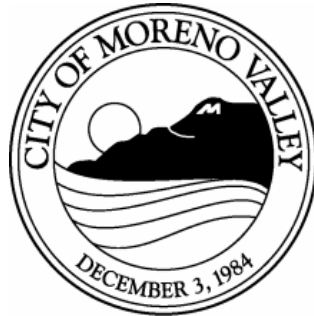


**MINUTES  
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY  
October 6, 2020**

**TELECONFERENCED MEETING**



**CITY COUNCIL REGULAR MEETING - 6:00 PM  
OCTOBER 6, 2020  
[Pursuant to Governor Executive Order N-29-20]**

**There Will Not Be a Physical Location for Attending the Meeting**

**The Public May Observe the Meeting and Offer Public Comment As Follows:**

**STEP 1**

**Install the Free Zoom App or Visit the Free Zoom Website at [<https://zoom.us/>](https://zoom.us/)**

**STEP 2**

**Get Meeting ID Number and Password by emailing [zoom@moval.org](mailto:zoom@moval.org)  
[<mailto:zoom@moval.org>](mailto:zoom@moval.org) or calling (951) 413-3001**

**STEP 3**

**Select Audio Source**

*Computer Speakers/Microphone  
or  
Telephone*

**STEP 3**

**Public Comments May be Made Via Zoom**

*During the Meeting, the Mayor Will Explain the Process for Submitting Public Comments*

**ALTERNATIVE**

**If you do not wish to make public comments, you can view the meeting on Channel MVTV-3, the City's website at [www.moval.org](http://www.moval.org) or YouTube**

**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  
MORENO VALLEY PUBLIC FINANCING AUTHORITY  
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:00 PM**

**October 6, 2020**

**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 6:00 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.

**ROLL CALL**

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Victoria Baca	Mayor Pro Tem
	David Marquez	Council Member
	Ulises Cabrera	Council Member
	Dr. Carla J. Thornton	Council Member

**INTRODUCTIONS**

Staff:	Pat Jacquez-Nares	City Clerk
	Steven Quintanilla	Interim City Attorney
	Mike Lee	City Manager
	Marshall Eyerman	Assistant City Manager/Chief Financial Officer
	Michael Wolfe	Assistant City Manager/Director of Public Works/City Engineer
	Manuel Mancha	Community Development Director
	Patti Solano	Parks & Community Services Director
	John Salisbury	Chief of Police

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

Ruth Rochelle

1. Requested road repairs within District 3.

Mayor Gutierrez stressed the importance of street maintenance and remarked that they would review the City's Five Year Road Repair plan to determine if any of the aforementioned streets are slated for repair. He also noted that pandemic related impacts to the community service program have affected road repairs.

Elmer Thomas

1. Critical of Council Member Marquez.

Linda Thomas

1. Critical of Council Member Marquez.

Brandon Carn

1. Mentioned a corruption indictment occurring in Tulare County.
2. Questioned why some Council Members and City Council candidates accepted donations from Iddo Benzeevi.
3. Chastised the City Council for authorizing a substantial payout for former City Manager DeSantis.
4. Criticized Mayor Gutierrez and Mayor Pro Tem Baca for blocking followers on social media.

Keri Then

1. Referenced a recent article which discussed the exorbitant payouts to former City of Moreno Valley City Managers.
2. Critical of Mayor Gutierrez.

Bob Palomarez

1. Praised first responders.
2. Critical of Council Member Marquez.

Tom Jerele

1. Thanked the City Council for adjourning the last City Council meeting in honor of Jeff Barnes.
2. Commended Maintenance and Operations staff.
3. Expressed his pro-growth stance.

Louise Palomarez

1. Critical of Council Member Marquez.
2. Applauded the City's progress within recent years.

JOINT CONSENT CALENDARS (SECTIONS A-E)

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Victoria Baca, Mayor Pro Tem  
**SECONDER:** Dr. Carla J. Thornton, Council Member  
**AYES:** Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Dr. Carla J. Thornton

**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 - Study Session - Sep 8, 2020 6:00 PM

**Recommendation:** Approve as submitted.

A.3. City Council - Regular Meeting - Sep 15, 2020 6:00 PM

**Recommendation:** Approve as submitted.

A.4. MAYORAL APPOINTMENTS TO THE TRAFFIC SAFETY COMMISSION AND THE PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE (Report of: City Clerk)

**Recommendation:**

1. Receive and confirm the following Mayoral appointments:

**TRAFFIC SAFETY COMMISSION**

<u>Name</u>	<u>Position</u>	<u>Term</u>
Ernesto Guzman	Member	Ending 06/30/23

**PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE**

<u>Name</u>	<u>Position</u>	<u>Term</u>
Yahir Oseguera	Teen Member	Ending 6/30/22

A.5. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2020/2021 FROM JULY 1, 2020 THROUGH AUGUST 30, 2020 (Report of: City Clerk)

**Recommendation:**

1. Receive and file the Fiscal Year 2020/2021 Council Discretionary Expenditure Report for July 1, 2019 through August 30, 2020.

A.6. PURSUANT TO LANDOWNER PETITION, ANNEX FOUR PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AMENDMENT NO. 46 (RESO. NO. 2020-67) (Report of: Financial & Management Services)

**Recommendation:**

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2020-67, 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. (Amendment No. 46).

A.7. APPROVE THE FIRST AMENDMENT TO THE COOPERATIVE AGREEMENT WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR MORENO MASTER DRAINAGE PLAN LINE K-1, PROJECT NO. 801 0021 (AGMT. NO. 2020-234-01) (Report of: Public Works)

**Recommendations:**

1. Approve the First Amendment to the Cooperative Agreement with Riverside County Flood Control and Water Conservation District (District), in substantially the form attached hereto, for the Moreno Master Drainage Plan (MDP) Line K-1 project and authorize the City Manager to execute the amendment, subject to the approval by the City Attorney;
2. Authorize the Public Works Director/City Engineer to approve any minor changes and amendments to the Cooperative Agreement with the District that may be requested by the District and/or the City subject to the approval of the City Attorney; and
3. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report, identifying reimbursement funds to be received from the District.

- A.8. APPROVE THE FIRST AMENDMENT TO THE AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES WITH HR GREEN PACIFIC INC. (AGMT. NO. 2020-129-01) (Report of: Public Works)

**Recommendations:**

1. Approve the First Amendment to the Agreement for On-Site And/Or Professional Services with HR Green Pacific Inc;
2. Authorize the City Manager to execute the First Amendment with HR Green Pacific Inc., which includes executing subsequent Amendments or Extensions to the Agreement, and the authority to authorize associated purchase orders in accordance with the terms of the Agreement, subject to the approval of the City Attorney; and
3. Authorize an increase to Purchase Order 2020-1044 with HR Green Pacific Inc. from a not-to-exceed amount of \$50,000 to a not-to-exceed amount of \$200,000 using existing funds already approved in the Public Works Operating Budget.

- A.9. ADOPT RESOLUTION AUTHORIZING EXECUTION OF THE STATE ROUTE 60 FREEWAY MAINTENANCE AGREEMENT BETWEEN THE CITY AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) (RESO. NO. 2020-68, AGMT. NO. 2020-235) (Report of: Public Works)

**Recommendations:**

1. Adopt Resolution No. 2020 – 68 Authorizing Execution of the State Route 60 Freeway Maintenance Agreement Between the City of Moreno Valley and the State of California Department of Transportation (Caltrans);
2. Approve the State Route 60 Freeway Maintenance Agreement, in substantially the form attached hereto, between the City and Caltrans and authorize the Mayor to execute said Agreement; and
3. Authorize the Public Works Director/City Engineer to approve any future amendments and revisions that may be requested by Caltrans or the City, subject to the approval of the City Attorney.

A.10. APPROVE A COOPERATIVE AGREEMENT WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE MORENO MASTER DRAINAGE PLAN STORM DRAIN LINES F-18 AND F-19, PROJECT 804 0017 (AGMT. NO. 2020-236) (Report of: Public Works)

**Recommendations:**

1. Approve the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District ("District"), in substantially the form attached hereto, for the Moreno Master Drainage Plan (MDP) Lines F-18 and F-19 project and authorize the City Manager to execute the agreement, subject to the approval by the City Attorney;
2. Authorize the Public Works Director/City Engineer to approve any minor changes and amendments to the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District that may be requested by either party subject to the approval of the City Attorney; and
3. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report, identifying reimbursement funds to be received from the District.

A.11. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO INTERNATIONAL PAVING SERVICES, INC. FOR PARKING LOT REPAIR SERVICES AND ADA IMPROVEMENTS AT THE MORENO VALLEY MAIN LIBRARY- PROJECT NO 803 0039-2512-99 (AGMT. NO. 2020-237) (Report of: Public Works)

**Recommendations:**

1. Award a construction contract to International Paving Services, Inc., 1199 Opal Ave, Mentone, CA 92359, for Moreno Valley Main Library Parking Lot Repair Services and ADA Improvements and authorize the City Manager to execute said contract in substantial conformance with the attached in the amount of \$81,866.00;
2. Authorize the issuance of a Purchase Order to International Paving Services, Inc. in the amount of \$94,145.90, which includes a 15% contingency; using Community Development Block Grant (CDBG) funding.
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 \$12,279.90, 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. MINUTES - CITY COUNCIL - STUDY SESSION - SEP 8, 2020 6:00 PM (See A.2)

**Recommendation:** Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - REGULAR MEETING - SEP 15, 2020 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

- B.4. PURSUANT TO LANDOWNER PETITIONS, ANNEX SEVEN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 1 (PARK MAINTENANCE) — AS ANNEXATION NO. 2020-52, ANNEXATION NO. 2020-55, AND ANNEXATION NO. 2020-56 (RESO. NOS. CSD 2020-26 - 28) (Report of: Financial & Management Services)

**Recommendations:**

1. Acting as the legislative body of Community Facilities District No. 1 (Park Maintenance) adopt Resolution No. CSD 2020-26, a Resolution of the Board of Directors of the Moreno Valley Community Services District, California, ordering the annexation of territory for Annexation No. 2020-52 to its Community Facilities District No. 1 and approving the amended map for said District.
2. Acting as the legislative body of Community Facilities District No. 1 (Park Maintenance) adopt Resolution No. CSD 2020-27, a Resolution of the Board of Directors of the Moreno Valley Community Services District, California, ordering the annexation of territory for Annexation No. 2020-55 to its Community Facilities District No. 1 and approving the amended map for said District.
3. Acting as the legislative body of Community Facilities District No. 1 (Park Maintenance) adopt Resolution No. CSD 2020-28, a Resolution of the Board of Directors of the Moreno Valley Community Services District, California, ordering the annexation of territory for Annexation No. 2020-56 to its Community Facilities District No. 1 and approving the amended map for said District.



- B.5. APPROVAL OF TEEN SPOT (SUPPORT, PROGRAMS, OPPORTUNITIES & TECHNOLOGY) AT THE CONFERENCE AND RECREATION CENTER (Report of: Parks & Community Services)

Council Member Cabrera thanked City staff for managing the program.

**Recommendations:**

1. Approve the Teen SPOT (Support, Programs, Opportunities & Technology) project at the Moreno Valley Conference and Recreation Center; and
2. Approve the amended budget and funding plan to convert the Moreno Valley Conference and Recreation Center Garden Room into the Teen SPOT.

**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 - CITY COUNCIL - STUDY SESSION - SEP 8, 2020 6:00 PM (See A.2)

**Recommendation:** Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - REGULAR MEETING SEP 15, 2020 6:00 PM (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 - CITY COUNCIL - STUDY SESSION - SEP 8, 2020 6:00 PM (See A.2)

**Recommendation:** Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - REGULAR MEETING - SEP 15, 2020 6:00 PM  
(See A.3)

**Recommendation:** Approve as submitted.

## **E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY**

- E.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.2. MINUTES - CITY COUNCIL - STUDY SESSION - SEP 8, 2020 6:00 PM (See A.2)

**Recommendation:** Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - SEP 15, 2020 6:00 PM  
(See A.3)

**Recommendation:** Approve as submitted.

## **F. PUBLIC HEARINGS**

- F.1. PUBLIC HEARING FOR THREE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDINGS (Report of: Financial & Management Services)

Assistant City Manager/Chief Financial Officer Eyerman provided the report.

Mayor Gutierrez opened the Public Hearing at 6:29 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 6:29 p.m.

**Recommendations: That the City Council:**

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceedings for the National Pollutant Discharge Elimination System (NPDES) Residential Regulatory Rate or Common Interest, Commercial, Industrial, and Quasi-Public Use Regulatory Rate to be applied to the property tax bill of the parcels identified herein;

2. Direct the City Clerk to open and count the returned NPDES ballots;

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

3. Verify and accept the results of the mail ballot proceedings as maintained by the City Clerk on the Official Tally Sheet and if approved, set the rate and impose the NPDES Residential Regulatory Rate or the Common Interest, Commercial, Industrial, and Quasi-Public Use Regulatory Rate, as applicable, on the Assessor's Parcel Numbers as mentioned;
4. Receive and file the Official Tally Sheet with the City Clerk's office.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Marquez, Council Member  
**SECONDER:** Victoria Baca, Mayor Pro Tem  
**AYES:** Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Dr. Carla J. Thornton

## 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 23rd.

At that meeting, the Commission approved the installation of a new AT&T cell tower at the March Field Air Museum.

We also approved new parcel maps for the Eagle Business Park and the March Business Center to enable the sale of individual buildings. This will enable several small business owners to own their own facility.

Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC) - None

Riverside Transit Agency (RTA) - None

Western Riverside Council of Governments (WRCOG) - Mayor Pro Tem Baca

Mayor Pro Tem Baca reported the following:

Items covered at the WRCOG Executive Committee meeting on October 5, 2020 include:

- For Fiscal Year (FY) 2019/2020, TUMF fee collections totaled \$49.8 million, including \$4,001,407 from the City of Moreno Valley.

Western Riverside County Regional Conservation Authority (RCA) - Council Member Marquez

Council Member Marquez reported the following:

Items covered at the RCA Board of Directors meeting on October 5, 2020 include:

- Moreno Valley's MSHCP fee collection totaled \$90,440 (11 residential permits and 8.60 acres of Commercial/Industrial uses) for the month of August 2020.

School District/City Joint Task Force - None

## **I.2. CITY MANAGER'S REPORT - NONE**

(Informational Oral Presentation - not for Council action)

## **I.3. CITY ATTORNEY'S REPORT - NONE**

(Informational Oral Presentation - not for Council action)

## **CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND THE BOARD OF LIBRARY TRUSTEES.**

### Council Member Thornton

1. Reported that she and Mayor Pro Tem Baca held interviews for the Moreno Valley Citizens Public Safety Committee.
2. Announced that she would hold a Listening Session on Saturday, October 10th.
3. Reminded residents that the Animal Shelter was still providing free pet microchips.
4. Stated that she would attend the League of California Cities Annual Conference from October 7th through the 9th.
5. Notified everyone that they have until October 13th to register to vote.

6. Urged residents to get tested for COVID-19.
7. Encouraged residents to support businesses within the City.

#### Council Member Marquez

1. Reminded residents that giveaways are for the entire City.
2. Addressed comments made by the Thomas'.
3. Urged residents to vote.
4. Encouraged residents to continue to wear their masks and to support local businesses.

#### Council Member Cabrera

1. Called on residents to complete the Census, as the due date was extended.
2. Expressed his appreciation to the City Council for promoting the Census on their social media accounts.
3. Implored residents to maintain their vigilance during the pandemic.

#### Mayor Pro Tem Baca

1. Explained that although the City was financially solvent before the pandemic, the dwindling revenue may require future cuts to services.
2. Asked residents to attend the newest restaurant in District 1, Country Kitchen.
3. Listed various City holiday events occurring via Zoom.
4. Noted that freeway off-ramps are the jurisdiction of Caltrans.
5. Acknowledged Hispanic Heritage month.
6. Prompted residents to stay safe.

#### Mayor Gutierrez

1. Praised the City's response to the pandemic.
2. Remarked on the City Council's priority of maintaining the streets.
3. Explained that Caltrans is the governing authority of the freeway off-ramps.
4. Expressed his excitement for the Teen SPOT program.

### **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 6:54 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 Financing Authority

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  
Chairperson, Public Financing Authority