

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**October 4, 2022**

**CALL TO ORDER - 5:30 PM**

**SPECIAL PRESENTATIONS**

1. PROCLAMATION RECOGNIZING PUBLIC POWER WEEK, OCTOBER 2-8, 2022
2. PROCLAMATION RECOGNIZING FIRE PREVENTION WEEK "FIRE WON'T WAIT. PLAN YOUR ESCAPE" OCTOBER 9-15, 2022

**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 4, 2022**

**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.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Gutierrez.

**INVOCATION**

Invocation was led by Pastor Dave Carlson from Moreno Christian Assembly.

**ROLL CALL**

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Edward A. Delgado	Mayor Pro Tem
	Elena Baca-Santa Cruz	Council Member
	Ulises Cabrera	Council Member
Absent:	David Marquez	Council Member

## Roll Call

### INTRODUCTIONS

Staff:	Jane Halstead	Manager of the Office of the Mayor and City Council/City Clerk
	Paul Bradvica	Deputy City Clerk
	Steven Quintanilla	Interim City Attorney
	Mike Lee	City Manager
	Brian Mohan	Assistant City Manager, Chief Financial Officer, City Treasurer
	Aldo Schindler	Assistant City Manager
	Manuel Mancha	Community Development Director
	Michael Lloyd	Public Works Director/City Engineer
	Jeremy Bubnick	Parks and Community Services Director
	Ken Reichle	Chief of Police
	Dave Rodriguez	Battalion Chief

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

Jorge Zavala

1. Supported Candidate Ulises Cabrera.

Jaime Hurtado

1. Promoted upcoming job fair.

Martin Cabrera Sr.

1. Supported Candidate Ulises Cabrera for Mayor.

Martin Cabrera Jr.

1. Supported Candidate Ulises Cabrera for Mayor.

Lindsay Robinson

1. Critical of Mayor Gutierrez.

Linda Thomas

1. Critical of Council Member Marquez and Council Member Cabrera.

Elmer Thomas

1. Critical of Council Member Marquez and Council Member Cabrera.

Russel Shafer

1. Critical of Council Member Cabrera.
2. Supported Jaime Hurtado for Mayor.

Bob Palomarez

1. Critical of Council Member Cabrera.

Debra Craig

1. Encouraged residents to vote in the November Election.

David Nielsen

1. Asked for support of The Hole in Wall Organization.

Benjamin Shuler

1. Represented The Hole in Wall Organization.

Christopher Baca

1. Encouraged residents to research before voting.

Logan C. Morton

1. Inquired what will be done about oppressive systems in the City.

Louise Palomarez

1. Critical of Council Member Marquez and Council Member Cabrera.

Roy Bleckert

1. Critical of Council Member Marquez and Council Member Cabrera.

#### 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.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ulises Cabrera, Council Member
<b>SECONDER:</b>	Ed Delgado, Mayor Pro Tem
<b>AYES:</b>	Ed Delgado, Elena Baca-Santa Cruz, Dr. Yxstian A. Gutierrez, Ulises Cabrera
<b>ABSENT:</b>	David Marquez

## **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 - Sep 20, 2022 4:30 PM

**Recommendation:**

1. Approve as submitted.

- A.3. City Council - Regular Meeting - Sep 20, 2022 6:00 PM

**Recommendation:**

1. Approve as submitted.

- A.4. City Council - Closed Session - Sep 6, 2022 4:30 PM

**Recommendation:**

1. Approve as submitted.

- A.5. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2022/2023 FROM JULY 1, 2022 THROUGH AUGUST 31, 2022. (Report of: City Clerk)

**Recommendation:**

1. Receive and file the Fiscal Year 2022/2023 Council Discretionary Expenditure Report for July 1, 2022 through August 31, 2022.

A.6. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO HARDY & HARPER, INC. FOR PAVEMENT REHABILITATION FOR VARIOUS LOCAL STREETS – CDBG FY 2022-23, PROJECT NO. 801 0094 (Report of: Public Works)

**Recommendations:**

1. Award a construction contract to Hardy & Harper, Inc. for the Pavement Rehabilitation for Various Local Streets - CDBG FY 2022/23 project and authorize the City Manager to execute a contract in substantial conformance with the attached contract in the amount of \$1,169,800.00, and authorize the City Manager to approve and execute any subsequent amendments subject to the approval of the City Attorney;
2. Award an agreement for Professional Consultant Service to G3 Quality, Inc. to provide material testing and geotechnical services for the Pavement Rehabilitation for Various Local Streets – CDBG FY 2022/23 project and authorize the City Manager to execute the agreement with G3 Quality, Inc. in the amount of \$54,313.00, and authorize the City Manager to approve and execute any subsequent amendments subject to the approval of the City Attorney;
3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of \$1,269,800.00 (bid amount plus a contingency of \$100,000.00) and a Purchase Order to G3 Quality, Inc. in the amount of \$54,313.00 necessary for completing the construction of this project, funded by Community Development Block Grant Funds (Fund 2512) and Capital Project Reimbursement Funds (Fund 3008); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to Hardy & Harper’s contract not exceeding the contingency of \$100,000.00, subject to the approval of the City Attorney.
5. Authorize a budget adjustment as set forth in the fiscal impact section of this report.

A.7. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO R. J. NOBLE COMPANY FOR CITYWIDE PAVEMENT REHABILITATION PROGRAM FY 26/27 TO FY 30/31 (ARTERIAL AND COLLECTOR STREETS), PROJECT NO. 801 0097 (Report of: Public Works)

**Recommendations:**

1. Award a construction contract to R. J. Noble Company for the Citywide Pavement Rehabilitation Program - FY 26/27 to FY 30/31

(Arterial and Collector Streets) project and authorize the City Manager to execute a contract in substantial conformance with the attached contract with R. J. Noble Company in the amount of \$18,772,997.50, and authorize the City Manager to approve and execute any subsequent amendments subject to the approval of the City Attorney;

2. Award an agreement for Professional Consultant Service to Z&K Consultants, Inc. to provide construction management and inspection services for the Citywide Pavement Rehabilitation Program - FY 26/27 to FY 30/31 (Arterial and Collector Streets) project and authorize the City Manager to execute the agreement with Z&K Consultants in the amount of \$449,376.00, and authorize the City Manager to approve and execute any subsequent amendments subject to the approval of the City Attorney;
3. Award an agreement for Professional Consultant Service to Koury Engineering & Testing, Inc. to provide material testing and geotechnical services for the Citywide Pavement Rehabilitation Program - FY 26/27 to FY 30/31 (Arterial and Collector Streets) project and authorize the City Manager to execute the agreement with Koury Engineering & Testing, Inc. in the amount of \$236,700.00, and authorize the City Manager to approve and execute any subsequent amendments subject to the approval of the City Attorney;
4. Authorize the issuance of a Purchase Order to R. J. Noble Company in the amount of \$19,272,997.50 (bid amount plus a contingency of \$500,000.00), a Purchase Order to Z&K Consultants, Inc. in the amount of \$449,376.00, and a Purchase Order to Koury Engineering & Testing, Inc. in the amount of \$236,700.00 necessary for completing the construction of this project, funded by Capital Project Reimbursement Funds (Fund 3008); and
5. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to R. J. Noble Company's contract not exceeding the contingency of \$500,000.00 subject to the approval of the City Attorney.

A.8. AUTHORIZATION TO PURCHASE TRAFFIC SIGNAL CONTROLLER COMPUTER PROCESSING UNIT FOR PROJECT 808 0013 (Report of: Public Works)

**Recommendation:**

1. Authorize the issuance of a Purchase Order to McCain, Inc. for a not-to exceed amount of \$119,611.80, funded by Measure A Funds (2001).

A.9. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT FOR CITYWIDE PAVEMENT REHABILITATION PROGRAM FY 26/27 TO FY 30/31 (LOCAL STREETS), PROJECT NO. 801 0090 (Report of: Public Works)

**Recommendations:**

1. Award a construction contract to All American Asphalt for the Citywide Pavement Rehabilitation Program FY 26/27 to FY 30/31 (Local Streets) and authorize the City Manager to execute a contract in substantial conformance with the attached contract in the amount of \$11,097,080.00, and authorize the City Manager to approve and execute any subsequent amendments subject to the approval of the City Attorney;
2. Award an agreement for Professional Consultant Service to G3 Quality, Inc. to provide material testing and geotechnical services for the Citywide Pavement Rehabilitation Program FY 26/27 to FY 30/31 (Local Streets) and authorize the City Manager to execute the agreement with G3 Quality, Inc. in the amount of \$205,497.00, and authorize the City Manager to approve and execute any subsequent amendments subject to the approval of the City Attorney;
3. Authorize the issuance of a Purchase Order to All American Asphalt in the amount of \$11,297,080.00 (bid amount plus a contingency of \$200,000.000) and a Purchase Order to G3 Quality, Inc. in the amount of \$205,497.00 necessary for completing the construction of this project, funded by Senate Bill 1 (SB1) Funds (2000A), Gas Tax Funds (2000), Measure A Funds (2001), and Capital Project Reimbursement Funds (Fund 3008);
4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to All American Asphalt's contract not exceeding the contingency of \$200,000.00, subject to the approval of the City Attorney; and
5. Authorize CFO to approve a budget adjustment as set forth in the fiscal impact section of this report.

A.10. REAFFIRMATION OF HOUSING ELEMENT FINDINGS AND DETERMINATIONS (Report of: Community Development)

**Recommendation: That the City Council:**

1. APPROVE Resolution No. 2022-67 Memorializing and Reaffirming Certain Housing Element Findings and Determinations as Approved by Resolution No. 2021-47.



## **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 - SEP 20, 2022 4:30 PM

**Recommendation:**

1. Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - REGULAR MEETING - SEP 20, 2022 6:00 PM

**Recommendation:**

1. Approve as submitted.

- B.4. MINUTES - CITY COUNCIL - CLOSED SESSION - SEP 6, 2022 4:30 PM

**Recommendation:**

1. Approve as submitted.

- B.5. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) - AMENDMENT NOS. 40, 41 and 43-46 (RESO. NOS. CSD 2022- 58 to CSD 2022-63) (Report of: Financial & Management Services)

**Recommendation:**

1. Adopt Resolution No. 2022-58, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 40) (12360 Yuma Court Land Trust, located at 12360 Yuma Ct.).
2. Adopt Resolution No. 2022-59, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 41) (Jonathan R. and Raquel B. Urmeneta Hoover, located at 12273 Turton Ln.).

3. Adopt Resolution No. 2022-60, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 43) (Roman Romero and Alicia L. Palomino, located at 25476 Kalmia St.).
4. Adopt Resolution No. 2022-61, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 44) (Salvador Rangel and Gloria Casillas, located at 22800 Bay Ave.).
5. Adopt Resolution No. 2022-62, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 45) (Rosalba and Miguel Angel Peraza, located at 23268 Lawless Rd.).
6. Adopt Resolution No. 2022-63, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 46) (Alberto Zaragoza, located at 25469 Lupine Ln.).

**B.6. APPROVE AND EXECUTE PROFESSIONAL CONSULTANT AGREEMENT FOR PARKS, COMMUNITY SERVICES & TRAILS MASTER PLAN (Report of: Parks & Community Services)**

**Recommendations: That the City Council and CSD:**

1. Award a Professional Consultant Services Agreement for the Parks, Community Services, and Trails Master Plan to KTU&A in the amount not to exceed \$240,000.
2. Authorize the City Manager to execute an agreement with KTU&A for the Parks, Community Services, and Trails Master Plan and issue the associated Purchase Order once the Agreement has been fully executed.
3. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreement, subject to approval of the City Attorney.

## 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 - SEP 20, 2022 4:30 PM

**Recommendation:**

1. Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - REGULAR MEETING - SEP 20, 2022 6:00 PM

**Recommendation:**

1. Approve as submitted.

- C.4. MINUTES - CITY COUNCIL - CLOSED SESSION - SEP 6, 2022 4:30 PM

**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 - CLOSED SESSION - SEP 20, 2022 4:30 PM

**Recommendation:**

1. Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - REGULAR MEETING - SEP 20, 2022 6:00 PM

**Recommendation:**

1. Approve as submitted.

D.4. MINUTES - CITY COUNCIL - CLOSED SESSION - SEP 6, 2022 4:30 PM

**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 - CLOSED SESSION - SEP 20, 2022 4:30 PM

**Recommendation:**

1. Approve as submitted.

E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - SEP 20, 2022 6:00 PM

**Recommendation:**

1. Approve as submitted.

E.4. MINUTES - CITY COUNCIL - CLOSED SESSION - SEP 6, 2022 4:30 PM

**Recommendation:**

1. Approve as submitted.

**F. PUBLIC HEARINGS**

None.

**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 Delgado reported the following:

At the March Joint Powers Commission meeting held on September 28<sup>th</sup>, the Commission heard an update on the 452nd Security Forces Squadron at March Air Reserve Base.

They also received a progress report on our local Foreign Trade Zone, a federal program that encourages American import / export businesses by minimizing customs fees for participating companies.

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 Pro Tem Delgado reported the following:

Items covered at the WRCOG Executive Committee meeting on October 3, 2022 included the WRCOG Executive Committee adopting the Unclaimed Refund Policy and Procedure for the PACE Program.

All unclaimed PACE refunds will be forwarded to the State where they can be perpetually available for property owners or their heirs to submit valid claims.

Western Riverside County Regional Conservation Authority (RCA)

None.

School District/City Joint Task Force

None.

## **I.2. EMPLOYEE ASSOCIATION REPORTS**

None.

## **I.3. CITY MANAGER'S REPORT**

1. Commended the Mayor and City Council for their leadership and support of the Pavement Rehabilitation Project.
2. Encouraged residents to attend the Moreno Valley Job Fair.

## **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 Cabrera

1. Recounted his attendance of the Homes for our Troops Event.
2. Discussed road work occurring in the City.
3. Informed residents of different legislation that was passed at the state level.
4. Voiced his support to apply for additional homeless assistance programs.
5. Encouraged residents to attend City and MVUSD Events.
6. Touched on comments made by residents.
7. Voiced his excitement for the future of the City.

Council Member Elena Baca Santa Cruz

1. Stated there is no policy regarding excused absences.
2. Recounted attendance of the Home for Our Troops Event and Hispanic Heritage Event.
3. Reminded residents of the City's program providing free smoke and carbon monoxide alarms.
4. Asked Mayor Gutierrez to have the meeting adjourned in honor of her mother, the late Mayor Pro Tem, Victoria Baca.
5. Thanked her late mother for her leadership in the City.

Mayor Pro Tem Delgado

1. Commended Council Member Baca- Santa Cruz for her strength when talking about her late mother.
2. Stated he is not running a campaign and pledges to attend and represent the City at as many events as he can.
3. Recounted various City events he attended.
4. Encouraged residents to utilize the City's free dump day.

Mayor Gutierrez

1. Thanked Council Member Baca- Santa Cruz for representing the City at the Home for our Troops Event.
2. Announced the City will be having its largest park renovation project.
3. Thanked the City's Public Safety team.
4. Encouraged residents to attend and participate in the City's Día de los Muertos event.
5. Stated the meeting will be closed in memory of the late Mayor Pro Tem, Victoria Baca.

**ADJOURNMENT**

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting in honor of the late Mayor Pro Tem, Victoria Baca, at 7:02 p.m.

## **PUBLIC INSPECTION**

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

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

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 7:02 PM.

Submitted by:

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Jane Halstead, CMC  
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:

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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