



TELECONFERENCED MEETING

CITY COUNCIL REGULAR MEETING – 6:00 PM

NOVEMBER 17, 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 or calling (951) 413-3001, no later than 5:00 p.m. on Tuesday, November 17, 2020

STEP 3

Select Audio Source

Computer Speakers/Microphone

or

Telephone

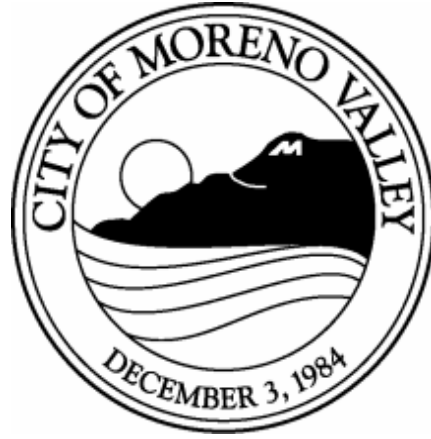
STEP 3

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 or YouTube



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
MORENO VALLEY PUBLIC FINANCING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

November 17, 2020

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 Sessions

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.

Dr. Yxstian A. Gutierrez, Mayor

Victoria Baca, Mayor Pro Tem
Ulises Cabrera, Council Member

David Marquez, Council Member
Dr. Carla J. Thornton, Council Member

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

***THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD
MEETINGS***

**REGULAR MEETING – 6:00 PM
NOVEMBER 17, 2020**

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.

ROLL CALL

INTRODUCTIONS

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

Any person wishing to address the Mayor and City Council on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must follow the procedures set forth above and wait to be identified to speak by the Mayor. Members of the public may be limited to three minutes per person or the allowed time set by the Mayor, except for the applicant. The Mayor and City Council may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Mayor and not to other members of the City Council, the applicant, the Staff, or the audience.

JOINT CONSENT CALENDARS (SECTIONS A-E)

All items listed under the Consent Calendars, Sections A, B, C, D, and E 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 20, 2020 6:00 PM

Recommendation: Approve as submitted.

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

Recommendation:

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

- A.4. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

Recommendation:

1. Ratify the list of personnel changes as described.

- A.5. RECEIPT OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2020 (Report of: Financial & Management Services)

Recommendations:

1. Receive and file the Quarterly Investment Report for quarter ended September 30, 2020, in compliance with the City's Investment Policy.

- A.6. AUTHORIZE AMENDMENT TO AGREEMENT WITH MERCHANTS BUILDING MAINTENANCE (Report of: Financial & Management Services)

Recommendation:

1. Approve the Second Amendment to Agreement for On-Site and/or Professional Services with Merchants Building Maintenance, to increase the contract value due to increases in services resulting from the COVID-19 pandemic.
2. Authorize the City Manager to execute the Second Amendment to Agreement for On-Site and/or Professional Services with Merchants Building Maintenance, subject to the approval of the City Attorney.

3. Authorize the City Manager to execute subsequent extensions or 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 and the approved budget by City Council.
- A.7. APPROVE AN AMENDMENT TO THE LOAN AGREEMENT WITH FAMILY SERVICE ASSOCIATION TO PROVIDE SHORT TERM GAP FINANCING TO ACCELERATE THE DEVELOPMENT OF A LOW-INCOME CHILD CARE FACILITY (Report of: Financial & Management Services)

Recommendation:

1. Approve amending the Family Service Association Loan Agreement maturity date from December 31, 2020 to June 30, 2021.
 2. Authorize the City Manager to execute the amended Loan Agreement.
- A.8. PAYMENT REGISTER- SEPTEMBER 2020 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.
- A.9. APPROVE AGREEMENT FOR DETENTION BASIN MAINTENANCE SERVICES FOR PROJECT NO. DB-PM 32326 WITH MARIPOSA LANDSCAPES INC. (Report of: Public Works)

1. Approve the Agreement for On-Site and/or Professional Services with Mariposa Landscapes, Inc. to provide detention basin maintenance services for Project Number DB-PM 32326 with the Land Development Division.
2. Authorize the City Manager to execute the Agreement with Mariposa Landscapes, Inc., subject to the approval of the City Attorney.
3. Authorize the issuance of a purchase order to Mariposa Landscapes, Inc. in the amount of \$54,155.00 for Fiscal Year (FY) 2020/2021 and authorize the Chief Financial Officer to approve subsequent related purchase orders for annual extensions up to a maximum of four annual extensions with Mariposa Landscapes, Inc. not to exceed \$54,155.00 annually, for a total not to exceed of \$270,775.00, in accordance with the approved terms of the Agreement, using funds collected through CFD No. 4-M.
4. Authorize the Public Works Director/City Engineer to execute subsequent extensions and/or amendments to the Agreements, including the authority to authorize subsequent associated purchase orders in accordance with the terms of the Agreements, subject to the approval of the City Attorney.

A.10. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO BAKER ELECTRIC INC. FOR THE MORENO VALLEY RANCH ITS AND PIGEON PASS ROAD ITS PROJECTS (PROJECTS 808 0025 AND 808 0030) (Report of: Public Works)

Recommendations:

1. Reject all other bids, waive any and all minor irregularities, and award a construction contract to Baker Electric, Inc. for the Moreno Valley Ranch ITS and Pigeon Pass Road ITS projects in the amount of \$539,893.70 and authorize the City Manager to execute the contract;
2. Authorize the issuance of a Purchase Order to Baker Electric, Inc. in the amount of \$593,883.07 (\$539,893.70 bid amount plus a 10% contingency), using Traffic Signal Development Impact Fees (DIF);
3. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract, not to exceed the contingency amount of \$53,989.37;
4. Approve the First Amendment to the Agreement for Professional Consultant Services with KOA Corporation, to provide construction management services for the aforementioned projects;
5. Authorize the City Manager to execute the First Amendment with KOA Corporation and any subsequent amendments subject to the review and approval of the City Attorney and available budget;
6. Authorize an increase to Purchase Order 2020-1044 with KOA Corporation from a not-to-exceed amount of \$356,746.35 to a not-to-exceed amount of \$467,786.35, using Traffic Signal DIF funds; and
7. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

A.11. PEN18-0228 – ADOPTION OF THE PROPOSED RESOLUTION FOR THE SUMMARY VACATION OF A SOUTHERLY PORTION OF FILAREE AVENUE LOCATED 610 FEET WEST OF OLIVER STREET TO 1,270 WEST OF OLIVER STREET. DEVELOPER: KAISER PERMANENTE (Report of: Public Works)

Recommendation:

1. Adopt Resolution No. 2020-XX. A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of the Southerly Portion of Filaree Avenue Located from 610 Feet West of the Intersection of Oliver Street to 1,270 West of Oliver Street; and

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.
- A.12. Approve First Amendment to the Energy Scheduling and Trading Services Agreement with Tenaska Power Services (Report of: Public Works)

Recommendations:

1. Approve the First Amendment to the Energy Scheduling and Trading Services Agreement with Tenaska Power Services, Co.
 2. Authorize the City Manager to execute the Amendment.
- A.13. PEN18-0032 (TR 36708) – APPROVE TRACT MAP 36708 LOCATED AT THE SOUTHWEST CORNER OF CACTUS AVENUE AND PERRIS BOULEVARD. DEVELOPER: CENTURY COMMUNITIES OF CALIFORNIA, LLC (Report of: Public Works)
1. Approve Tract Map 36708; and
 2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A.14. PEN19-0110 (PM 8073) – ADOPTION OF THE PROPOSED RESOLUTION FOR THE SUMMARY VACATION OF THE WESTERLY CUL-DE-SAC PORTION OF MYRNA STREET BETWEEN 130 FEET TO 270 FEET WEST OF THE INTERSECTION OF JO ANN STREET. DEVELOPER: COURTYARDS AT COTTONWOOD, L.P. (Report of: Public Works)

Recommendations:

1. Adopt Resolution No. 2020-XX. A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of the portion of Myrna Street located between 130 feet to 270 feet west of the intersection of Jo Ann Street; and
 2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.
- A.15. APPROVAL OF AMENDMENT NO. 2 TO THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 3, LINE D, LINE D-5, LINE D-6, AND LINE F SINCLAIR STREET STORM DRAIN (Report of: Public Works)
1. Approve Amendment No. 2 to the Cooperative Agreement for the Moreno Master Drainage Plan (MDP) Line F, Stage 3, Line D, Line D-5, Line D-6, and Line F Sinclair Street Storm Drain, with the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley (City), HF Logistics-SKX T1, LLC, HF Logistics-SKX T2, LLC, and Highland Fairview Partners IV (Developer), PEN18-0254.

2. Authorize the Public Works Director/City Engineer to execute Amendment No. 2 to the Cooperative Agreement.
 3. Authorize the Public Works Director/City Engineer to execute subsequent extensions and/or amendments to the Cooperative Agreement, subject to the approval of the City Attorney.
- A.16. PEN16-0095 (TR 36760) – APPROVE TRACT MAP 36760 LOCATED ON THE EAST SIDE OF INDIAN STREET BETWEEN GENTIAN AVENUE AND SANTIAGO DRIVE. DEVELOPER: MERITAGE HOMES OF CALIFORNIA, INC. (Report of: Public Works)
1. Approve Tract Map 36760; and
 2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A.17. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO BOGH ENGINEERING, INC. FOR THE JUAN BAUTISTA DE ANZA MULTI-USE TRAIL GAP CLOSURE, PROJECT NO. 801 0077 (Report of: Public Works)

Recommendations:

1. Award a construction contract to Bogh Engineering, Inc., 401 W. 4TH Street, Beaumont, CA 92223, for the Juan Bautista De Anza Multi-Use Trail Gap Closure project and authorize the City Manager to execute a contract with Bogh Engineering, Inc. in the amount of \$2,548,507.25;
2. Authorize the issuance of a Purchase Order to Bogh Engineering, Inc., in the amount of \$2,803,357.98 (\$2,548,507.25 bid amount plus a 10% contingency) when the contract has been signed by all parties;
3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to Bogh Engineering, Inc. contract, but not exceeding the total contingency of \$254,850.73, subject to the approval of the City Attorney; and
4. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report to provide sufficient budget to complete the project funded by a combination of Active Transportation Program ATP 3 Funds (Fund 2301), Gas Tax Funds (2000) and PCS Capital Project Funds (3015).

A.18. APPROVE AMENDMENTS TO TERMINATION DATE FOR INDEPENDENT CONTRACTOR AGREEMENTS WITH TOW OPERATORS THAT PARTICIPATE IN THE CITY-WIDE ROTATIONAL TOW SERVICES PROGRAM (Report of: Community Development)

1. Approve the Amendments with Exclusive Recovery, Inc. dba Exclusive Towing, Doyle Tucker dba Moreno Valley Tow, Pepe's Towing, Inc., and Valley Wide Towing, L.L.C. for Rotational Tow Services;
2. Authorize the City Manager, or his designee, to execute the Amendments with the Tow Operators subject to the City Attorney's approval, under approved terms of the agreement; and
3. Authorize the City Manager, or his designee, to execute optional Amendments to extend the expiration three additional months if necessary, subject to the City Attorney's approval.

A.19. APPROVAL TO USE ASSET FORFEITURE FUNDS TO PURCHASE AN UNMANNED AIRCRAFT SYSTEM IN FY 2020/21 (Report of: Police Department)

Recommendations:

1. Authorize the police department to purchase one new DJI Mavic 2 Enterprise Dual unmanned aircraft system/vehicle (UAS/UAV) to utilize as a force multiplier for events, including but not limited to fireworks enforcement. The total cost for the UAV is \$4,997.00 (UAV \$4,637.49 plus \$359.41 tax.)
2. Authorize a budget adjustment of \$4,997.00 (UAV \$4,637.49 plus \$359.41 tax.) to the General Fund (1010) Police Asset Forfeiture revenue and expenditure accounts.

A.20. AUTHORIZE THE EXPANSION OF THE COMMERCIAL VEHICLE SAFETY PROGRAM UTILIZING ASSET FORFEITURE FUNDS (Report of: Police Department)

Recommendations:

1. Approve the expansion of the Commercial Vehicle Safety Program.
2. Approve the use of asset forfeiture funds and the proposed budget adjustments as set forth in the Fiscal Impact section of this report.

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 - REGULAR MEETING - OCT 20, 2020 6:00 PM (See A.2)

Recommendation: Approve as submitted.

- B.3. ADOPT A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN APPLICATION TO CONSTRUCT A DOG PARK UNDER THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS (Report of: Parks & Community Services)

Recommendations:

1. Adopt Resolution No. 2020-____ to approve an application for a dog park under the Statewide Park Development and Community Revitalization Program Grant allocated by Proposition 68 (2018 Bond Act) through the California Department of Parks and Recreation Office of Grants and Local Services; and
2. Upon issuance of the grant by the California Department of Parks and Recreation, authorize the City Manager to accept the grant on behalf of the CSD and process a budget amendment and appropriation in the grant amount, which will be ratified in the following quarterly budget review.

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 - REGULAR MEETING - OCT 20, 2020 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 - CITY COUNCIL - REGULAR MEETING - OCT 20, 2020 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 - CITY COUNCIL - REGULAR MEETING - OCT 20, 2020 6:00 PM (See A.2)

Recommendation: Approve as submitted.

F. 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 follow the teleconference procedures.

- F.1. PUBLIC HEARING FOR THE ANNUAL ACTION PLAN FOR PROGRAM YEAR 2021-2022 & TO ADOPT 2021-2022 OBJECTIVES AND POLICIES (Report of: Financial & Management Services)

Recommendations:

1. Conduct a Public Hearing to allow for the public to comment on the needs of low- and moderate-income residents in Moreno Valley.
2. Approve the proposed CDBG, HOME, and ESG Grant Objectives and Policies for the 2021-2022 Program Year.

G. GENERAL BUSINESS

G.1. INTRODUCTION OF ORDINANCE ____ AMENDING CHAPTER 5.05 COMMERCIAL CANNABIS ACTIVITY; ADOPTION OF RESOLUTION 2020-____ ESTABLISHING ADMINISTRATIVE PROCEDURES FOR PROCESSING COMMERCIAL CANNABIS ENTITLEMENTS; AND ADOPTION OF RESOLUTION 2020-____ AMENDING THE CITY'S FEE SCHEDULE (Report of: Financial & Management Services)

Recommendations: That the City Council:

1. Introduce Ordinance ____, amending Chapter 5.05 Commercial Cannabis Regulatory Activity to provide clean up language to avoid duplicate or conflict with the State's Cannabis Regulations and schedule the second reading and adoption for the next regular City Council meeting;
2. Adopt Resolution 2020-____, establishing administrative procedures for processing commercial cannabis entitlements;
3. Adopt Resolution 2020-____ amending the City User Fee Schedule for Fiscal Year 2020-21 to include fees related to the application and permit process for commercial cannabis related businesses;
4. Direct City Manager to accept applications to fill the remaining available permits.

H. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

I. REPORTS

I.1. CITY COUNCIL REPORTS

(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

I.2. CITY MANAGER'S REPORT

(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.

ADJOURNMENT

PUBLIC INSPECTION

The contents of the agenda packet are available for public inspection on the City's website at 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 and in the City Clerk's office at 14177 Frederick Street during normal business hours.

CERTIFICATION

I, Pat Jacquez-Nares, 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 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

Pat Jacquez-Nares, CMC & CERA
City Clerk

Date Posted: November 12, 2020