

**TELECONFERENCED MEETING**

**CITY COUNCIL REGULAR MEETING – 6:00 PM**

**FEBRUARY 16, 2021**

**[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) or calling (951) 413-3001, no later than 5:00 p.m. on Tuesday, February 16, 2021**

**STEP 3**

**Select Audio Source**

*Computer Speakers/Microphone*

*or*

*Telephone*

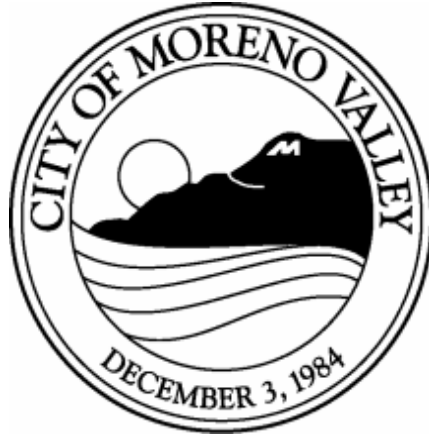
**STEP 3**

**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**



## **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**

**February 16, 2021**

### **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 the 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

**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**

**FEBRUARY 16, 2021**

**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**

**SPECIAL ORDER OF BUSINESS**

SPECIAL PRESENTATION OF A COMMENDATION TO MARSHALL EYERMAN

**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 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 - CLOSED SESSION - FEB 2, 2021 4:30 PM

**Recommendation:** Approve as submitted.

- A.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 6:00 PM

**Recommendation:** Approve as submitted.

- A.4. APPOINT A VOTING DELEGATE AND ALTERNATE DELEGATE TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2021 ANNUAL GENERAL ASSEMBLY (Mayor Pro Tem Baca - Delegate, Mayor Gutierrez - Alternate) (Report of: City Clerk)

**Recommendations:**

**That the City Council:**

1. Appoint a Delegate, Mayor Pro Tem Baca, and an Alternate, Mayor Gutierrez, to the Southern California Association of Governments (SCAG) Annual General Assembly on May 6, 2021.
2. Direct staff to submit the names to SCAG.

A.5. MAYORAL APPOINTMENTS TO THE PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE, PLANNING COMMISSION, LIBRARY COMMISSION, AND THE CITIZENS' PUBLIC SAFETY COMMITTEE (Report of: City Clerk)

**Recommendation:**

1. Receive and confirm the slate of Mayoral appointments as follows:

**PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE**

| <u>Name</u>                | <u>Position</u> | <u>Term</u>     |
|----------------------------|-----------------|-----------------|
| Omar Ignacio Gonzalez, Jr. | Member          | Ending 06/30/22 |

**PLANNING COMMISSION**

| <u>Name</u>       | <u>Position</u> | <u>Term</u>     |
|-------------------|-----------------|-----------------|
| Alvin De Johnette | Member          | Ending 03/31/25 |

**LIBRARY COMMISSION**

| <u>Name</u>  | <u>Position</u> | <u>Term</u>     |
|--------------|-----------------|-----------------|
| Ginger Baker | Member          | Ending 06/30/23 |

**CITIZEN'S PUBLIC SAFETY COMMITTEE**

| <u>Name</u>  | <u>Position</u> | <u>Term</u>     |
|--------------|-----------------|-----------------|
| Yakuba Brown | Member          | Ending 06/30/21 |

The recommended appointee for the Citizens' Public Safety Committee was screened and interviewed by the Citizens' Public Safety Committee leaders consisting of Chair Mayor Pro Tem Baca and Vice Chair Council Member Thornton. The recommended appointee was also subject to a criminal background check which is standard practice for all applicants for any City advisory commission or committee.

A.6. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.7. PAYMENT REGISTER- DECEMBER 2020 (Report of: Financial & Management Services)

**Recommendation:**

1. Receive and file the Payment Register.

A.8. ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND IMPLEMENT AN EMERGENCY RENTAL ASSISTANCE PROGRAM (Report of: Financial & Management Services)

**Recommendations:**

1. Accept the U.S. Treasury Direct Allocation of Emergency Rental Assistance Program ("ERAP") funds and administer a program locally to provide direct financial assistance to low and moderate income households in the City affected by COVID-19.
2. Authorize the Chief Financial Officer to notify the State of California to serve our population under the State Program with our SB 91 allocation.
3. Award consulting agreement to Willdan Financial to provide Administration support for the Emergency Rental Assistance Program.
4. Authorize a budget amendment as set forth in the fiscal impact section.
5. Approve the City Manager discretion to reallocate ERAP funding between various qualified non-profit organizations as needed based on performance outcomes to expedite funding to our community through December 31, 2021.

A.9. DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) AND TO APPROVE THE THIRD AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT FOR THE DISTRICT (Report of: Financial & Management Services)

**Recommendation:**

1. Adopt Resolution No. 2021-\_\_\_\_\_. A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Provide for Future Annexation of Territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and to Amend and Restate the Rate and Method of Apportionment for the District and to Designate Tax Rate Areas No. TC-01 (Traffic Circle Landscaping Without Monument/Signage Features for Single-Family Residential),

TC-02 (Traffic Circle Landscaping With Monument/Signage Features for Single-Family Residential), TC-03 (Traffic Circle Landscaping Without Monument/Signage Features for Property Other than Single-Family Residential), TC-04 (Traffic Circle Landscaping With Monument/Signage Features for Property Other than Single-Family Residential), and SD-01 (Street Maintenance and Drainage for Single-Family Residential) and to Revise the Rate Structure for SL-01 (Single-Family Residential Street Lighting).

A.10. RESOLUTION APPOINTING CITY TREASURER (Report of: City Manager)

**Recommendation:**

1. Adopt Resolution No. 2021-\_\_\_ Appointing a City Treasurer.

A.11. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS CONSTRUCTION, INC. FOR SOUTH LASSELLE STREET SAFETY CORRIDOR IMPROVEMENT, PROJECT NO. 808 0026 (Report of: Public Works)

**Recommendations:**

1. Award a construction contract to Alfaro Communications Construction, Inc. for the South Lasselle Street Safety Corridor Improvement project and authorize the City Manager to execute a contract with Alfaro Communications Construction, Inc. in substantial conformance with the attached contract in the amount of \$303,680.00 for the construction of the project, funded by Highway Safety Improvement Program (HSIP) grant;
2. Authorize the issuance of a Purchase Order for Alfaro Communications Construction, Inc. in the amount of \$334,048.00 (bid amount plus a 10% contingency) when the contract has been signed by all parties; and
3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract, but not exceeding the total contingency of \$30,368.00, subject to the approval of the City Attorney.

- A.12. PEN17-0143 – ADOPTION OF THE PROPOSED RESOLUTION FOR THE SUMMARY VACATION OF A NORTHERLY PORTION OF BRODIAEA AVENUE LOCATED WEST OF HEACOCK STREET DEVELOPER: ALERE PROPERTY GROUP, LLC (Report of: Public Works)

**Recommendations:**

1. Adopt Resolution No. 2021-XX a Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Northerly Portion of Brodiaea Avenue Located on the North Side of Brodiaea Avenue West of Heacock 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.13. PEN18-0254 HIGHLAND FAIRVIEW CORPORATE PARK, PHASE II - REQUEST TO AMEND THE ROAD CLOSURE AGREEMENT, A FULL ROAD CLOSURE OF EUCALYPTUS AVENUE BETWEEN REDLANDS BOULEVARD AND ALDI PLACE. DEVELOPER: HIGHLAND FAIRVIEW (Report of: Public Works)

**Recommendations:**

1. Approve an amendment to the Road Closure Agreement for the temporary full road closure of Eucalyptus Avenue between Redlands Boulevard and Aldi Place;
2. Authorize the Public Works Director/City Engineer to execute the Amendment to the Road Closure Agreement to allow the road closure to remain in place until April 9, 2021; and
3. Authorize the Public Works Director/City Engineer to approve a road closure extension of 30 calendar days, if the required public improvements are not complete within said timeframe.

- A.14. APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ICE BEAR SPV#1 LLC, DBA THULE ENERGY STORAGE (Report of: Public Works)

**Recommendations:**

1. Approve the five-year Professional Services Agreement with Ice Bear SPV#1, LLC, dba Thule Energy Storage (TES) for the installation of one Ice Bear 20 and the maintenance for all City-owned Ice Bear units in an amount not-to-exceed \$64,568 over the contract period, using Moreno Valley Utility Public Purpose Program funds; and
2. Authorize the City Manager to execute the Agreement with TES and authorize the Director of Public Works/City Engineer to execute any subsequent related amendments to the agreement with TES not to exceed the authorized total contract amount, subject to the approval by the City Attorney.



- A.15. SECOND READING AND CONSIDERATION OF ADOPTION OF ORDINANCE 977 FOR A CHANGE OF ZONE FROM RESIDENTIAL 5 (R5) TO RESIDENTIAL SINGLE-FAMILY 10 (RS10) FOR PROPERTY LOCATED ON THE SOUTH SIDE OF IRIS AVENUE EAST OF PERRIS BOULEVARD 312-020-025 (ORD. NO. 977) (Report of: Community Development)

**Recommendation: That the City Council:**

1. Conduct the second reading by title only and adopt Ordinance No. 977.

- A.16. SECOND READING AND CONSIDERATION OF ADOPTION OF ORDINANCE 978 FOR A SPECIFIC PLAN 205 AMENDMENT TO AMEND THE LAND USE DESIGNATION OF THE 9.96-ACRE PROJECT SITE WITHIN THE MORENO VALLEY FESTIVAL SPECIFIC PLAN 205 FROM SP205 RETAIL COMMERCIAL TO SP205 MIXED USE FOR THE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF HEACOCK STREET AND IRONWOOD AVENUE (Report of: Community Development)

**Recommendation:**

1. Conduct the second reading by title only and adopt Ordinance No. 978.

- A.17. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR THE ACQUISITION OF APN 482-020-064 (Report of: Financial & Management Services)

**Recommendations: That the City Council and Housing Authority:**

1. Approve the Agreement for Conveyance of Property for acquisition of APN 482-020-064 for a future Fire Station site.
2. Authorize the purchase of APN 482-020-064 for a total expenditure amount of \$435,000.
3. Authorize the transfer of \$435,000 from the Fire Departments Development Impact Fee (DIF) Fund (2903) as set forth in the Fiscal Impact section of this report.
4. Authorize the City Manager to execute any agreements or documents as necessary to transfer property, subject to the approval of the City Attorney.

A.18. SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) EXPENDITURE PLAN FOR FY 20-21 (Report of: Police Department)

**Recommendations:**

1. Accept the Supplemental Law Enforcement Services Account (SLESA) grant award for FY 20-21 for frontline municipal police services.
2. Approve an increase of \$148,879 to the SLESA Grant Fund (Fund 2410) FY 20-21 *revenue* budget to reflect the total FY 20-21 allocation of \$496,317
3. Approve an increase of \$148,879 to the SLESA Grant Fund (Fund 2410) FY 20-21 *expenditure* budget to reflect the FY 20-21 planned expenditure of \$496,317.

**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 - CLOSED SESSION - FEB 2, 2021 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 6:00 PM (See A.3)

**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 - CITY COUNCIL - CLOSED SESSION - FEB 2, 2021 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 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 - CLOSED SESSION - FEB 2, 2021 4:30 PM  
(See A.2)

**Recommendation:** Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 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 - CLOSED SESSION - FEB 2, 2021 4:30 PM  
(See A.2)

**Recommendation:** Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 6:00 PM  
(See A.3)

**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 AND RESOLUTION ADJUSTING DEVELOPMENT IMPACT FEES FOR RESIDENTIAL AND COMMERCIAL & INDUSTRIAL DEVELOPMENT (Report of: Public Works)

**Recommendations:**

1. Conduct a Public Hearing for the adjustment of the City of Moreno Valley Development Impact Fees for Residential and Commercial & Industrial Development;

2. Adopt Resolution No. 2021- XXXX adjusting Development Impact Fees for Residential and Commercial & Industrial Development; and
3. Direct staff to finalize an update to the 2012 Development Impact Fee Nexus Study.

F.2. MUNICIPAL CODE AMENDMENT MODIFYING CHAPTER 3.48 “WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION FEE PROGRAM.” (Report of: Community Development)

**Recommendations:**

1. Introduce and conduct the first reading of Ordinance No. XXX amending Chapter 3.48 “Western Riverside County Multiple Species Habitat Conservation Plan Fee Program” of Title 3 the City of Moreno Valley Municipal Code to update the Local Development Mitigation Fee, which is a pass-through fee for the Western Riverside County Regional Conservation Authority (RCA), for funding the preservation of natural ecosystems in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan;
2. Schedule the second reading and adoption of Ordinance No. XXX for the next regular Council meeting; and
3. Adopt Resolution No. 2021-XX. A Resolution of the City Council of the City of Moreno Valley, California, approving an increase to the Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee.

**G. GENERAL BUSINESS**

G.1. FISCAL YEAR 2020/21 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE FY2020/21 MID-YEAR BUDGET AMENDMENTS (Report of: Financial & Management Services)

**Recommendations: That the City Council:**

1. Receive and file the Fiscal Year 2020/21 Mid-Year Budget Review.
2. Adopt Resolution No. 2021-XX. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for fiscal year 2020/21.
3. Approve the revised City Position Summary.
4. Approve the Job Class Specification for the Principal Engineer.

**Recommendation: That the CSD:**

1. Adopt Resolution No. CSD 2020-XX. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised operating and capital budgets for Fiscal Year (FY) 2020/21.

**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](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.

## **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](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

Pat Jacquez-Nares, CMC & CERA  
City Clerk

Date Posted: February 11, 2021