



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**

December 20, 2022

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 951.413.3350 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.

Ulises Cabrera, Mayor

Edward A. Delgado, Mayor Pro Tem

David Marquez, Council Member

Cheylynda Barnard, Council Member

Elena Baca-Santa Cruz, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
December 20, 2022

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS - NONE

**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
DECEMBER 20, 2022**

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.

PLEDGE OF ALLEGIANCE

ROLL CALL

INVOCATION

Dr. Cooper Hagans III, from Unity of the Faith Christian Outreach Ministries

INTRODUCTIONS

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

JOINT CONSENT CALENDARS (SECTIONS A-E)

All items listed under the Consent Calendars, Sections A, B, C, D, and E are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

- A.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- A.2. MINUTES - CITY COUNCIL - REGULAR MEETING - December 6, 2022.

Recommendation:

1. Approve as submitted.

- A.3. MINUTES - CITY COUNCIL - CLOSED SESSION - December 6, 2022.

Recommendation:

1. Approve as submitted.

- A.4. SPECIAL EVENTS CALENDAR 2023 (Report of: Parks & Community Services)

Recommendation:

Receive and file the Special Events Calendar 2023.

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

Recommendation:

1. Ratify the list of personnel changes as described.

- A.6. APPROVAL OF FIRST AMENDMENTS TO AGREEMENTS WITH ADVANCED APPLIED ENGINEERING, INC., DBA INFRASTRUCTURE ENGINEERS, AND 4LEAF, INC., FOR PLANNING CONSULTANT SERVICES ON AN AS NEEDED BASIS (AGMTS NO. 2022-30-01 AND 2022-31-01) (Report of: Community Development)

Recommendations:

1. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with Advanced Applied Engineering, Inc., DBA Infrastructure Engineers, and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, subject to the approval of the City Attorney and available budget as previously approved by Council; and

2. Authorize an increase of \$150,000.00 to the amount of the Agreement with Advanced Applied Engineering, Inc., DBA Infrastructure Engineers, to \$200,000.00, funded by fees paid by project applicants. Authorize the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-505 to Advanced Applied Engineering, Inc., DBA Infrastructure Engineers; and
 3. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with 4Leaf, Inc., and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, subject to the approval of the City Attorney and available budget as previously approved by Council; and
 4. Authorize an increase of \$150,000.00 to the amount of the Agreement with 4Leaf, Inc., to \$200,000.00, funded by fees paid by project applicants. Authorize the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-504 to 4Leaf, Inc.; and
 5. Authorize the Chief Financial Officer, or his designee, to make the appropriate budget adjustments as set forth in the Fiscal Impact section of this report.
- A.7. AUTHORIZE THE FIRST AMENDMENT TO THE AGREEMENT WITH M. BREY ELECTRIC, INC. FOR GENERAL CONTRACTOR SERVICES AT CITY FACILITIES, TRAILS, AND PARKS. (Report of: Public Works)

Recommendations:

1. Approve the First Amendment to the Agreement for General Contractor Services with M. Brey Electric, Inc., to increase the contract value funded through Facilities Maintenance (Fund 7310), General Fund (Fund 1010), and PCS Capital Project Fund (Fund 3015), which will increase responsiveness to on-call needs throughout the contract term.
2. Authorize the City Manager, or his designee, to execute the First Amendment to the Agreement for General Contractor Services with M. Brey Electric, Inc., to increase the contract amount by \$2,000,000 for a total not-to-exceed amount of the five-year Agreement of \$3,760,000.
3. Authorize the City Manager, or his designee, to execute the First Amendment to the Agreement, any subsequent future amendments, and Purchase Orders subject to the approval of the City Attorney, in accordance with approved terms of the agreement and within available budget previously approved by Council.

- A.8. PAYMENT REGISTER – OCTOBER 2022 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. ORDINANCES – READING BY TITLE ONLY – THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES – CITY COUNCIL – REGULAR MEETING – DECEMBER 6, 2022. (SEE A.2)

Recommendation:

1. Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - CLOSED SESSION - DECEMBER 6, 2022. (SEE A.3)

Recommendation:

1. 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 - REGULAR MEETING - DECEMBER 6, 2022. (SEE A.2)

Recommendation:

1. Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - CLOSED SESSION - DECEMBER 6, 2022. (SEE A.3)

Recommendation:

1. Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- D.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022. (SEE A.2)

Recommendation:

1. Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - CLOSED SESSION - DECEMBER 6, 2022. (SEE A.3)

Recommendation:

1. Approve as submitted.

E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY

- E.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- E.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022. (SEE A.2)

Recommendation:

1. Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022. (SEE A.3)

Recommendation:

1. 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 complete and submit a GOLDENROD speaker slip to the Sergeant-at-Arms.

F.1. APPEAL OF PLANNING COMMISSION DENIAL OF GENERAL PLAN AMENDMENT, CHANGE OF ZONE, CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, AND A TENTATIVE TRACT MAP 37858 TO SUBDIVIDE A 4.81-ACRE PROJECT SITE IN TO 37 SINGLE-FAMILY LOTS (Report of: Community Development)

That the City Council consider the Appeal filed by RC Hobbs Company, (the "Appellant") appealing the Planning Commission's denial of the Appellant's application for a General Plan Amendment (GPA), Change of Zone, Conditional Use Permit, and Tentative Tract Map to facilitate a 37-lot single-family residential Planned Unit Development (PUD), located North of Cactus Avenue, East of Moreno Beach Drive, and take any action the City Council deems appropriate.

Recommendations: That the City Council:

1. **ADOPT** Resolution No. 2022-XX, attached hereto, **DENYING** Appeal PAA22-0004.

OR

1. **ADOPT** Resolution No. 2022-XX, attached hereto:
 1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for General Plan Amendment (PEN20-0174), Change of Zone (PEN20-0175); Tentative Tract Map 37858 (PEN20-0172), and Conditional Use Permit (PEN20-0173) for a Planned Unit Development, on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission and City reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the Proposed Project's potential environmental impacts; and
 2. **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Proposed Project, which consists of a Conditional Use Permit (PEN20-0173) for a Planned Unit Development and Tentative Tract Map 37858 (PEN20-0172) pursuant to CEQA and the CEQA Guidelines.

2. **ADOPT** Resolution No. 2022-XX, attached hereto, **APPROVING** Appeal PAA22-0004:
 1. **APPROVING** General Plan Amendment (PEN20-0174) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX and any necessary and corresponding amendment to the City's Zoning Atlas to reflect the proposed changes in the zoning classification and/or redistricting associated with the General Plan Amendment.
 2. **APPROVING** Conditional Use Permit (PEN20-0173) and Tentative Tract Map (PEN20-0172) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX.
 3. **INTRODUCE** Ordinance No. [next in order] approving Change of Zone (PEN20-0175) and corresponding amendment to the City's Zoning Atlas and the conditions of approval, based on the Recitals, Evidence and Findings contained in the Administrative Record of the proceedings.
- F.2. GENERAL PLAN AMENDMENT, CHANGE OF ZONE, CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, AND A TENTATIVE TRACT MAP 38237 TO SUBDIVIDE AN 8.77-ACRE PROJECT SITE IN TO 67 SINGLE-FAMILY LOTS (Report of: Community Development)

Recommendations: That the City Council:

1. **ADOPT** Resolution No. 2022-XX, attached hereto:
 - 1) **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for General Plan Amendment (PEN21-0203), Change of Zone (PEN21-0204), Conditional Use Permit (PEN22-0162), and Tentative Tract Map 38237 (PEN21-0199) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission and City reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the Proposed Project's potential environmental impacts; and
 - 2) **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Proposed Project, which consists of a General Plan Amendment (PEN21-0203), Change of Zone (PEN21-0204), Conditional Use Permit (PEN20-0173) for a Planned Unit Development and Tentative Tract Map 37858 (PEN20-0172) pursuant to CEQA and the CEQA Guidelines.

2. **ADOPT** Resolution No. 2022-XX, attached hereto:
 1. **APPROVING** General Plan Amendment (PEN21-0203) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX and any necessary and corresponding amendment to the City's Zoning Atlas to reflect the proposed changes in the zoning classification and/or redistricting associated with the General Plan Amendment.
 2. **APPROVING** Conditional Use Permit (PEN22-0162), and Tentative Tract Map 38237 (PEN21-0199) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX.
 3. **INTRODUCE** Ordinance No. [next in order] approving Change of Zone (PEN21-0204) and corresponding amendment to the City's Zoning Atlas and the conditions of approval, based on the Recitals, Evidence and Findings contained in the Administrative Record of the proceedings.

F.3. MUNICIPAL CODE AMENDMENTS AMENDING VARIOUS SECTIONS WITHIN TITLE 9 PLANNING AND ZONING, INCLUDING CHAPTER 9.02 PERMITS AND APPROVALS, CHAPTER 9.09 SPECIFIC USE DEVELOPMENT STANDARDS, CHAPTER 9.13 SPECIFIC PLANS, CHAPTER 9.14 LAND DIVISIONS, AND CHAPTER 9.16 DESIGN GUIDELINES; TITLE 3 REVENUE AND FINANCE CHAPTER 3.32 FEE AND SERVICE CHARGE REVENUE/COST COMPARISON SYSTEM; AND TITLE 8 BUILDINGS AND CONSTRUCTION, CHAPTER 8.12 (FLOOD DAMAGE PREVENTION AND IMPLEMENTATION OF NATIONAL FLOOD INSURANCE PROGRAM (NFIP)). (Report of: Community Development)

Recommendations:

1. Introduce and conduct the first reading of Ordinance No. XXX amending Tables 9.02.020-1 and Sections 9.02.040, 9.02.150, 9.07.010(B), 9.08.070, 9.09.080, 9.11.040, 9.14.065, and 9.14.090 of Title 9 of the City of Moreno Valley Municipal Code to provide updates that comply with State requirements related to compliance with new State Law and Housing and Community Development (HCD) requirements, streamline Code requirements to provide flexibility and clarity regarding existing requirements, and to streamline certain processes, and provide for other minor clarifications and clean-up items; and,
2. Introduce and conduct the first reading of Ordinance No. XXX deleting Section 3.32.050 (Statutory Public Meeting) of Title 3 (Revenue and Finance), and amending Section 8.12.170 (Standards of Construction) of Title 8 (Building and Construction) to provide updates that comply

- with State requirements; and
3. Schedule the second reading and adoption of Ordinance Nos. XXX, and XXX for the next regular Council meeting.

G. GENERAL BUSINESS

G.1. CENSURE RESOLUTION (Report of: City Attorney)

Recommendation:

1. That the City Council take whatever action it deems necessary under the circumstances.

G.2. CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR PRO TEM (Report of: City Clerk)

Recommendation:

1. Conduct the reorganization of the City Council by selecting one Council Member to serve a one-year term as Mayor Pro Tem.

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. EMPLOYEE ASSOCIATION REPORTS

I.3. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND THE BOARD OF LIBRARY TRUSTEES.

ADJOURNMENT

PUBLIC INSPECTION

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

Any written information related to an open session agenda item that is known by the City to have been distributed to all or a majority of the City Council less than 72 hours prior to this meeting will be made available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

CERTIFICATION

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, certify that 72 hours prior to this Regular Meeting, the City Council Agenda was posted on the City's website at: www.moval.org and in the following three public places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Jane Halstead, CMC
City Clerk

Date Posted: 12/15/2022