

**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
June 1, 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 6:01 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Gutierrez.

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 NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Angel Lopez-Ramirez

1. Stated that he was a candidate for District 2 and greeted his neighbors.
2. Thanked the Box Spring Community who gathered 300 signatures regarding the issue of Homelessness near Seneca Elementary.
3. Reported that the Federal Social Security Administration is taking charge in assisting the homeless situation by opening advocacy to third party groups, non-profits, and faith based group such as churches.
4. Stated that over the weekend people were setting off fireworks in the community, and some areas sounded like a war zone. He suggested that the Council should increase the fines and penalties as a deterrent to using fireworks, which bother Veterans who suffer from PTSD symptoms.
5. Addressed the fallen San Bernardino Deputy Dominique Vaca and provided his sincerest wishes to the family for their loss
6. Asked the Council to hold off on any Planning Commissioner appointments until District 2 has proper representation.

Henri Rahmon

1. Addressed the ongoing yearly notices from the Fire Department regarding weed abatement. He provided the history of his property and the issues he has had in the past with incorrect abatements. He believes that the crew of weed abatement should not profit from this situation.

Mayor Gutierrez informed Mr. Rahmon that his information was taken and staff would follow-up with him.

Robert Then

1. Welcomed everyone back to the in-person meeting.
2. Stated his concerns with the air quality in Moreno Valley and requested this issue be an item of interest in all other agency meeting agendas.

Elena Santa Cruz

1. Thanked the City for all the assistance provided during the pandemic, including the mask distribution, the library hot spots, and the ease of checking items out. She said the most important were the jobs they created and the assistance they provided to the businesses.

Tom Jerele

1. Thanked the Council and welcomed everyone back.
2. Thanked Fire, Police, and all our First Responders.
3. He noted that redevelopment is the only tool that works favorably and encouraged the Council to lobby to bring it back.

Keri Then

1. Stated she was a 25-year resident of District 2 and a candidate for City Council.
2. Commented on the accident on Agua Dulce and thanked the Fire Fighters for their amazing work.
3. Stated there was an elected City Council Member not appointed to the City Committees. She was concerned with the lack of representation for that district. She requested that the Mayor ensure that every member of the elected City Council was given a voice on every City Commission, Committee, and Regional body and duly represented.

Stella Corbalan

1. Congratulated Mayor Gutierrez on the beautiful and prosperous City of Moreno Valley.
2. Requested a Multi-Cultural Committee where members of the City could have the flexibility to share opinions and communicate with each other.
3. Requested to have multi-cultural events at the Amphitheatre to unite the community.
4. Requested to have an arts section in the City where students have the ability to express their talents and skills.

David Zeitz

1. Stated his opposition to the reappointment of Ray Baker and JoAnn Stephan to the Planning Commission. Requested any appointments to the Planning Commission wait until District 2 has representation. He further stated that several qualified applications were sent to the City and the Mayor and they have been ignored.

Janet Bernake

1. Stated she was the organizing Director for the Center of Community Action and Environmental Justice. She stated her opposition to Agenda item A.15, which proposes an Automatic License Plate Reader (ALPR) Program.

JoAnn Stephan

1. Stated she was qualified to sit as a Planning Commissioner.
2. Stated her reasons why she should be on the City Council.

Louise Palomarez

1. Saluted our Veterans and Council Member Carla Thornton.
3. Thanked the Police Department and Fire Department for their great work.
4. Requested to have the seats on City Council filled quickly.
5. Stated the new amphitheater is great and is satisfied with the way the City is moving.

Mayor Gutierrez thanked the people in attendance that were appointed by him and subject to ratification including the young members of the ELC.

JOINT CONSENT CALENDARS (SECTIONS A-E)

Motions were made to approve the Consent Calendar with the exception of Item A.20.

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 - Regular Meeting - May 4, 2021 6:00 PM

Recommendation: Approve as submitted.

- A.3. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2020/2021 FROM JULY 1, 2020 THROUGH APRIL 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 April 30, 2021.

- A.4. ROTATIONAL TOW SERVICE PROGRAM: CONSIDERATION OF RESOLUTION SETTING THE ANNUAL COST RECOVERY FEE; AWARD ROTATIONAL TOW SERVICE INDEPENDENT CONTRACTOR AGREEMENTS; AND CITY MANAGER AUTHORIZATION TO EXECUTE RELATED DOCUMENTS AND APPROVE ADMINISTRATIVE CHANGES TO REDUCE CITY'S ADMINISTRATIVE COSTS (RESO. NO. 2021-41) (Report of: City Manager)

Recommendations:

1. Adopt Resolution No. 2021-41 Setting the Annual Cost Recovery Fee as set forth in the Resolution;
2. Award Rotational Tow Services Independent Contractor Agreements, as recommended by staff; and

3. Authorize City Manager to Execute all Necessary Documents and Revise and Approve any Administrative Procedures the City Manager deems necessary to reduce the City's Costs of Administering the Rotational Tow Services (RTS) Program.

A.5. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

Recommendation:

1. Ratify the list of personnel changes as described.

A.6. RESOLUTION EXTENDING THE AD HOC CITIZENS PUBLIC SAFETY COMMITTEE (2021-42) (Report of: Financial & Management Services)

Recommendation:

1. Approve Resolution No. 2021-42, a Resolution of the City Council of the City of Moreno Valley, California, extending the current Moreno Valley Citizens Public Safety Committee for one year.

A.7. FISCAL YEAR 2020/21 THIRD QUARTER BUDGET REVIEW AND APPROVAL OF THE FISCAL YEAR 2020/21 THIRD QUARTER BUDGET AMENDMENTS (Report of: Financial & Management Services) (RESO. NOS. 2021-43, CSD 2021-21)

Recommendations: That the City Council:

1. Receive and file the Fiscal Year 2020/21 Third Quarter Budget Review.
2. Adopt Resolution No. 2021-43. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised operating and capital budgets for Fiscal Year (FY) 2020/21.

Recommendations: That the CSD:

1. Adopt Resolution No. CSD 2021-21. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised operating and capital budgets for FY 2020/21.

Recommendation: That the City Council as Successor Agency:

1. Adopt Resolution No. Successor Agency 2021-03. A Resolution of the City Council of the City of Moreno Valley, California, Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, California, adopting the revised operating and capital budget for FY 2020/21.

- A.8. AUTHORIZATION TO SUBMIT A GRANT APPLICATION FOR FUNDING OF A LOCAL ROADWAY SAFETY PLAN (LRSP) (Report of: Public Works)

Recommendation:

1. Authorize the submittal of a grant application for funding of a Local Roadway Safety Plan (LRSP).

- A.9. AUTHORIZE THE AWARD OF THE PROFESSIONAL SERVICES AGREEMENT TO FUEL PROS, INC. FOR TESTING, MAINTENANCE, REPAIR & CERTIFICATION OF FUEL TANKS AND RELATED EQUIPMENT AT CITY FACILITIES AND SITES (AGMT. NO. 2021-100) (Report of: Public Works)

Recommendations:

1. Award a five-year contract with a total not-to-exceed amount of \$250,000.00 to Fuel Pros, Inc., for professional testing, repair and certification of fuel tanks and related equipment and authorize the City Manager to execute a contract in conformance with the attached Agreement in the amount Not-to-Exceed amount of \$250,000 using Fund 7310, Facilities Maintenance.
 2. Authorize the issuance of an annual purchase order for Fuel Pros, Inc. on an as needed basis each year of the term of the Agreement when the contract has been signed by all parties subject to funds available in the City Council approved Operating Budget; and
 3. Authorize the City Manager or designee to execute any amendments, purchase orders and/ or change orders, contingent upon approved budget and approval of the City Attorney.
- A.10. PEN20-0075 (TR 31590) – APPROVE COOPERATIVE AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE CITY, AND DR HORTON LOS ANGELES HOLDING COMPANY, INC. FOR THE MORENO MDP LINE H-2, STAGE 2 STORM DRAIN LOCATED ON ALESSANDRO BLVD AND LANDON ROAD WEST OF MORENO BEACH DRIVE. DEVELOPER: DR HORTON LOS ANGELES HOLDING COMPANY, INC. (AGMT. NO. 2021-101) (Report of: Public Works)

Recommendations:

1. Approve the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District (the District), the City of Moreno Valley, and DR Horton Los Angeles Holding Company, Inc. (Developer), for the Moreno Master Drainage Plan (MDP) Storm Drain Line H-2, Stage 2;

2. Authorize the City Manager to execute the Cooperative Agreement; and
3. Direct the City Clerk to forward the signed Cooperative Agreement to the District.

A.11. PEN20-0075 (TR 31590) – APPROVE TRACT MAP 31590 LOCATED WEST OF MORENO BEACH DRIVE, BETWEEN ALESSANDRO BOULEVARD AND BRODIAEA AVENUE. DEVELOPER: DR HORTON LOS ANGELES HOLDING COMPANY INC. (Report of: Public Works)

Recommendations:

1. Approve Tract Map 31590.
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.12. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO I E GENERAL ENGINEERING INC FOR THE CORPORATE YARD MASTER PLAN IMPROVEMENTS – INFILTRATION TRENCH INSTALLATION, PROJECT NO. 803 0043 (AGMT. NO. 2021-102) (Report of: Public Works)

Recommendations:

1. Award a construction contract to I E General Engineering Inc. for the Corporate Yard Master Plan Improvements – Infiltration Trench Installation project and authorize the City Manager to execute a contract with I E General Engineering Inc. in substantial conformance with the attached contract in the amount of \$141,771.25 for the construction of the project, funded by Facility Construction Fund (Fund 3000).
2. Authorize the issuance of a Purchase Order for I E General Engineering Inc. in the amount of \$155,948.37 (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 \$14,177.12, subject to the approval of the City Attorney.

A.13. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT, AN AMENDMENT TO THE PROFESSIONAL CONSULTANT AGREEMENT WITH PSOMAS, AND A PURCHASE ORDER FOR THE CALIFORNIA DEPARTMENT OF WATER RESOURCES FOR THE JUAN BAUTISTA DE ANZA MULTI-USE TRAIL PHASE 1, PROJECT NO. 801 0073 (AGMT. NO. 2021-103 & AMEND. NO. 2018-509-03) (Report of: Public Works)

Recommendations:

1. Award a construction contract to All American Asphalt for the Juan Bautista De Anza Multi-Use Trail Phase 1 project and authorize the City Manager to execute a contract with All American Asphalt in substantial conformance with the attached contract in the amount of \$733,202, funded by the Active Transportation Program (ATP)-Capital Projects Grants Fund;
2. Authorize the issuance of a Purchase Order to All American Asphalt, in the amount of \$806,522 (\$733,202 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 All American Asphalt's contract, but not exceeding the total contingency of \$73,320, subject to the approval of the City Attorney;
4. Approve the Third Amendment to Agreement for Professional Consultant Services with Psomas to provide construction-related services in the amount of \$27,895, for a total contract amount of \$282,668, and authorize the Public Works Director/City Engineer to execute the Third Amendment subject to the approval of the City Attorney;
5. Authorize an increase to the Purchase Order with Psomas in the amount of \$27,895, when the Third Amendment has been signed by all parties; and
6. Authorize a Purchase Order with California Department of Water Resources (DWR) for \$160,000 for inspection services, and authorize the Public Works Director/City Engineer to execute any Change Orders to the Purchase Order subject to the approval of the City Attorney.

Council Member Cabrera discussed the construction area and thanked staff for their work on this project.

A.14. AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO INTERNATIONAL LINE BUILDERS, INC. FOR THE EUCALYPTUS AVENUE LINE EXTENSION IMPROVEMENTS, PROJECT NUMBER 805 0055 (AGMT. NO. 2021-104) (Report of: Public Works)

Recommendations:

1. Award the construction contract, contingent on the approval of the Capital Improvement Plan for Fiscal Years 2021/2022 & 2022/2023, to International Line Builders, Inc., 3955 Temescal Canyon Road, Corona, CA 92883, the lowest responsive, responsible bidder, for the Eucalyptus Avenue Line Extension Project using Moreno Valley Utility 2019 Lease Revenue Bonds;
2. Authorize the City Manager to execute a contract with International Line Builders, Inc.;
3. Authorize the issuance of a Purchase Order to International Line Builders, Inc. for the amount of \$1,026,558 (\$892,659 bid amount plus a 15% contingency) when the contract has been signed by all parties;
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with International Line Builders, Inc. up to, but not exceeding, the 15% contingency amount of \$133,899, subject to the approval of the City Attorney; and
5. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

A.15. APPROVE A LEASE AGREEMENT WITH FLOCK GROUP INC. FOR A AUTOMATED LICENSE PLATE READER CAMERA SYSTEM WITH ASSET FORFEITURE FUNDING IN FY 2021/22 (AGMT. NO. 2021-105) (Report of: Police Department)

Recommendations:

1. Authorize the Police Department to lease forty new Flock Falcon Automatic License Plate Reader (ALPR) cameras, to also include software and installation at a cost of \$118,525.00 (\$110,000 for the ALPR camera system, plus \$8,525.00 sales tax).
2. Authorize the Police Department to purchase Flock's Wing Integration software to overlay onto twenty City owed Axis brand cameras \$22,585.00 (\$20,960.00 for the software and support, plus \$1,625.00 sales tax).

3. Authorize the City Manager to execute the lease agreement with Flock Group Inc., for the Automated License Plate Reader System (ALPRS) for a total cost of \$141,110.00 (\$130,960.00 plus \$10,150.00 tax.)
4. Approve the use of asset forfeiture funds and the proposed budget adjustments as set forth in the Fiscal Impact section of this report.

Council Member Cabrera requested that this item be continued to the June 15th Council Meeting. He asked if this item would come back for a second vote.

Interim City Attorney Quintanilla stated that the resolution only needed one vote.

- A.16. FIRST AMENDMENT TO THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE TO BETTER SERVE THE MENTAL HEALTH POPULATION NEEDING LAW ENFORCEMENT SERVICES (Report of: Police Department)

Recommendation:

1. Adopt the first amendment to the FY2017-2022 Agreement for Law Enforcement services to better serve the mental health population needing law enforcement services and, authorize the Mayor or designee to sign the agreement.

- A.17. ACCEPTANCE OF THE FY2020/2021 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM (EMPG) GRANT AWARD (Report of: Fire Department)

Recommendations:

1. Accept the Fiscal Year 2020/2021 Emergency Management Performance Grant Program (EMPG) grant award of \$42,445 from the Riverside County Emergency Management Department.
2. Authorize a budget adjustment of \$42,445 to the Emergency Management Grant Fund (2503) revenue and expenditure accounts.

- A.18. ADOPT RESOLUTION NO. 2021-XX DESIGNATING AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE APPLICATIONS AND DOCUMENTS FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY AND SUB-GRANTED THROUGH THE STATE OF CALIFORNIA (RESO. NO. 2021-44) (Report of: Fire Department)

Recommendation:

1. Adopt Resolution No. 2021-44, a Resolution of the City Council of the City of Moreno Valley, California, Designating and Authorizing Certain City Officials to Execute Applications and Documents for the Purposes of Obtaining Federal Financial Assistance Provided by the Federal Department of Homeland Security and Sub-granted through the State of California.

- A.19. APPROVE THE COOPERATIVE AGREEMENT WITH THE RIVERSIDE COUNTY FIRE DEPARTMENT FOR FIRE PROTECTION, FIRE PREVENTION, RESCUE, AND MEDICAL EMERGENCY SERVICES (AGMT. NO. 2021-106) (Report of: Fire Department)

Recommendations:

1. Approve the Cooperative Agreement with the Riverside County Fire Department for Fire Protection, Fire Prevention, Emergency Management, Rescue, and Medical Emergency Services.
2. Authorize the Mayor or designee to execute the Cooperative Agreement.

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 MAY 4, 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 MAY 4, 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 MAY 4, 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 MAY 4, 2021 6:00 PM (See A.2)

Recommendation: Approve as submitted.

A.20. MAYORAL APPOINTMENTS TO THE VARIOUS BOARDS AND COMMISSIONS, AND CITY COUNCIL COMMITTEE PARTICIPATION (Report of: City Clerk)

Mayor Pro Tem Baca thanked everyone who applied for the various boards, committees, and commissions.

Council Member Marquez requested to have a separate vote for each body. He would like to see the Planning Commissioners have term limits. He requested that others be given the opportunity to serve. He also questioned why he was not appointed to any outside Council Committees.

Mayor Gutierrez stated the item would be pulled for a separate vote as a slate not by individual body.

Mayor Pro Tem Baca stated that Council Member Marquez sent Mayor Gutierrez a letter asking not to serve on these committees. Furthermore, if Council Member Marquez had changed his mind and would like to serve he should send Mayor Gutierrez another letter informing him of this change and include the committees he would like to serve on.

Council Member Marquez stated that he could show everyone his cellphone so that they can see how many times he has called and texted Mayor Gutierrez with no response.

City Clerk Jacquez-Nares provided a brief report on this item.

Interim City Attorney Quintanilla explained Government Code Section 40605, which gives the directly elected Mayors of general law cities the ability to appoint all members to boards, committees, and commissions. The City Council then ratifies said appointments.

He further explained that the Mayor presented the item as a slate and that it would be out of order according to Robert Rules and other administrative procedures to remove and take a separate vote on each body separately. Interim City Attorney Quintanilla also explained the Attorney General's opinion on this same issue.

Mayor Gutierrez clarified the application appointment process and the potential vacancies of the several committees.

Council Member Cabrera asked how many applications were received for the Planning Commission since the beginning of this year. He also asked how many out of the six went through the whole process.

City Clerk Jacquez-Nares answered six applications were received and the applications remain active for a year. She provided the application routing process for potential appointment.

Council Member Marquez asked when he was advised that this item might be brought up in the meeting. He also asked why the item was not on his draft agenda when he met with City Manager Lee for his one on one meeting on Thursday.

Interim City Attorney Quintanilla stated that the City Clerk brought it to his attention when the item was placed on the agenda and again today.

City Manager Lee stated that on Thursday, it is a tentative draft agenda and the agenda is not finalized until Thursday afternoon when it is published.

Mayor Gutierrez clarified that this issue is reoccurring every couple of years and the previous City Attorney opined in the same manner. He further stated that it was very important that the slate is ratified because there are many committees that will expire by June 30. He further stated that approval would ensure we could carry out City business.

Council Member Cabrera thanked everyone that attended, volunteered, and applied for these positions. He explained that he is on board with all the names on the list with the exception of the Planning Commission. He stated that he did not know Johann Stephan for very long but thought she had good intentions and did a good job. He mentioned that he did not know applicant Baker but that he has been on the Planning Commission for a very long time. He noted that the Mayor could amend or

change the list. He expressed his desire to approve the entire list with the exception of the Planning Commission and to have those appointments come back at the next Council meeting.

Interim City Attorney Quintanilla clarified the City's use of the background check.

Mayor Gutierrez stated that the item was presented as a slate and would have to be vote upon as a slate.

Mayor Pro Tem Baca stated that she was there to support the Mayor's decision and his duty, if there was something egregious with any of the appointees, it should have been communicated to the Mayor before the meeting. She explained that if a Council Member wanted to vote no on the slate, then they should vote no and no one would get appointed.

Recommendation:

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

EMERGING LEADERS COUNCIL

<u>Name</u>	<u>Position</u>	<u>Term</u>
Kassandra Morin	TBD at ELC Meeting	Ending 05/31/23
Mumtahina Tajrian	TBD at ELC Meeting	Ending 05/31/23
Ashley Beltran Munoz	TBD at ELC Meeting	Ending 05/31/23
Pooja Datir	TBD at ELC Meeting	Ending 05/31/23
Aashish Palikhey	TBD at ELC Meeting	Ending 05/31/23
Nathan Van Hoang	TBD at ELC Meeting	Ending 05/31/23
Faye Boado	TBD at ELC Meeting	Ending 05/31/23
Danvy Nguyen	TBD at ELC Meeting	Ending 05/31/23
Andrea Delgado	Alternate	Ending 05/31/23
Ciara Ashley Barba	Alternate	Ending 05/31/23
Rohit Datir	Member-at-Large	Ending 05/31/23
Quinn Castellanos	Member-at-Large	Ending 05/31/23

Laura Ann Moorehead	Member-at-Large	Ending 05/31/23
Mehreen Suzaan	Member-at-Large	Ending 05/31/23

ACCESSIBILITY APPEALS BOARD

<u>Name</u>	<u>Position</u>	<u>Term</u>
Esther Johnson *	Member	Ending 06/30/24

LIBRARY COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Mona Lisa Stallworth *	Member	Ending 06/30/24

PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE

<u>Name</u>	<u>Position</u>	<u>Term</u>
Christopher Melendrez *	Member	Ending 06/30/23
Cassandra Leigh Swedlund*	Member	Ending 6/30/23

PLANNING COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
JoAnn Stephan	Member	Ending 06/30/22
Ray Baker	Member	Ending 06/30/22

SENIOR CITIZENS' ADVISORY BOARD

<u>Name</u>	<u>Position</u>	<u>Term</u>
Cleveland Johnson	Member	Ending 06/30/24
Cynthia L. Ward *	Member	Ending 06/30/24
Robert Snyder *	Member	Ending 06/30/24

TRAFFIC SAFETY COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Stella Corbalan *	Public Member	Ending 06/30/24
David Layne *	Public Member	Ending 06/30/24
Anita Robinson	Public Member	Ending 06/30/24

UTILITIES COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Bradly Stevens *	Public Member	Ending 06/30/24

* Pending successful completion of a background check

COUNCIL COMMITTEE PARTICIPATION

<u>Advisory Commission/Board/Subcommittee</u>	<u>Primary</u>	<u>Alternate</u>
Arts Commission	Cabrera	
Emerging Leaders Council	Cabrera	
Environmental and Historical Preservation Board	Gutierrez	
Library Commission	Baca	
Parks, Community Services and Trails Committee	Cabrera	
Senior Citizens' Board	Baca	
Traffic Safety Commission	Gutierrez	
Utilities Commission	Gutierrez	
Economic Development Subcommittee	Gutierrez/Cabrera	
Finance Subcommittee	Gutierrez/Cabrera	
Citizens' Public Safety Committee	Baca	
Public Safety Subcommittee	Baca	Gutierrez
Parks and Community Services Council Committee	Gutierrez/Baca	

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

Mayor Gutierrez apologized to the members of the public that were in attendance. He expressed his disappointment that the item did not pass.

Mayor Gutierrez recessed the meeting at 7:10 p.m.

Mayor Gutierrez reconvened the meeting at 7:19 p.m.

F. PUBLIC HEARINGS

F.1. PUBLIC HEARING TO ADOPT SUBSTANTIAL AMENDMENT NO. 1 TO THE CARES ACT AMENDMENT TO THE 2019-2020 ANNUAL ACTION PLAN - REPROGRAMMING OF CDBG-CV FUNDS (Report of: Financial & Management Services)

Recommendations: That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed Substantial Amendment No. 1 to the CARES Act Amendment to the 2019-2020 Annual Action Plan.
2. Review and adopt the proposed Substantial Amendment No. 1 to the CARES Act Amendment to the 2019-2020 Annual Action Plan.
3. Authorize a budget amendment as set forth in the fiscal impact section and authorize the Chief Financial Officer to allocate grant funds between HUD- approved grant activities.

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

Acting Assistant City Manager/Chief Financial Officer Mohan provided a brief report on this item.

Mayor Gutierrez opened the Public Hearing at 7:21 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 7:21 p.m.

F.2. PUBLIC HEARING FOR THREE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDINGS (Report of: Financial & Management Services)

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 for D.R. Horton Los Angeles Holding Company, Inc. (located west of Moreno Beach Dr. between Alessandro Blvd. and Brodiaea Ave.), Maria Luna (located at 11970 Mathews Rd.), and CLPF Inland Empire Parking, LP (located north of Cardinal Ave., east of Heacock St.);

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, Victoria Baca, David Marquez, Ulises Cabrera

Acting Assistant City Manager/Chief Financial Officer Mohan provided a brief report on this item.

Mayor Gutierrez opened the Public Hearing at 7:23 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 7:23 p.m.

Motion to approve staff recommendations 3 & 4 with the exception of Maria Luna.

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:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera

F.3. PUBLIC HEARING ON THE FORMATION OF COMMUNITY FACILITIES DISTRICT 2021-01 (PARKS MAINTENANCE) (RESO. NO. CSD 2021-22, 2021-23, ORD. NO. CSD 55) (Report of: Financial & Management Services)

Recommendations: That the CSD:

1. Conduct the Public Hearing on the proposed formation of the Moreno Valley Community Services District Community Facilities District No. 2021-01 (Parks Maintenance).

2. Adopt Resolution No. CSD 2021-22, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, Establishing its Community Facilities District No. 2021-01 (Parks Maintenance) and Calling a Special Election in Connection with said District.
3. Direct the Secretary of the CSD to canvass the returned ballot and report the results of the special election to the CSD Board.

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

Acting Assistant City Manager/Chief Financial Officer Mohan provided a brief report on this item.

Mayor Gutierrez opened the Public Hearing at 7:29 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 7:29 p.m.

4. Acting as the legislative body of the Moreno Valley Community Services District Community Facilities District No. 2021-01, Adopt Resolution No. CSD 2021-23, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, Declaring The Results of an Election in its Community Facilities District No. 2021-01 (Parks Maintenance).
5. Introduce Ordinance No. CSD 55, an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley Levying a Special Tax in Connection with its Community Facilities District No. 2021-01 (Parks Maintenance) and Taking Certain Related Actions.

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

F.4. PUBLIC HEARING AND ADOPTION OF THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2021/22 & 2022/23 (2021-45, HA 2021-02, CSD 2021-24) (Report of: Public Works)

Recommendations:

1. Conduct a Public Hearing to Approve and Adopt Resolution No. 2021-45. approving the Capital Improvement Plan for FYs 2021/22 & 2022/23;
2. Following the adoption of the Capital Improvement Plan (CIP), authorize the Public Works Director to make any minor adjustments in order to finalize the adopted CIP for public distribution;
3. Authorize the Chief Financial Officer to consolidate the approved CIP Budget with the approved and adopted City Operating Budget for FY 2021/22 and FY 2022/23.

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

Assistant City Manager/Director of Public Works/City Engineer Wolfe provided a brief report on this item.

Council Member Cabrera stated that the gas tax amount was 8.5 million, how much went to the roads. He requested that staff update the public on the new pump track project.

Assistant City Manager Wolfe stated that 8.5 million is specific to capital improvement projects and paving projects and this amount is the projection for the two-year period. The gas tax formula has been edging up that is why the amount has increased.

Parks & Community Services Director Solano provided the update on the new pump track project.

Council Member Marquez asked for the type of material that will be used for this pump track. He asked if the Moreno Beach Bridge project was included in this funding.

Parks & Community Services Director Solano answered asphalt is the best material for this project.

Assistant City Manager Wolfe confirmed it was.

Mayor Gutierrez opened the Public Hearing at 7:40 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 7:40 p.m.

1. Acting in its capacity as the Board of Directors of the Moreno Valley Housing Authority of the City of Moreno Valley, conduct a Public Hearing to Approve and Adopt Resolution No. HA 2021-02, a Resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, adopting the Capital Improvement Plan for FYs 2021/22 & 2022/23.

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

1. Acting in its capacity as the Board of Directors of the Community Services District of the City of Moreno Valley, conduct a Public Hearing to Approve and Adopt Resolution No. CSD 2021-24, a Resolution of the Community Services District of the City of Moreno Valley, California, adopting the Capital Improvement Plan for FYs 2021/22 & 2022/23. Motion CSD approve staff recommendation 1

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

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 reported on the items discussed at the March Joint Powers Commission Meeting held on May 26th. The Commission approved budget amendments for fiscal year 20/21. We also approved modifications to the Veterans Industrial Park 215 project.

Riverside County Habitat Conservation Agency (RCHCA)

Council Member Marquez reported on the items discussed at the RCHCA Board of Directors meeting on May 20, 2021 include: The City of Moreno Valley has collected a total of \$23,061 in SKR Mitigation fees from September 2020 through March 2021.

Riverside County Transportation Commission (RCTC)

Mayor Gutierrez reported that the RCTC released for public review environmental documents for the Coachella Valley-San Gorgonio Pass Rail Corridor Service Program. This is a major step in getting passenger rail service between Los Angeles and the Coachella Valley. Public comments can be submitted up to July 6.

Riverside Transit Agency (RTA) - None

Western Riverside Council of Governments (WRCOG) - None

Western Riverside County Regional Conservation Authority (RCA) - None

School District/City Joint Task Force - None

I.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

City Manager Lee welcomed back everyone and commended the Mayor and City Council for the work that they did the past year with the pandemic. He further provided all of the programs that were rolled out during the pandemic to help the members of our community. He thanked the Mayor and City Council for their leadership.

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. Thanked City Manager Lee and the City staff.
2. He explained that he has no solution for the illegal fireworks. Requested that the residents say something if they see something.
3. Thanked staff for the clean-up of the illegal dumping and the issuance of fines for illegal dumping.
4. Stated that now the City has \$8 million for potholes. He urged Residents to also report potholes.
5. He explained that the Kaiser Vaccine Center at the old Sears building is well organized and urged residents to make appointments to get their vaccine.
6. Commented on the committee appointments agenda item. Stated that once the change in the slate is made then the others will be appointed.

Council Member Cabrera

1. Stated he was happy to be back in person.
2. Stated that the last year was very difficult in that many lives were lost.
3. Stated he had a town hall last week and thanked the staff of the City Clerk's Office and Parks Department for helping with this meeting.
4. Stated that he would like to have Council support to establish a Multi-Cultural Committee to hold these types of events which was an idea was brought up by Stella Corbalan.
5. Requested the creation of a new Ad Hoc Committee named the Homelessness Joint Task Force that would be specifically geared to talking about homelessness and finding solutions to the homeless issue in the City of Moreno Valley. He asked to be appointed as the chair and another member of the Council to be a co-chair.
6. Proposed and sponsored a Pride Month presentation in June.
7. Recognized and thanked his fiancé Carina and his baby boy.

Mayor Pro Tem Baca

1. Stated it was great to be back. Expressed that it had been a long year for the community and the world. Thankful for the City's great staff who brought in many services to the community. Proud of the Senior Eats program which provided food for seniors and helped restaurants.
2. Encouraged everyone to get immunized.
3. Stated the amphitheater ribbon cutting is this month.
4. Encouraged everyone to participate in the 4th of July parade and to come to the festivities that day at the amphitheater.
5. Stated that the fines for fireworks and illegal dumping have been raised to \$1,000.
6. Critical of Council Member Cabrera, who wanted additional committees set up, but could not approve the existing committees that were on the agenda today. She explained that their lack of support for the Mayor on this item offended her. She expressed that the business of the City needs to move forward this should not be a personal item.
7. She apologized to the proposed appointees for what happened today and expressed hope that the item would be placed on the agenda to be voted on again.

Mayor Gutierrez

1. Stated that what occurred on the appointment agenda item was very unfortunate. Explained that it has been made clear multiple times by our City Attorneys who have opined that the Mayor makes the appointments and it can be presented as a slate. He stated that he is amenable to have the Council Members recommend an applicant for a committee. He restated the screening process.
2. Stated he wants to recognize Pride Month. He participated in the Pride Month March in Los Angeles two years ago and the year before in Boston. He believes

it is important to value everyone. He stated he would issue a Mayoral recognition of Pride Month.

3. He further stated that he would not allow for any of these political games to be played to enhance someone's mayoral campaign.
4. Stated that there are many good things happening in the City as stated by our City Manager and expressed that he appreciates hearing from the community on how they've been helped. He stated we should be very proud of our City.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 8:08 PM in the Memory of San Bernardino Peace Officer Dominique Vaca.

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