



## **REVISED 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**

**February 21, 2017**

### **REGULAR 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

**Teleconference: 22701 Springmist Drive  
Moreno Valley, CA 92557**

*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  
David Marquez, Council Member

Jeffrey J. Giba, Council Member  
Vacant

**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**February 21, 2017**

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

**SPECIAL PRESENTATIONS**

1. Moreno Valley Football Club Recognition
  
2. Business Spotlight
  - a) Carlos' Barber Shop (District 1)

**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\***

**REGULAR MEETING – 6:00 PM  
FEBRUARY 21, 2017**

**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.

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

Pastor Lupe Gonzalez, Templo De Milagros International

**ROLL CALL**

**INTRODUCTIONS**

**PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)**

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Sergeant-at-Arms. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council.

**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. 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. MINUTES - CITY COUNCIL - REGULAR MEETING - OCT 18, 2016 6:00 PM

**Recommendation:** Approve as submitted.

- A.3. MINUTES - CITY COUNCIL - REGULAR MEETING - NOV 1, 2016 6:00 PM

**Recommendation:** Approve as submitted.

- A.4. LIST OF PERSONNEL CHANGES (Report of: Administrative Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

- A.5. APPROVE THE FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PENCO ENGINEERING, INC. FOR CONSTRUCTION SUPPORT FOR FARRAGUT AVENUE SIDEWALK IMPROVEMENTS PROJECT NO. 801 0066 (Report of: Public Works)

**Recommendations:**

1. Approve the First Amendment for Professional Consultant Services with PENCO Engineering Inc., for the Farragut Avenue Sidewalk Improvements from Sherman Avenue to Elsworth Street.
2. Authorize the City Manager to execute the First Amendment for Professional Consultant Services with PENCO Engineering, Inc.
3. Authorize the issuance of a Purchase Order increase to PENCO Engineering, Inc. for the amount of \$12,162 when the amendment has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the Agreement for Professional Consultant Services with PENCO Engineering, Inc. not to exceed the

Purchase Order amount, subject to the approval of the City Attorney.

- A.6. PA15-0010 (TRACT 36882) – APPROVE FINAL MAP, ACCEPT THE AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS, AND APPROVE THE MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF MORENO VALLEY AND ESTANCIA II COMMUNITY ASSOCIATION FOR THE TRACT LOCATED AT THE SOUTH SIDE OF BRODIAEA AVENUE, APPROXIMATELY 600 FEET WEST OF MORENO BEACH DRIVE. DEVELOPER: FH II, LLC (Report of: Public Works)

**Recommendations:**

1. Accept the Agreement and Security for Public Improvements for FH II Homebuilders, Inc.
2. Authorize the Mayor to execute the Agreement.
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.
4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.
5. Approve Tract Map 36882.
6. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
7. Approve the Maintenance Agreement by and between The City of Moreno Valley and Estancia II Community Association.
8. Authorize the Mayor to execute the Maintenance Agreement with Estancia II Community Association.
9. Authorize the City Attorney to work with Estancia II Community Association to draft subsequent modifications or amendments to the Maintenance Agreement, as necessary, to clarify the intent and effectuate the provisions of said Agreement.
10. Authorize the City Manager to execute modifications or amendments to the Maintenance Agreement, subject to the approval of the City Attorney.
11. Authorize the City Clerk to transmit the executed Maintenance Agreement to the County Recorder's Office for recordation.

A.7. GENERAL PLAN ANNUAL REPORT (Report of: Community Development)

**Recommendations:**

1. **CERTIFY** that the General Plan Annual Report qualifies as an exempt project in accordance with Section 15061 of the California Environmental Quality Act (CEQA) Guidelines.
2. **APPROVE** Resolution No. 2017-10, a Resolution of the City Council of the City of Moreno Valley, California approving the General Plan Annual Report on the implementation of the General Plan and directing staff to submit the report to the State Office of Planning and Research and the State Department of Housing and Community Development.

A.8. SIXTH AMENDMENT TO THE AGREEMENT WITH WILLDAN FINANCIAL SERVICES FOR SPECIAL TAX CONSULTING SERVICES (Report of: Public Works)

**Recommendations:**

1. Approve the Sixth Amendment to the Agreement for Professional Consultant Services Project No. Special Districts 2014-15 Levy CFD/LLD/LMD with Willdan Financial Services, 27368 Via Industria, Suite 110, Temecula, CA 92590-4856 to provide special tax and assessment engineering consulting services.
2. Authorize the City Manager to execute the Sixth Amendment with Willdan Financial Services.
3. Authorize the issuance of a change to the Purchase Order(s) in the total amount of \$39,000 for fiscal year (FY) 2016/17 and FY 2017/18 to Willdan Financial Services and an increase to the not-to-exceed amount of the Agreement to \$232,795.
4. Authorize the City Manager to execute 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 granted by the City Council.

A.9. ADOPT RESOLUTION 2017-11 UPDATING ENERGY EFFICIENCY TARGETS FOR MORENO VALLEY UTILITY (Report of: Financial & Management Services)

**Recommendation:**

1. Approve Resolution No. 2017-11, a Resolution of the City Council of the City of Moreno Valley, California, to adopt the updated 2017

Energy Efficiency Target for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021.

A.10. RECEIPT OF QUARTERLY INVESTMENT REPORT FOR DECEMBER 2016 (Report of: Financial & Management Services)

**Recommendation:**

1. Receive and file the Quarterly Investment Report for quarter ended December 31, 2016, in compliance with the City's Investment Policy.

A.11. APPROVE BID AWARD FOR MOBILE ADVANCED METERING INFRASTRUCTURE (AMI) FOR MORENO VALLEY UTILITY (Report of: Financial & Management Services)

**Recommendations:**

1. Approve bid award to One Source Distributors for Mobile Advanced Metering Infrastructure (AMI) system for Moreno Valley Utility.
2. Authorize the Chief Financial Officer/City Treasurer to execute any subsequent related minor change orders up to, but not exceeding, the contingencies for the equipment as stated in the report, subject to the approval of the City Attorney.

A.12. PA04-0108 (TR 32515) – OFFSITE & ONSITE IMPROVEMENTS - ACCEPT SUBSTITUTION AGREEMENTS AND SECURITIES FOR PUBLIC IMPROVEMENTS DEVELOPER: LENNAR HOMES OF CALIFORNIA, INC. (Report of: Public Works)

**Recommendations:**

1. Accept the two substitution Agreements for Public Improvements and securities for project PA04-0108 (TR 32515) Offsite and Onsite Improvements with Lennar Homes of California, Inc.
2. Authorize the Mayor to execute both Agreements, subject to City Attorney approval.
3. Direct the City Clerk to forward the signed Agreements to the County Recorder's Office for recordation.
4. Authorize the City Engineer to exonerate the Letter of Credit as Faithful Performance security, the Letter of Credit as Material and Labor security, and Deed of Trust as security, previously submitted by MPLC Pigeon Pass, LP, upon acceptance of the substitution agreement and securities.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.13. PA15-0004 - EL POLLO LOCO - REDUCE FAITHFUL PERFORMANCE SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THOSE PORTIONS OF PERRIS BOULEVARD SOUTH OF JOHN F. KENNEDY DRIVE ASSOCIATED WITH THIS PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM DEVELOPER: INFINITY RS, LLC (Report of: Public Works)

**Recommendations:**

1. Adopt Resolution No. 2017-12, a Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Project PA15-0004 and Acceptance of those portions of Perris Boulevard south of John F Kennedy Drive 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 security, exonerate the Material and Labor security 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 security in one year when all clearances are received.

A.14. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO SEQUEL CONTRACTORS, INC. FOR THE HEACOCK STREET IMPROVEMENT FROM IRIS AVENUE TO GENTIAN AVENUE AND APPROVE THE REIMBURSEMENT AGREEMENT WITH WRCOG PROJECT NO. 801 0023 (Report of: Public Works)

**Recommendations:**

1. Award a construction contract to Sequel Contractors, Inc., 13546 Imperial Hwy, Santa Fe Springs, CA 90670, the lowest responsible bidder, for the Heacock Street Improvement from Iris Avenue to Gentian Avenue.
2. Authorize the City Manager to execute a contract with Sequel Contractors, Inc.
3. Authorize the issuance of a Purchase Order for Sequel Contractors, Inc., in the amount of \$1,789,964.00 (\$1,627,240.00 bid amount plus 10% 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 Sequel Contractors, Inc. up to, but not exceeding, the contingency amount of \$162,724 subject to the approval of the City Attorney.
5. Approve the Reimbursement Agreement between the Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley for the construction phase of the Heacock Street Improvement from Iris Avenue to Gentian Avenue project, authorize the City Manager to execute the Reimbursement Agreement, and authorize the Public Works Director/City Engineer to approve any minor changes or amendment to the Agreement, subject to the approval of the City Attorney.
6. Authorize the Chief Financial Officer to appropriate \$434,500 as revenue and expense in the Transportation Uniform Mitigation Fees (TUMF) Fund (3003) for contract award.

**A.15.** MUNICIPAL CODE UPDATE – SECTION 8.12.140 - DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR (First Reading and Introduction on February 7, 2017 by a 4-0 Vote) (Report of: Public Works)

**Recommendations:**

1. Adopt Ordinance No. 919, an Ordinance of the City Council of the City of Moreno Valley, California, thereby amending the City of Moreno Valley Municipal Code Section 8.12.140 related to floodplain development approvals.

**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 OCTOBER 18, 2016 (See A.2)

**Recommendation:** Approve as submitted.

B.3. MINUTES - REGULAR MEETING OF NOVEMBER 1, 2016 (See A.3)

**Recommendation:** Approve as submitted.

B.4. ACCEPTANCE OF 2016/17 AMENDED GRANT CONTRACT FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE

RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks & Community Services)

**Recommendations:**

1. Authorize the acceptance of grant monies in the amended amount of \$663,817 for Fiscal Year (FY) 2016/2017 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 2017-02, a resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the approval of the governing board to enter into a transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for FY 2016/2017.

**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 OCTOBER 18, 2016 (See A.2)

**Recommendation:** Approve as submitted.

- C.3. MINUTES - REGULAR MEETING OF NOVEMBER 1, 2016 (See A.3)

**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 OCTOBER 18, 2016 (See A.2)

**Recommendation:** Approve as submitted.

- D.3. MINUTES - REGULAR MEETING OF NOVEMBER 1, 2016 (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. 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 Trinity Baptist Church 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.

## **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)

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

Southern California Association of Governments (SCAG)

G.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

G.3. CITY ATTORNEY'S REPORT

(Informational Oral Presentation - not for Council action)

**H. LEGISLATIVE ACTIONS**

H.1. ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.1.1. ORDINANCE AMENDING THE MUNICIPAL CODE TO REFLECT APPOINTMENT AUTHORITY OF DIRECTLY ELECTED MAYOR  
(Report of: City Attorney)

**Recommendations: That the City Council:**

1. Introduce Ordinance No. 920, an Ordinance of the City Council of the City of Moreno Valley, California, amending Municipal Code Section 2.28.010 E, to comply with the State law related to the appointment authority of a Directly Elected Mayor; conduct first reading by title only and set the second reading and adoption for the March 7<sup>th</sup> meeting.

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.**

## **PUBLIC INSPECTION**

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

## **ADJOURNMENT**

**CERTIFICATION**

I, Marie Macias, MMC, Interim 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](http://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

Marie Macias, MMC  
Interim City Clerk

Date Posted: February 14, 2017