros for assistance in getting neighborhood watch.
4. Residents concerned of Landscape Maintenance that failed by 38 votes.
5. Oliver Street residents and the crime in their neighborhood - 50 people showed up at the meeting.

### Mayor Pro Tem Giba

1. Thank you to Steve Quintanilla.
2. He and Marshall Eyerman had a base tour with General Muncy on Wednesday; Thursday and Friday traveled on a KC-135 touring the Travis Air Force Base and then to Davis-Monthan Air Force Base near Arizona State. How do they prevent a BRAC and protect the bases.

## Mayor Gutierrez

1. Congratulations to all appointees this evening to the boards and commissions.
2. Thank you Steve Quintanilla for your service.
3. Attended a Veterans Rally on September 10 to support "Warrior Built". There were approximately 100 people who showed up to honor the individuals who have lost their limbs and/or provide PTSD support therapy. It was an honor to meet all of them and help them to raise money for nonprofit organizations. They also include Moreno Valley residents.
4. Attended Patriots Day at Northridge elementary; the kids did a great job.
5. Mayor stated he agreed with Roy Bleckert on the hire ethics and voluntary disclosure. Mayor would be willing to disclose to the voters his financial records, medical records and criminal records as the voters need to know who they are electing to office.

## **ADJOURNMENT**

There being no further business the Regular Meeting was adjourned at 11:12 p.m.

Submitted by:

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Marie Macias, MMC, Interim 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 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