

**MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
March 2, 2021**

TELECONFERENCED MEETING



**CITY COUNCIL REGULAR MEETING - 6:00 PM
MARCH 2, 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>](mailto:zoom@moval.org) or calling (951) 413-3001**

STEP 3

Select Audio Source

*Computer Speakers/Microphone
or
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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

**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
March 2, 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 6:00 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

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
	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
	Abdul Ahmad	Fire Chief

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

The following people spoke in support of appointing Keri Then to the District 2 Council seat: Tylisha A. Julienne, Jennifer Carson, Robert Then, Ruthee Goldkorn, Ashik Islam, La Donna Jempson, Stephanie King, Ali Al-Saadoon, T. Watchmen, Ivette Torres, Carole Nagengast,

Angel Lopez Ramirez spoke to his qualifications for the District 2 Council seat.

Linda M. Castellano requested a response for not releasing the applicants' names and requested that the Council appoint the most qualified person.

Janet Wallace spoke in support of the appointment of Patsy Brown to the District 2 Council seat.

Brandon Carn provided an update on the Benzeevi case in Tulare. He supports Angel Lopez or Keri Then for the District 2 Council seat.

Hector DeLeon requested that the Council support going to a special election for the voters to choose the person for the vacancy. He also supports Keri Then if the Council decides to appoint someone.

Louise Palomarez spoke in opposition of the appointment of Keri Then to the District 2 Council seat.

JOINT CONSENT CALENDARS (SECTIONS A-E)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	David Marquez, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, 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 - Closed Session - Feb 16, 2021 5:00 PM

Recommendation: Approve as submitted.

A.3. City Council - Regular Meeting - Feb 16, 2021 6:00 PM

Recommendation: Approve as submitted.

- A.4. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2020/2021 FROM JULY 1, 2020 THROUGH JANUARY 31, 2021 (Report of: City Clerk)

Recommendation:

1. Receive and file the Fiscal Year 2020/2021 Council Discretionary Expenditure Report for July 1, 2020 through January 31, 2021.

- A.5. ANNUAL PROGRESS REPORT AS REQUIRED BY GOVERNMENT CODE 65400 (RESO. NO. 2021-18) (Report of: Community Development)

Recommendations:

1. Certify that this action on the General Plan Annual Progress Report is exempt under the general rule provision allowed in Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines; and
2. Approve Resolution No. 2021-18, approving the General Plan Annual Progress Report and directing staff to submit the report to the State Office of Planning and Research and the State Department of Housing and Community Development by April 1, 2021.

- A.6. Second Reading MSHCP Municipal Code Amendment (ORD. NO. 979) (Report of: Community Development)

Recommendation:

1. Staff recommends that the City Council conduct the second reading by title only and adopt Ordinance No. 979.

- A.7. APPROVE THE FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH PERCEPTIVE ENTERPRISES, INC. (AMEND. NO. 2020-178-01) (Report of: Public Works)

Recommendations:

1. Approve the First Amendment No. 2020-178-01 to Agreement for Professional Consultant Services with Perceptive Enterprises, Inc., to provide Disadvantaged Business Enterprise (DBE) Program and Labor Compliance Monitoring services, funded by Measure A and other project specific funding;
2. Authorize the City Manager to execute the First Amendment to

Agreement for Professional Consultant Services with Perceptive Enterprises, Inc.; and

3. Authorize a Change Order to increase the Purchase Order with Perceptive Enterprises, Inc. for a not-to-exceed amount of \$96,000 for the current Fiscal Year 20/21 and authorize the issuance of an annual purchase order for a not-to-exceed amount of \$96,000 for the remainder of the contract time ending June 30, 2025.

A.8. AUTHORIZATION TO AWARD A PROFESSIONAL CONSULTANT SERVICES AGREEMENT TO FALCON ENGINEERING SERVICES, (AGMT. NO. 2021-31 & AMEND. NO. 2018-402-03) (Report of: Public Works)

Recommendations:

1. Award Agreement No. 2021-31 for Professional Consultant Services to FALCON Engineering Services, Inc. (FALCON), to perform Professional Construction Management Consultant Services for the State Route 60/Moreno Beach Interchange Phase 2 Improvements project (Project);
2. Authorize the issuance of a Purchase Order to FALCON, in the amount of \$2,137,413.00 when the contract has been signed by all parties, using funds from Senate Bill 1 (SB 1) Trade Corridor Enhancement Program (TCEP) grant funds, Transportation Uniform Mitigation Fees, Federal Emergency Management Agency/California Office of Emergency Services funds, Riverside County Flood Control and Water Conservation District funds, Eastern Municipal Water District funds, Moreno Valley Utility funds, and Development Impact Fee Interchange Improvements funds;
3. Authorize the City Manager to execute the contract with FALCON, subject to the approval by the City Attorney;
4. Authorize the Public Works Director to execute any subsequent related amendments to the Agreement for Professional Construction Management Consultant Services with FALCON, not to exceed the Purchase Order amount, subject to the approval by the City Attorney;
5. Approve Third Amendment No. 2018-402-03 to Agreement for Professional Consultant Services with Parsons Transportation Group, Inc. (Parsons) to provide bid and construction support services (\$154,356) and additional as needed services (up to \$144,367) in the amount not-to-exceed \$298,723, using funds from SB 1 TCEP grant, Transportation Uniform Mitigation Fees, Federal Emergency Management Agency/California Office of Emergency Services, Riverside County Flood Control and Water Conservation Districts, and Development Impact Fee Interchange Improvements;

6. Authorize the City Manager or his/her designee to execute the Third Amendment subject to the approval of the City Attorney; and

7. Authorize an increase to the Purchase Order with Parsons in the amount of \$298,723, when the Third Amendment has been signed by all parties.

A.9. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

Recommendation:

1. Ratify the list of personnel changes as described.

A.10. APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VA (AGMT. NOS. 2021-32, 2021-33, 2021-34) (Report of: Financial & Management Services)

Recommendations:

1. Approve the successor Memoranda of Understanding between the City of Moreno Valley and the Moreno Valley City Employees Association (Attachment 1, AGMT. NO. 2021-32), the Moreno Valley Management Association (Attachment 2, AGMT. NO. 2021-33), and the Moreno Valley Confidential Management Employees (Attachment 3, AGMT. NO. 2021-34) and unrepresented career employees, effective July 1, 2021 through June 30, 2023.

2. Approve updates to the Salary Schedule to incorporate revisions as specified in the attached Memoranda of Understanding.

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 16, 2021 5:00 PM (See A.2)

Recommendation: Approve as submitted.

B.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 16, 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 16, 2021 5:00 PM
(See A.2)

Recommendation: Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 16, 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 16, 2021 5:00 PM
(See A.2)

Recommendation: Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 16, 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 16, 2021 5:00 PM
(See A.2)

Recommendation: Approve as submitted.

E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 16, 2021 6:00 PM
(See A.3)

Recommendation: Approve as submitted.

F. PUBLIC HEARINGS - NONE

G. GENERAL BUSINESS

G.1. NOMINATIONS FOR DISTRICT NO. 2 COUNCIL SEAT (Report of: City Clerk)

RECOMMENDATIONS

It is recommended that the City Council:

1. Appoint an eligible individual to fill the unexpired term of the late Councilmember Dr. Carla Thornton, or
2. Direct the City Clerk to prepare the requisite documents calling for a Special Election for November 2, 2021, for the eligible voters of District No. 2 to vote for who they want to fill the unexpired term.

City Clerk Jacquez-Nares provided the staff report for this item and the nomination procedures for the appointment process.

Council Member Cabrera inquired on Council deliberation for this item.

City Clerk Jacquez-Nares stated that the nomination process did not have a deliberative step.

Mayor Gutierrez stated that every Council Member would have the opportunity to make a nomination.

Council Member Cabrera requested that Mayor Gutierrez, as the presiding officer, add a deliberative step to the nomination process.

Mayor Gutierrez stated that the Council had the opportunity to interview the applicants and that the Council should see how the nomination process worked first.

Council Member Cabrera asked City Clerk Jacquez-Nares if all the Council Members were able to meet and interview the applicants.

City Clerk Jacquez-Nares answered that all Council Members had the opportunity to interview the applicants and she was aware that Council Members did interview.

Mayor Gutierrez confirmed that at the last Council meeting he suggested that each Council Member interview the applicants.

Council Member Cabrera stated he was able to meet with all 16 applicants. He was curious if his colleagues were able to meet with the 16 applicants, as well.

Council Member Marquez asked for the cost of a special election.

City Clerk Jacquez-Nares stated the cost for the special election in 2017, for the District 4 vacancy, as invoiced by the County Registrars Office, was \$89,937.

Motion by Council Member Cabrera to nominate Keri Then

RESULT: FAILED [2 TO 2]
MOVER: Ulises Cabrera, Council Member
AYES: David Marquez, Ulises Cabrera
NAYS: Dr. Yxstian A. Gutierrez, Victoria Baca

Motion by Council Member Marquez to nominate Keri Then

RESULT: FAILED [2 TO 2]
MOVER: David Marquez, Council Member
AYES: David Marquez, Ulises Cabrera
NAYS: Dr. Yxstian A. Gutierrez, Victoria Baca

Motion by Mayor Pro Tem Baca to nominate Gabriel Colangelo

RESULT: FAILED [2 TO 2]
MOVER: Victoria Baca, Mayor Pro Tem
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca
NAYS: David Marquez, Ulises Cabrera

Motion by Mayor Gutierrez to nominate Gema Franco

RESULT: FAILED [2 TO 2]
MOVER: Dr. Yxstian A. Gutierrez, Mayor
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca
NAYS: David Marquez, Ulises Cabrera

Mayor Gutierrez gave direction to the city clerk to prepare the necessary documents for a special election on November 2, 2021.

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) – None

Riverside County Habitat Conservation Agency (RCHCA)

Council Member Marquez reported on the items covered at the RCHCA Board of Directors meeting on February 18, 2021, which included that the City of Moreno Valley has collected a total of \$23,061 in SKR Mitigation fees from September 2020 through December 2020.

Riverside County Transportation Commission (RCTC) – None

Riverside Transit Agency (RTA) – None

Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Baca reported on the Items covered at the WRCOG Executive Committee meeting on March 1, 2021, the Executive Committee approved a Professional Services Agreement (PSA) to provide technical assistance to member agencies for their Housing Element Updates, including Sites Inventory and 3-D Mapping Application Assistance.

Western Riverside County Regional Conservation Authority (RCA)

Council Member Marquez reported on the items covered at the RCA Board of Directors meeting on March 1, 2021, which included Moreno Valley's MSHCP fee collection that totaled \$22,870.00 (55 residential permits) for the months of January 2021.

School District/City Joint Task Force – None

I.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

City Manager Lee congratulated the City and the media team for winning four awards from the International Design Awards (IDA). The City of Moreno Valley's Media & Communications Division was in competition with thousands of the best designers and the most successful advertising firms and corporations in the world. Previous winners in the four categories MoVal won in have included Disney, Adobe, IKEA, and Macy's.

The City also received another award from the California Society of Municipal Finance Officers, their Innovation Award of the Year, for the CLiC Program. City Manager Lee thanked the Mayor and City Council for supporting the CLiC Program, which provides for digital inclusivity.

He also reminded residents that the City has a lot of donated masks and hand sanitizers available at the BERC and the three libraries.

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. Reminded everyone to continue to wear their masks, maintain the 6-foot social distancing, wash their hands, and to avoid large gatherings, which would help maintain the downward trend.
2. Stated that the County announced that youth sporting groups could begin to have contact.
3. Stated he would like to open up the school and have the teachers vaccinated.
4. Stated he would like to see the City clean, especially at the East end of town where illegal dumping occurs. He stated he is pushing for higher fines.
5. Requested that the Council work together to move the City forward.

Council Member Cabrera

1. Thanked all 16 applicants for applying for the vacancy in District 2.
2. Stated that the Mayor and the Council Members will have to step up and help represent District 2 residents for the next eight months.
3. Thanked the residents that came out to voice their support and offered his services to the residents of District 2.
4. Stated that the City and the residents are watching what the four council members are doing on the dais and the decisions being made. The Council needs to work together to get through this pandemic and come out stronger.
5. Stated the COVID numbers are looking better and the City is moving in the right direction. The State of California's legislature and Governor signed a huge stimulus package, which includes \$600 stimulus checks.
6. Urged residents to stay safe.

Mayor Pro Tem Baca

1. Congratulated and thanked the 16 residents from District 2 for applying.
2. Reminded everyone to keep up the good work, to maintain social distancing, to wear double masks, and to keep their hands clean in order to continue to lower the numbers.
3. Asked residents to do their due diligence to get vaccinated.

Mayor Gutierrez

1. Thanked the residents for listening, the staff, and especially the 16 residents for applying. Encouraged those applicants to run for office in the November Special Election if they are still interested.
2. Stated that the Council will continue to move the City forward with the help of the City's strategic plan, Momentum Moval. Many projects are moving forward already. As the directly elected Mayor and the representative of all the districts'

residents, it is his role to carry the City's mission and the Momentum Moval Strategic Plan forward.

3. Stated that all the Council should strive to work together.
4. Announced that the City would have a vaccination site by March 8, 2021. The City has many initiatives to help the residents of Moreno Valley during this pandemic and will continue to assist the residents and businesses through this pandemic.

ADJOURNMENT

There being no further items to become before the City Council, Mayor Gutierrez adjourned the meeting at 7:11 p.m.

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