

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
October 5, 2021

CALL TO ORDER - 5:30 PM

Special Presentations

1. Commendation Recognizing the Riverside Sheriff's Department and the Moreno Valley Fire Department
2. Proclamation Recognizing Fire Prevention Week "Learn the Sounds of Fire Safety" October 3-9, 2021
3. Proclamation Recognizing October As Down Syndrome Awareness Month

**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

October 5, 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 and the Board of Library Trustees was called to order at 6:03 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

Mayor Gutierrez announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Gutierrez.

ROLL CALL

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

Absent:	Victoria Baca	Mayor Pro Tem
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INTRODUCTIONS

Staff:	Pat Jacquez-Nares	City Clerk
	Steven Quintanilla	Interim City Attorney
	Mike Lee	City Manager
	Brian Mohan	Assistant City Manager/Chief Financial Officer/City Treasurer
	Michael Lloyd	Public Works Director/City Engineer

Manuel Mancha
John Salisbury
Jesse Park

Community Development Director
Chief of Police
Fire Chief

PUBLIC HEARING ITEM NO. F.1. WAS TAKEN OUT OF ORDER AND MOVED TO THE FIRST ITEM ON THE AGENDA

- F.1 PROPOSED GENERAL PLAN AMENDMENT AND CHANGE OF ZONE AMENDING "MAP LCC-4: GENERAL PLAN LAND USE" OF THE MORENO VALLEY GENERAL PLAN AND THE CITY ZONING ATLAS, RESPECTIVELY, PROPOSED TENTATIVE PARCEL MAP 37944 FOR TWO (2) LOTS, A PLOT PLAN FOR AN APPROXIMATELY 290,726 SQUARE FOOT LIGHT INDUSTRIAL BUILDING, AND A PLOT PLAN FOR AN APPROXIMATELY 98,877 SQUARE FOOT LIGHT INDUSTRIAL BUILDING (Report of: Community Development)

Mayor Gutierrez announced, at the Developer's request, Item No. F.1 be continued to the October 19th City Council meeting.

Mayor Gutierrez opened the Public Hearing at 6:04 p.m.

Recommendations: That the City Council:

1. **ADOPT** Resolution 2021-XX: A Resolution of the City Council of the City of Moreno Valley **CERTIFYING** that the Initial Study/Mitigated Negative Declaration prepared for General Plan Amendment PEN20-0118, Change of Zone PEN20-0119, Tentative Parcel Map PEN20-0120, and Plot Plans PEN20-0121 and PEN20-0124 on file with the Community Development Department, and incorporated herein by this reference, was completed in compliance with the California Environmental Quality Act and the CEQA Guidelines, that the City Council reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration and that the document reflects the City's independent judgment and analysis, and **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the above-referenced Mitigated Negative Declaration; and
2. **ADOPT** Resolution 2021-XX: A Resolution of the City Council of the City of Moreno Valley approving a General Plan Amendment based on the Recitals and Evidence contained in the Administrative Record and Findings as set for in the Resolution No. 2021-XX to amend the General Plan Land Use Map as described in the Resolution, based on the findings contained in the Resolution, and the revised Land Use Map; and
3. **INTRODUCE** and conduct the first reading by title only of Ordinance No. XXX, approving a Change of Zone PEN20-0119 to amend the

City Zoning Atlas based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Ordinance No. XXX; and

4. **ADOPT** Resolution No. 2021-XX, A Resolution of the City Council of the City of Moreno Valley approving Tentative Parcel Map 37944, PEN20-0120 based on the findings contained in this Resolution, and subject to the conditions of approval included as Exhibit A; and
5. **ADOPT** Resolution No. 2021-XX, A Resolution of the City of the City of Moreno Valley approving Plot Plans PEN20-0121 and PEN20-0124 based on the findings contained in this Resolution, and subject to the conditions of approval included as Exhibit A; and
6. **SCHEDULE** the second reading and adoption of Ordinance No. XXX for the next regular meeting.

RESULT:	CONTINUED [UNANIMOUS]	Next: 10/19/2021 6:00 PM
MOVER:	David Marquez, Council Member	
SECONDER:	Ulises Cabrera, Council Member	
AYES:	Dr. Yxstian A. Gutierrez, David Marquez, Ulises Cabrera	
ABSENT:	Victoria Baca	

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

Fred Banuelos

1. Stated opposition to Measure G.
2. Expressed disagreement toward SB1 and its apportionments. Urged residents to demand a larger revenue percentage.

Robert Palomarez

1. Congratulated the Police and Fire Department members who were honored during special presentations; acknowledged the hard work they do.
2. Claimed Corey Jackson wanted to remove Police Officers from Moreno Valley schools.
3. Alleged Council Member Cabrera made previous statements about defunding the Police.
4. Remarked to Council Member Marquez that he is still awaiting a call from his attorney.

Angel Lopez-Ramirez

1. Stated his candidacy for District 2.
2. Commended the City Council for continuing Item No. F.1.
3. Bemoaned the rising cost of housing and its effects on seniors and Veterans. Encouraged the City Council to consider affordable housing developments.

Louise Palomarez

1. Agreed with the comments made by Bob Palomarez.
2. Critical of some of the endorsements for District 2 candidate Keri Then.
3. Challenged the notion that Mikey Garcia was a backer of Council Member Cabrera's run for Mayor.
4. Praised Mayor Gutierrez.

JOINT CONSENT CALENDARS (SECTIONS A-E)

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

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 - Aug 3, 2021 6:00 PM

Recommendation: Approve as submitted.

- A.3. City Council - Regular Meeting - Aug 17, 2021 6:00 PM

Recommendation: Approve as submitted.

- A.4. MAYORAL APPOINTMENT TO THE EMERGING LEADERS COUNCIL
(Report of: City Clerk)

Council Member Marquez thanked Valeria for applying and congratulated her on her appointment.

Recommendation:

1. Receive and confirm the Mayoral appointment as follows:

EMERGING LEADERS COUNCIL

<u>Name</u>	<u>Position</u>	<u>Term</u>
Valeria Sanchez	Member-at-Large	Ending 05/31/23

- A.5. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2021/2022 FROM JULY 1, 2021 THROUGH AUGUST 31, 2021 (Report of: City Clerk)

Recommendation:

1. Receive and file the Fiscal Year 2021/2022 Council Discretionary Expenditure Report for July 1, 2021 through August 31, 2021.

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

Recommendation:

1. Ratify the list of personnel changes as described.

- A.7. PURSUANT TO A LANDOWNER PETITION, ANNEX CERTAIN PARCEL(S) INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AMENDMENT NO. 60 (RESO. NO. 2021-65) (Report of: Financial & Management Services)

Recommendation:

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2021-65, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said District (Amendment No. 60) (24771 Nandina, located on the south side of Nandina Ave., west of Perris Blvd.).

- A.8. ACCEPTANCE OF THE FISCAL YEAR 2020 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT AWARD (Report of: Fire Department)

Recommendation:

1. Accept the Fiscal Year 2020 State Homeland Security Program (SHSP) grant award of \$24,223 from the Riverside County Emergency Management Department.
2. Authorize a budget adjustment of \$24,223 to the Emergency Management Grant fund (2503) revenue and expenditure accounts.

A.9. SB 1205 FY 2020/2021 State Mandate Inspections (RESO. NO. 2021-66)
(Report of: Fire Department)

1. Approve Resolution No. 2021-66, acknowledging receipt of a report made by the Fire Chief of the Moreno Valley Fire Department regarding the inspection of certain occupancies requiring annual inspections in such occupancies pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code. Staff recommends this alternative.

A.10. PEN16-0095 (TRACT 36760) – APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF MORENO VALLEY AND LEGACY PARK COMMUNITY ASSOCIATION FOR THE TRACT LOCATED ON THE EAST SIDE OF INDIAN STREET BETWEEN GENTIAN AVENUE AND SANTIAGO DRIVE. (AGMT. NO. 2021-204) DEVELOPER – MERITAGE HOMES OF CALIFORNIA, INC. (Report of: Public Works)

Recommendations:

1. Approve the Maintenance Agreement by and between the City of Moreno Valley and Legacy Park Community Association;
2. Authorize the City Manager to execute the Maintenance Agreement with Legacy Park Community Association; and
3. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Riverside County Recorder's Office for recordation.

A.11. APPROVE THE SECOND AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH MICHAEL BAKER INTERNATIONAL FOR THE INDIAN STREET / CARDINAL AVENUE BRIDGE (OVER LATERAL A), PROJECT NO. 802 0004 (AGMT. NO. 2020-186-02) (Report of: Public Works)

Recommendations:

1. Approve the Second Amendment to the Agreement for Professional Consultant Services with Michael Baker International, to perform Environmental Clearance, Right of Way Documentation, and Bridge and Roadway Design for the Indian Street / Cardinal Avenue Bridge (Over Lateral A) project, funded with Arterial Developer Impact Fee (DIF) funds;
2. Authorize the City Manager to execute the Second Amendment to Agreement for Professional Consultant Services with Michael Baker International, subject to the approval by the City Attorney;

3. Authorize an amendment to the existing Purchase Order with Michael Baker International in the amount of up to but not to exceed \$650,000.00 once the Agreement has been signed by all parties; and
4. Authorize the Public Works Director to execute any subsequent related amendments to the Agreement for Professional Consultant Services with Michael Baker International, not to exceed the total Purchase Order amount, subject to approval by the City Attorney.

A.12. AUTHORIZATION TO AWARD A PROFESSIONAL CONSULTANT SERVICES AGREEMENT TO TRANSTECH ENGINEERS, INC. FOR THE STATE ROUTE 60/ REDLANDS BOULEVARD INTERCHANGE IMPROVEMENTS, PROJECT NO. 801 0064 (AGMT. NO. 2021-205) (Report of: Public Works)

Recommendations:

1. Award an Agreement for Professional Consultant Services to Transtech Engineers, Inc. to perform professional services for the Project Approval and Environmental Document (PA/ED) Phase for State Route 60/Redlands Blvd Interchange Improvements project , funded by Transportation Uniform Mitigation Fee (TUMF) Program funds;
2. Authorize the issuance of a Purchase Order to Transtech Engineers, Inc., in the amount of \$2,536,589 when the contract has been signed by all parties;
3. Authorize the City Manager to execute the contract with Transtech Engineers, Inc., subject to the approval by the City Attorney; and
4. Authorize the Public Works Director to execute any subsequent related amendments to the Agreement for Professional Consultant Services with Transtech Engineers, Inc., not to exceed the total Purchase Order amount, subject to the approval by the City Attorney

A.13. AUTHORIZE A PURCHASE ORDER TO ONESOURCE DISTRIBUTORS FOR THE PURCHASE OF EMERGENCY STOCK FOR MORENO VALLEY UTILITY (MVU) (Report of: Public Works)

Recommendations:

1. Authorize a Purchase Order to OneSource Distributors for the purchase of various electrical items used for emergency response by Moreno Valley Utility, funded by MVU's operating fund; and
2. Authorize the purchase of various electrical items as needed for emergency response in an amount not to exceed a total of \$250,000 for fiscal year 2021/2022.

A.14. APPROVE THE 2022 ANNUAL SYSTEM RESOURCE ADEQUACY PLAN FOR MORENO VALLEY UTILITY (Report of: Public Works)

Recommendations:

1. Approve the Annual System Resource Adequacy Plan (“Plan”) for calendar year 2022 and authorize the City Manager to make minor adjustments to the Plan as necessary to meet State requirements; and
2. Authorize filing of the 2022 Annual System Resource Adequacy Plan with the California Independent System Operator (CAISO) in compliance with Section 40 of its tariff.

A.15. ADOPTION OF A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE REAL PROPERTY DONATION FOR APN 487-370-015 LOCATED ON THE WEST SIDE OF MORRISON STREET, NORTH OF COTTONWOOD AVENUE (RESO. NO. 2021-67) (Report of: Public Works)

Recommendation:

1. Adopt Resolution No. 2021-67 authorizing the acceptance of real property and allowing the City Manager to execute all documents necessary for the transaction of the real property donation of parcel APN 487-370-015

A.16. AUTHORIZE THE AWARD OF PROFESSIONAL SERVICES AGREEMENTS TO ACCO, F.M. THOMAS, AND HASCO FOR HEATING, VENTILATION, AND AIR-CONDITIONING (HVAC) SERVICES AT CITY FACILITIES AND SITES (AGMT. NOS. 2021-206, 207, and 208) (Report of: Public Works)

Recommendations:

1. Award a five-year contract to ACCO for a total not-to-exceed amount of \$800,000 for professional heating, ventilation, air conditioning, and related equipment maintenance and repair; and authorize the City Manager to execute contracts in conformance with the attached Agreement using fund 7310, Facilities Maintenance;
2. Award a five-year contract to F.M. Thomas and a five-year contract with HASCO each for a total not-to-exceed amount of \$100,000 for professional heating, ventilation, air conditioning, and related equipment maintenance and repair; and authorize the City Manager to execute contracts in conformance with the attached Agreements using fund 7310, Facilities Maintenance;

3. Authorize the issuance of annual purchase orders for ACCO, F.M. Thomas, and HASCO on an as needed basis each year of the Agreement term subject to funds available in the City Council approved Operating Budget; and
4. Authorize the Director of Public Works/City Engineer to execute any amendments, purchase orders and/ or change orders not-to-exceed the authorized amounts, contingent upon approved budget and approval of the City Attorney.

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 AUG 3, 2021 6:00 PM (See A.2)

Recommendation: Approve as submitted.

- B.3. MINUTES - REGULAR MEETING OF AUG 17, 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 - REGULAR MEETING OF AUG 3, 2021 6:00 PM (See A.2)

Recommendation: Approve as submitted.

- C.3. MINUTES - REGULAR MEETING OF AUG 17, 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 - REGULAR MEETING OF AUG. 3 2021 6:00 PM (See A.2)

Recommendation: Approve as submitted.

D.3. MINUTES - REGULAR MEETING OF AUG 17, 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 - REGULAR MEETING OF AUG. 3 2021 6:00 PM (See A.2)

Recommendation: Approve as submitted.

E.3. MINUTES - REGULAR MEETING OF AUG 17, 2021 6:00 PM (See A.3)

Recommendation: Approve as submitted.

F. PUBLIC HEARINGS

PUBLIC HEARING ITEM NO. F.1. WAS TAKEN OUT OF ORDER AND MOVED TO THE FIRST ITEM ON THE AGENDA

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 Gutierrez

Mayor Gutierrez reported the following:

Tonight, I'm providing updates from the March Joint Powers Commission meeting held on September 22nd. The Commission heard a report by Southern California Gas on their commitment to net zero greenhouse gas emissions by 2045. We also heard an update about the Meridian Park developments.

Finally, we approved an amended Truck Route Ordinance that channels trucks away from residential areas in Riverside and Moreno Valley.

Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC) - None

Riverside Transit Agency (RTA) - None

Western Riverside Council of Governments (WRCOG) - Mayor Gutierrez

Mayor Gutierrez reported the following:

Items covered at the WRCOG Executive Committee meeting on October 4, 2021 include:

The Executive Committee recommended that WRCOG staff begin work on a Transportation Uniform Mitigation Fee (TUMF) Nexus Study update. The TUMF Program relies on a Nexus Study to draw a connection between the needs of the Program and the TUMF Program Fee Schedule. The last update was completed in 2017.

Western Riverside County Regional Conservation Authority (RCA) - Council Member Marquez

Council Member Marquez reported the following:

Items covered at the RCA Board of Directors meeting on October 4, 2021 include:

Moreno Valley's MSHCP fee collection totaled \$114,642.00 (35 residential permits) for the month of September 2021.

School District/City Joint Task Force - None

I.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

City Manager Lee clarified that the City receives close to \$4 million from SB1 money. He commended the Mayor and City Council members for attending the League of California Cities in Sacramento and their work in helping to defeat a controversial resolution. He thanked the Mayor and City Council on the approval of the MoVal S.A.F.E.R. program.

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. Urged residents to proceed with caution on the Moreno Beach Drive overpass as construction has commenced.
2. Recounted an encounter he had at the LOCC Annual Conference.
3. Requested a status update of the establishment of a commercial Police patrol vehicle.
City Manager Lee reported that due to the shortage of chips the provider is unable to fill the order.
Council Member Marquez asked Chief Salisbury if the County could lend the City a commercial unit.
Chief Salisbury explained that the County has not purchased any commercial enforcement vehicles.
4. Welcomed Fire Chief Park.

Council Member Cabrera

1. Welcomed Fire Chief Park.
2. Refuted the claim that he had called for defunding the Police.
3. Attended the Jamil Dada Character Excellence awards on October 1st.
4. Attended the Building Industry Association event on September 30th.
5. Announced that he was elected to serve on the Executive Board of the Latino Caucus for the League of California Cities.
6. Encouraged residents to take advantage of the MoVal S.A.F.E.R. program by completing an application for a free smoke detector.
7. Expressed his excitement for the delivery of his first child with his wife.

Mayor Gutierrez

1. Participated in the dedication of Weston Park on September 25th with Kawhi Leonard.
2. Amazed by the youth who attended the Jamil Dada event on October 1st.
3. Announced that the City prevailed in the inaugural Mayor's Golf Cup Tournament that occurred on October 4th.
4. Toured the U.S. Veterans facility and welcomed Dennis McDonough, Secretary of Veteran Affairs.
5. Reminded residents of the upcoming Day of the Dead event on October 29th.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 6:39 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 Finance 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