



**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**

**November 1, 2016**

**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

*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.*

Jeffrey J. Giba, Mayor Pro Tem  
Jesse L. Molina, Council Member

Dr. Yxstian A. Gutierrez, Mayor

George E. Price, Council Member  
D. LaDonna Jempson, Council Member

**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**November 1, 2016**

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

**SPECIAL PRESENTATIONS**

1. Animal Shelter Public Service Announcement
  
2. Proclamation Recognizing National Animal Shelter and Rescue Appreciation Week - November 6 - 12, 2016
  
3. Badger Springs Middle School - Mayoral Proclamation
  
4. Val Verde Academy - Mayoral Proclamation

**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  
NOVEMBER 1, 2016**

**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 Edward Cueto, Fuel and Flames Ministries

**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. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2016/2017 AS OF 7/1/16 AND REIMBURSABLE ACTIVITIES REPORT FOR JULY 1, 2016 - SEPTEMBER 30, 2016 (Report of: City Clerk)

**Recommendation:**

1. Receive and file the Fiscal Year 2016/2017 Council Discretionary Expenditure Reports and the Reimbursable Activities Report as of July 1, 2016 through September 30, 2016.

- A.3. APPROVAL OF AMENDMENT TO CONTRACT WITH TRUEPOINT SOLUTIONS FOR DEVELOPMENT SERVICES SOFTWARE AND PROFESSIONAL SERVICES (Report of: City Manager)

**Recommendation:**

1. Authorize the City Manager to execute a first amendment to a contract with TruePoint Solutions, LLC for professional services and development services related software for an additional amount of \$49,950 with a total contract amount not to exceed \$97,050.

- A.4. AMENDMENT TO LYONS SECURITY SERVICES, INC. AGREEMENT (Report of: Administrative Services)

**Recommendations:**

1. Approve the Agreement Amendment in the amount of \$90,000 for Professional Security Services with Lyons Security Services, Inc. to provide Armed Guard Services and additional contract hours.
2. Authorize the City Manager to execute the Agreement Amendment for Professional Security Services with Lyons Security Services Inc.
3. Approve the budget adjustment as set forth in the fiscal impact section.

4. Authorize the Purchasing and Facilities Manager to issue a Purchase Order once the Agreement Amendment has been fully executed.
5. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreement, including the authority to authorize associated Purchase Order changes in accordance with the terms of the Agreement, subject to the approval of the City Attorney, provided any such amendments do not increase the contract amount by more than 10% (percentage) annually.

A.5. PAYMENT REGISTER - AUGUST 2016 (Report of: Financial & Management Services)

**Recommendation:**

1. Receive and file the Payment Register.

A.6. LIST OF PERSONNEL CHANGES (Report of: Administrative Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.7. APPROVE COOPERATIVE AGREEMENT WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE COTTONWOOD INTERIM BASIN PROJECT NO. 804 0013 (Report of: Public Works)

**Recommendation:**

1. Approve the "Cooperative Agreement" with Riverside County Flood Control and Water Conservation District (District) for the Cottonwood Interim Basin Improvements Project.
2. Authorize the City Manager to execute the "Cooperative Agreement" in the form attached hereto upon concurrence by the District.
3. Authorize the Public Works Director/City Engineer to approve any minor changes that may be requested by the District subject to the approval of the City Attorney.
4. Authorize the Public Works Director/City Engineer to execute any future amendments subject to the approval of the 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 LICENSE AGREEMENT BETWEEN CITY OF MORENO VALLEY AND SIATECH (Report of: Parks & Community Services)

**Recommendation:**

1. Approve the Facility License Agreement for SIATech (School for Integrated Academics & Technologies)

## **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**

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.

E.2. ADOPTION OF 2016 CALIFORNIA BUILDING CODES, CALIFORNIA CODE OF REGULATIONS, TITLE 24, INCORPORATING THE LATEST EDITIONS OF THE MODEL CODES WITH AMENDMENTS (Report of: Community Development)

**Recommendations: That the City Council:**

1. Conduct a Public Hearing to receive public input on the proposed Ordinance.
2. Introduce Ordinance No. 915, an Ordinance of the City Council of the City of Moreno Valley, California, amending Title 8 of the City of Moreno Valley Municipal Code by repealing and replacing Chapters 8.20, 8.22, 8.23, 8.24, 8.26, 8.36 and adopting, as modified, the California Building Standards Code, California Code of Regulations, Title 24; the 2016 California Building Code; the 2016 California Mechanical Code; the 2016 California Residential Code; the 2016 California Plumbing Code; the 2016 California Electrical Code; the 2016 California Fire Code; and adopting other regulations relating to Building and Fire Prevention requirements.

E.3. URGENCY ORDINANCE BANNING SALE, DISTRIBUTION AND CULTIVATION OF NON-MEDICAL MARIJUANA (Report of: City Attorney)

**Recommendations: That the City Council:**

1. Adopt the Urgency Ordinance No. 916, an Ordinance of the City Council of the City of Moreno Valley, California, banning all non-medical marijuana commercial activity in the City until new Development Standards or permanent prohibition is established.

E.4. ORDINANCE REGULATING SMOKE SHOP USES CITYWIDE (Report of: Community Development)

**Recommendations: That the City Council:**

1. Conduct a Public Hearing on proposed amendments, related to citywide regulations of Smoke Shop uses, to Title 5 and Title 9 of the City of Moreno Valley Municipal Code.
2. **CERTIFY** that the proposed Ordinance [(amendment to the Municipal Code (PA16-0025)] qualifies as an exemption in accordance with Section 15061 of the California Environmental Quality Act (CEQA) Guidelines.
3. **INTRODUCE** Ordinance No. 917, thereby approving PA16-0025 for the amendment of the City of Moreno Valley Municipal Code to modify Titles 5 and 9, including modification of the Permitted Uses Table attached as Exhibit A, related to the citywide regulation of Smoke Shop uses.

**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)

Box Springs Mutual Water District (BSMWD)

G.2. REQUEST FOR FUNDING AND RELATED BUDGET AMENDMENT TO RESTORE A DEPUTY CITY ATTORNEY POSITION (Report of: City Attorney)



**Recommendations: That the City Council:**

1. Restore the position of Deputy City Attorney to the City's Position Control Roster.
  2. Approve a budget adjustment as set forth in the Fiscal Impact section of this report.
- G.3. 2016 REFUNDING OF THE 2007 LEASE REVENUE BONDS (Report of: Financial & Management Services)

**Recommendations: That the City Council and Moreno Valley Public Financing Authority:**

1. Adopt Resolution No. 2016-72, A Resolution of the City Council of the City of Moreno Valley, California, approving the issuance by the Moreno Valley Public Financing Authority of not to exceed \$26,500,000 aggregate principal amount of Lease Revenue Refunding Bonds, Series 2016 (Taxable) to refund certain outstanding bonds; authorizing execution and delivery of a First Amendment to Master Facilities Lease, a First Amendment Master Facilities Sublease and a Bond Purchase Agreement; Approving the form of Official Statement; and authorizing execution of documents and the taking of all necessary actions relating to the refinancing with the Moreno Valley Public Financing Authority.
  2. Adopt Resolution No. MVPFA 2016-01, a Resolution of the Moreno Valley Public Financing Authority (MVPFA) authorizing the issuance and sale of Lease Revenue Refunding Bonds to refund certain outstanding bonds; Approving the forms of a First Supplement to Master Trust Agreement, a First Amendment to Master Facilities Lease, a First Amendment to Master Facilities Sublease and a Bond Purchase Agreement; Approving an Official Statement describing said bonds; and authorizing execution of documents and the taking of all necessary actions relating to the issuance of the bonds.
- G.4. STATUS UPDATE ON STRATEGIC PLAN (Report of: City Manager)

**Recommendation: That the City Council:**

1. Receive and file the City Manager's status update on Momentum MoVal Strategic Plan objectives and initiatives.
- G.5. CITY MANAGER'S REPORT  
(Informational Oral Presentation - not for Council action)

G.6. CITY ATTORNEY'S REPORT

(Informational Oral Presentation - not for Council action)

**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.**

**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: October 20, 2016