

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
September 7, 2021

CALL TO ORDER - 5:30 PM

Special Presentations

1. Shield 4 Kids Presentation

**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
September 7, 2021**

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 6:03 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Assistant City Manager/Chief Financial Officer/City Treasurer Mohan.

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	David Marquez	Council Member
	Ulises Cabrera	Council Member

Absent:	Victoria Baca	Mayor Pro Tem
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INTRODUCTIONS

Staff:	Pat Jacquez-Nares	City Clerk
	Steve Quintanilla	Interim City Attorney
	Mike Lee	City Manager
	Brian Mohan	Acting Assistant City Manager/Chief Financial Officer/City Treasurer
	Michael Wolfe	Assistant City Manager/Director of Public Works/City Engineer
	Manuel Mancha	Community Development Director

Erica Green
Alfonso Campa
Dave Rodriguez

Acting Parks & Community Services Director
Lieutenant
Battalion Chief

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

Fred Banuelos

1. Attended the meeting to see how things were done.
2. Stated he wanted to help the Council make the City better.
3. Introduced himself, provided his history as a resident of Moreno Valley. Stated he lived in District 4.

Ed Delgado

1. Requested 13 seconds of silence for the fallen soldiers in Afghanistan.
2. Stated he was a candidate for District 2 and provided his resume, qualifications, and vision for Moreno Valley.

Angel Lopez-Ramirez

1. Stated his qualifications for his candidacy for the District 2 council race.
2. Stated his concerns with SB9 and SB10.
3. Reported the vandalism of four different campaign signs. The candidates worked together and were able to redisplay the signs.

Bob Palomarez

1. Thanked Fire and Police for their great work.
2. Welcomed Mr. Banuelos.
3. Stated he was offended by the remarks made by Council Member Marquez that two of the Council Members were on the take or received money for their campaigns.

Tom Jerele Sr.

1. Stated that the State of the City was a great event, staff did a tremendous job.
2. Praised the Public Works Division for their great work and presentation at the Chamber meeting.
3. Commended the Valley View High School cheerleaders for their resilience.
4. Stated that the vandalism on political signs had been an ongoing issue and recommended that candidates pool their money and contract a security guard to protect their signs.

Louise Palomarez

1. Agreed with Bob Palomarez' comments.
2. Stated she was outraged at what happened in Temecula to the Valley View High School cheerleaders.
3. Stated that Council Member Marquez was supporting Council Member Cabrera for Mayor.
4. Praised Mayor Gutierrez, Mayor Pro Tem Baca, and City staff for the great work they were doing.

5. Supported the approval of the General Plan Amendment.
6. Congratulated Angel Lopez-Ramirez for his candidacy; however, he did not state any plans for increasing jobs in Moreno Valley or to move the City forward.
7. Stated she would support the candidate that wanted to create jobs, was aligned with the Mayor's agenda, and wanted to move the City forward not backward.
8. Stated that Mayor Gutierrez leaving for the County seat would be a great loss for the City. However, she would support him, the police and fire departments.

JOINT CONSENT CALENDARS (SECTIONS A-E)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Marquez, Council Member
SECONDER:	Ulises Cabrera, Council Member
AYES:	Dr. Yxstian A. Gutierrez, David Marquez, Ulises Cabrera

A. CONSENT CALENDAR-CITY COUNCIL

- A.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- A.2. City Council - Regular Meeting - Jun 15, 2021 6:00 PM

Recommendation: Approve as submitted.

- A.3. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2020/2021 FROM JULY 1, 2020 THROUGH JUNE 30, 2021 (Report of: City Clerk)

Recommendation:

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

- A.4. MAYORAL APPOINTMENT TO THE PARKS, COMMUNITY SERVICES, AND TRAILS COMMITTEE (Report of: City Clerk)

Council Member Marquez congratulated and thanked the teen member in attendance.

Recommendation:

1. Receive and confirm the Mayoral appointment as follows:

PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE

<u>Name</u>	<u>Position</u>	<u>Term</u>
Rylee Peak	Teen Member	Ending 09/07/23

- A.5. Amendment to Public Facilities Fee Credit and Entitlement Fund Agreement with SP/CCI LLC to extend the agreement for five years (AGMT. NO. 2021-182) (Report of: Community Development)

Recommendations: That the City Council:

1. Approve the Amendment to the Public Facilities Fee Credit and Entitlement Fund Agreement with SP/CCI, LLC for Acquisition of Parcels APN 478-120-003 & -004 (“Agreement”); and
2. Authorize the City Manager to execute the Agreement in the form attached hereto and authorize the Community Development Director to approve any minor changes to the Agreement that may be necessary and subsequent documents required to effectuate the intent of the Agreement, subject to the approval of the City Attorney.

- A.6. AUTHORIZATION TO AWARD AN AGREEMENT FOR PROFESSIONAL CONSULTANT DESIGN SERVICES TO HR GREEN PACIFIC, INC. FOR CITYWIDE PAVEMENT REHABILITATION PROGRAM PROJECTS (AGMT. NO. 2021-183) (Report of: Public Works)

Council Member Cabrera thanked the staff for this item and for the forward planning.

Recommendations:

1. Award an Agreement for Professional Consultant Services to HR Green Pacific, Inc. to provide design related services for citywide pavement rehabilitation program projects in the amount of \$534,479.40;
2. Authorize the City Manager to execute the agreement with HR Green Pacific, Inc., subject to the approval by the City Attorney;
3. Authorize the issuance of a Purchase Order to HR Green Pacific, Inc. in the amount of \$534,479.40 when the agreement has been signed by all parties using State Gas Tax and SB1/RMRA State Gas Tax funds (Funds 2000 and 2000A);
4. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with HR Green Pacific, Inc., not to exceed the Purchase Order amount, subject to the approval by the City Attorney; and
5. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

A.7. APPROVAL OF A REIMBURSEMENT AGREEMENT WITH EASTERN MUNICIPAL WATER DISTRICT FOR FUTURE ROAD REPAIRS AND IMPROVEMENTS (Report of: Public Works)

Recommendation:

1. Approve the Reimbursement Agreement (“Agreement”) with Eastern Municipal Water District for road repair and improvement substantially to form; and
2. Authorize the City Manager to make minor changes to the draft Agreement if necessary and execute the Agreement, in substantial conformance with the attached, and other subsequent documents and instruments related to the Agreement as necessary, to include amendments, subject to the approval of the City Attorney.

A.8. ADOPT RESOLUTION NO. 2021-61 ACCEPTING EASEMENTS OVER PORTIONS OF BRADSHAW CIRCLE FOR PUBLIC UTILITY PURPOSES ONLY (Report of: Public Works)

Recommendations:

1. Adopt Resolution No. 2021-61, a resolution of the City Council of the City of Moreno Valley, California, accepting easements over portions of Bradshaw Circle, specifically, Lots B, C, and D of Parcel Map 11496 for public utility purposes only; and
2. Direct the City Clerk to certify the acceptance of said dedication and cause said certification to be recorded in the Office of the Recorder of the County of Riverside together with said Resolution.

A.9. PAYMENT REGISTER - JULY 2021 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

A.10. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

Recommendation:

1. Ratify the list of personnel changes as described.

A.11. RECEIPT OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 30, 2021 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Quarterly Investment Report for quarter ended June 30, 2021, in compliance with the City's Investment Policy.

A.12. COVID-19 PANDEMIC RESOLUTIONS EXTENDING THE LOCAL STATE OF EMERGENCY AND CERTAIN EMERGENCY MEASURES (RESO. NO. 2021-62) (Report of: Financial & Management Services)

Recommendations:

That the City Council adopt Resolution No. 2021-62 Extending the Local State of Emergency and Certain Emergency Measures related to the Local, State and National Declarations of a State of Emergency related to the COVID-19 Pandemic.

A.13. AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES TO RSG, INC. ("RSG") FOR AFFORDABLE COMPLIANCE MONITORING INCLUDING SB341 REPORTING REQUIREMENTS (AGMT. NO. 2021-185) (Report of: Financial & Management Services)

Recommendations:

1. Approve the Agreement for Professional Consultant Services with RSG, Inc. ("RSG") to provide Affordable Housing Compliance Monitoring including SB341 Reporting Requirement for 3 years, with an option to extend the agreement for an additional 2-year term.
2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with RSG, Inc. ("RSG").
3. Authorize the issuance of purchase orders for service beginning once the Agreement has been fully executed in the not-to-exceed (NTE) amount of \$236,625.
4. Authorize the City Manager to execute any subsequent related Amendments to the Agreement, including the authority to authorize associated Purchase Orders in accordance with the terms of the Agreement, subject to the approval of the City Attorney.

- A.14. ACCEPT THE U.S. DEPARTMENT OF THE TREASURY EMERGENCY RENTAL ASSISTANCE PROGRAM PART 2 (ERAP2) FUNDS. (RESO. NO. 2021-63 & AMEND. NO. 2021-25-01) (Report of: Financial & Management Services)

Council Member Cabrera thanked Assistant City Manager Mohan and City Manager Lee for this item that assisted with the community's hardships.

Recommendations:

1. Adopt Resolution No. 2021-63, a Resolution of the City Council of the City of Moreno Valley, California Authorizing Participation in the State Rental Assistance Program 2 in the amount of \$6,032,832.
2. Accept the U.S. Department of the Treasury Direct Allocation of Emergency Rental Assistance Program Part 2 ("ERAP2") funds in the amount of \$5,012,189, and receive any additional redirected funding from ERAP as recommended by the California Department of Housing and Community Development (HCD).
3. Authorize the amendment (AMEND. NO. 2021-25-01) of the existing consulting agreement with Willdan Financial Services ("WFS") to include administration support for ERAP2 for an additional amount of \$75,000, as approved by the City Attorney.
4. Authorize a budget amendment as set forth in the fiscal impact section.
5. Authorize the City Manager to execute an agreement with United Way of Inland Valleys and the County of Riverside, and allocate ERAP2 funding to expedite direct assistance to our community.

- A.15. APPROVE THE SMOKE & CARBON MONOXIDE ALARM GIVEAWAY/REBATE PILOT STARTER RESIDENTIAL PROGRAM (AGMT. NO. 2021-186) (Report of: Financial & Management Services)

Recommendations:

1. Approve the smoke & carbon monoxide alarm giveaway/rebate pilot starter residential program;
2. Authorize the City Manager to implement the smoke & carbon monoxide alarm giveaway/rebate pilot starter residential program;
3. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

A.16. APPROVE AND EXECUTE THE AGREEMENT WITH MUSCO SPORTS LIGHTING, LLC, FOR SPORTS LIGHTING UPGRADES AT MORRISON PARK, PROJECT NO. 807 0057-3015, AND BUDGET APPROPRIATION (Report of: Parks & Community Services)

Recommendations:

1. Approve the Agreement for the sports lighting upgrades at Morrison Park with Musco Sports Lighting, LLC;
2. Authorize the Executive Director to execute the Agreement for sports lighting upgrades at Morrison Park with Musco Sports Lighting, LLC, and issuance of the Purchase Order for construction after the Agreement has been fully executed;
3. Authorize the Executive Director to execute any subsequent related Extensions or Amendments to the Agreement within the authorized funding, subject to the approval of the City Attorney;
4. Approve Musco Sports Lighting, LLC, as the sole source for procurement and installation of the proposed lights and associated equipment.

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 JUN 15, 2021 6:00 PM (See A.2)

Recommendation: Approve as submitted.

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 JUN 15, 2021 6:00 PM (See A.2)

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 JUN 15, 2021 6:00 PM (See A.2)

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 - REGULAR MEETING OF JUN 15, 2021 6:00 PM (See A.2)

Recommendation: Approve as submitted.

F. PUBLIC HEARINGS

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

Assistant City Manager and Chief Financial Officer Mohan provided a brief summary of this item.

Mayor Gutierrez opened the public hearing at 6:31 p.m. There being no speakers in favor or in opposition of this item, Mayor Gutierrez closed the public hearing at 6:31 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 or Common Interest, Commercial, Industrial, and Quasi-Public Use Regulatory Rate to be applied to the property tax bill of the parcels identified herein for Maria Luna (located at 11950 Mathews Rd.), 24771 Nandina LLC (located on the south side of Nandina Ave., west of Perris Blvd.), Raising Cane's Restaurant, LLC (located on the southwest corner of Centerpoint Dr. and Frederick

St.), and LCG MVII, LLC (located on the southeast corner of Heacock St. and Hemlock Ave.).

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

RESULT: APPROVED [UNANIMOUS]
MOVER: David Marquez, Council Member
SECONDER: Ulises Cabrera, Council Member
AYES: Dr. Yxstian A. Gutierrez, David Marquez, Ulises Cabrera

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 applicable NPDES Regulatory Rate 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: Ulises Cabrera, Council Member
SECONDER: David Marquez, Council Member
AYES: Dr. Yxstian A. Gutierrez, David Marquez, Ulises Cabrera

G. GENERAL BUSINESS

- G.1. AUTHORIZATION TO REFINANCE THE 2015 AND 2016 LEASE REVENUE BONDS (RESO. NOS. 2021-64 & PFA 2021-01) (Report of: Financial & Management Services)

Assistant City Manager and Chief Financial Officer Mohan provided a brief summary of this item.

Council Member Marquez asked how much money the City would save and if it could be given to public safety.

Assistant City Manager and Chief Financial Officer Mohan stated and estimated 4.14 million and the money savings could only be used for Moreno Valley Utility.

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

1. Adopt Resolution No. 2021-64, Resolution Of The City Council Of The City Of Moreno Valley Approving The Issuance By The Moreno Valley Public Financing Authority Of Not To Exceed \$35,000,000 Aggregate Principal Amount Of Lease Revenue Refunding Bonds, Series 2021 (Taxable) To Refinance Certain Capital Improvements; Authorizing Execution And Delivery Of Related Documents.

RESULT: APPROVED [UNANIMOUS]
MOVER: David Marquez, Council Member
SECONDER: Ulises Cabrera, Council Member
AYES: Dr. Yxstian A. Gutierrez, David Marquez, Ulises Cabrera

2. Adopt Resolution No. MVPFA 2021-01, Resolution Authorizing The Issuance And Sale Of Not To Exceed \$35,000,000 Aggregate Principal Amount Of Lease Revenue Refunding Bonds, Series 2021 (Taxable) To Refinance Certain Capital Improvements; Authorizing Execution And Delivery Of Related Documents

RESULT: APPROVED [UNANIMOUS]
MOVER: Ulises Cabrera, Council Member
SECONDER: David Marquez, Council Member
AYES: Dr. Yxstian A. Gutierrez, David Marquez, Ulises Cabrera

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

I. REPORTS

I.1. CITY COUNCIL REPORTS - NONE

I.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

City Manager Lee reminded the residents that all of the City's cooling centers were open. He also announced the El Grito event scheduled for September 15, 2021 from 5:00 to 10:00 p.m. at the Amphitheatre, and invited everyone to this free event.

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 Marquez

1. Provided the meaning for his yellow lapel ribbon, the ribbon represented the safe extraction and return of all Americans in Afghanistan. He offered to provide the yellow ribbons to whomever would want one.
2. Announced the First Annual Moreno Valley Construction Job Fair at the CRC from 9:00 a.m. to 1:00 p.m. He encouraged residents of Moreno Valley to attend.
3. Stated he had been receiving calls and texts on the after school traffic. He also read the next door posts from the parents that were upset that the police officers were citing them. Stated police officers were there to protect the children.

4. Stated with pride that the Moreno Beach overpass would begin construction. Asked the businesses and residents for patience during the 18-month process.
5. Set the record straight on the public comments made about him and the gas station owner. Council Member Marquez stated that the speaker lied, he did not know the gas station owner, he did not interfere with the Planning Commission ever, and that he had only attended one Planning Commission meeting the first week he was on the Council. He had not received \$10,000 from developers for his campaign. He funded his campaign. He further stated that Mr. Palomarez owed him \$1,000 and had not paid him yet.
6. Congratulated the staff for the great work that they had been doing.

Council Member Cabrera

1. Announced that the R-Cap reopened last week, he along with Mayor Gutierrez, and City staff were present.
2. Stated he had a ride along with the C-BAT Team that morning and they encountered some homeless people.
3. Commended the Valley View High School cheerleaders for their positive reactions to the bad behavior they received in Temecula.
4. Reported that three young boys assaulted a street cart vendor in his district and took all his money. He thanked the Sheriff's Department for the arrest of the perpetrators.
5. Invited everyone to attend the El Grito event on Wednesday, September 15, 2021.
6. Sent his condolences to the families of the 13 Marines that lost their lives in Afghanistan. Requested that the meeting be adjourned in the memory of the 13 Marines along with all the lives that had been lost in Afghanistan.

Mayor Gutierrez

1. Urged everyone to follow the COVID safety protocols especially with the Delta variant surge. Urged people to get vaccinated.
2. Reminded everyone of the El Grito Event on September 15, 2021 from 5:00 p.m. to 10:00 p.m. at the Amphitheatre. The event also Celebrated Hispanic Heritage Month and would have bands, food, and a fun zone for the kids.
3. The State of the City event was well attended. He thanked the City staff and media team for all their work on the event.
4. Announced and invited everyone to the Job Fair on September 17, 2021.
5. Reminded everyone that the City was the largest and first city in the county to have a community workforce agreement which provided for local hire on public projects.
6. Stated that the M was lit to honor the 13 Marines lost in Afghanistan and other individuals.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 6:51 p.m. in the memory of the 13 service members and the Moreno Valley College Founding President, Dr. Richard Tworek.

Submitted by:

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:

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