

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**December 6, 2022**

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

**SPECIAL PRESENTATIONS -NONE**

**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  
December 6, 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 Council Member Baca-Santa Cruz.

**ROLL CALL**

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

**INTRODUCTIONS**

Staff:	Jane Halstead	Manager of the Office of the Mayor and City Council/City Clerk
	Jasmin Rivera	Management Assistant

Steven Quintanilla  
Mike Lee  
Brian Mohan

Michael Lloyd  
Manuel Mancha  
Melissa Walker  
Jeremy Bubnick  
Scott Burns  
Jesse Park

Interim City Attorney  
City Manager  
Assistant City Manager, Chief Financial  
Officer, City Treasurer  
Assistant City Manager  
Community Development Director  
Acting Public Works Director/City Engineer  
Parks and Community Services Director  
Lieutenant, Police Department  
Fire Chief

### **SPECIAL ORDER OF BUSINESS:**

CONTINUANCE OF MORENO VALLEY TRADE CENTER/PARK PROJECT  
PUBLIC HEARING TO A DATE UNCERTAIN (Report of: City Attorney)

#### **Recommendation:**

That the City Council continue this item to a date uncertain and direct staff to re-notice the continued public hearing date once it is set.

Interim City Attorney, Steven B. Quintanilla gave the staff report.

Mayor Gutierrez called for a vote.

**Motion was moved by Council Member Marquez and seconded by Council Member Elena Baca-Santa Cruz.**

**Motion passed by a vote of 5-0, Council Member Baca-Santa Cruz, Council Member Marquez, Council Member Cabrera, Mayor Pro Tem Delgado, and Mayor Gutierrez.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Marquez, Council Member
<b>SECONDER:</b>	Elena Baca-Santa Cruz, Council Member
<b>AYES:</b>	Delgado, Baca-Santa Cruz, Gutierrez, Marquez, 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.

**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 - Nov 1, 2022 6:00 PM

**Recommendation:** Approve as submitted.

- A.3. City Council - Closed Session - Nov 1, 2022 4:30 PM

**Recommendation:** Approve as submitted.

- A.4. City Council - Regular Meeting - Nov 15, 2022 6:00 PM

**Recommendation:** Approve as submitted.

- A.5. MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (Report of: City Clerk)

**Recommendation:**

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

**EMERGING LEADERS COUNCIL**

<u>Name</u>	<u>Position</u>	<u>Term</u>
Gabriel Canonoy*	Member	Ending 05/31/2023
Sophia Navarro*	Member	Ending 05/31/2023
Aneth Martinez – Pasos*	Member	Ending 05/31/2023
Enrique Flores*	Member	Ending 05/31/2023

**LIBRARY COMMISSION**

<u>Name</u>	<u>Position</u>	<u>Term</u>
Jenn Carson*	Member	Ending 06/30/23

**PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE**

<u>Name</u>	<u>Position</u>	<u>Term</u>
Christopher Murphy*	Member	Ending 06/30/23

**SENIOR ADVISORY BOARD**

<u>Name</u>	<u>Position</u>	<u>Term</u>
Deborah Elkins*	Member	Ending 06/30/25
Pauline Saldana*	Member	Ending 06/30/25
Robert Moya*	Member	Ending 06/30/25

**UTILITIES COMMISSION**

<u>Name</u>	<u>Position</u>	<u>Term</u>
Reginald Allen	Member	Ending 06/30/25

\* Pending successful completion of a background check

A.6. PAYMENT REGISTER - SEPTEMBER 2022 (Report of: Financial & Management Services)

**Recommendation:**

1. Receive and file the Payment Register.

A.7. 6007 : LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.8. ACCEPT THE U.S. DEPARTMENT OF THE TREASURY EMERGENCY RENTAL ASSISTANCE PROGRAM PART 2 (ERAP2) REALLOCATION OF FUNDS (Report of: Financial & Management Services)

**Recommendations:**

1. Accept the U.S. Treasury Emergency Rental Assistance Program Part 2 (“ERAP2”) Reallocation funds in the amount of \$186,233.
2. Designate and authorize the Chief Financial Officer as authorized signatory to execute required Emergency Rental Assistance Program Part 2 (“ERAP2”) Reallocation documents.
3. Authorize a budget amendment as set forth in the fiscal impact section.
4. Authorize the City Manager to execute program management

contracts with United Way of Inland Valleys to provide Financial Assistance and Housing Stability Services.

5. Authorize the City Manager to accept any additional redirected Emergency Rental Assistance Program funding from the U.S. Treasury and to amend said agreements necessary as additional funds are made available.

A.9. RECOMMENDED ANIMAL SHELTER EXPANSION AND REFURBISHMENT PROGRAM PLAN (Report of: Public Works)

**Recommendation:**

1. Approve the recommended Animal Shelter Expansion and Refurbishment Program Plan which will be funded by the Development Impact Fee - Animal Shelter Maintenance Fund (Up to \$500,000) for Phase 1 at this time; and
2. Authorize the City Manager to execute any subsequent related agreements, extensions, or amendments subject to the procurement policy and approval of the City Attorney up to the total cost of the project and available Council approved budget in the Development Impact Fee – Animal Shelter Maintenance Fund; and
3. Amend the Capital Improvement Plan to include this project (Animal Shelter Expansion and Refurbishment 803 0058).

A.10. ADOPTION OF A RESOLUTION REDUCING THE NUMBER OF COMMERCIAL CANNABIS REGULATORY PERMITS ALLOWED IN EACH CATEGORY (Report of: Financial & Management Services)

**Recommendation: That the City Council:**

1. Adopt Resolution No. 2022-74, a Resolution reducing the maximum number of Commercial Cannabis Regulatory Permits and Conditional Use Permits allowed in each category pursuant to the Moreno Valley Municipal Code.

A.11. SECOND READING AND ADOPTION OF THE WORKFORCE DEVELOPMENT FACILITIES DEVELOPMENT IMPACT FEE AND PUBLIC ART IMPACT FEE (ORDINANCE NO. XX) (Report of: Public Works)

**Recommendation:**

1. That the City Council conduct second reading by title only and adopt Ordinance No. 992.

- A.12. ADOPT A RESOLUTION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE ANNUAL ADJUSTMENT TO QUIMBY IN-LIEU FEES PURSUANT TO CHAPTER 3.40.110 OF THE MORENO VALLEY MUNICIPAL CODE (Report of: Parks & Community Services)

**Recommendation:**

1. Adopt Resolution No. 2022-75, authorizing an adjustment to Quimby In-Lieu fees effective January 1, 2023.

- A.13. APPROVE ADDITIONAL FUNDING FOR ENERGY ASSISTANCE AND ENERGY EFFICIENCY PROGRAMS, AND APPROVE CONTINUATION OF SUSPENSION OF LATE FEES AND DISCONNECTS (Report of: Public Works)

**Recommendations:**

1. Approve an additional budget allocation of \$300,000 for Utility Assistance Programs;
2. Authorize the City Manager to execute an amendment to the Agreement with Synergy Companies expanding the Energy Audit and Direct Installation program by \$500,000 annually; and authorize the City Manager to approve and execute any subsequent amendments subject to the approval by the City Attorney;
3. Approve suspension of late fees and disconnects for non-payment to comply with requirements of the California Arrearage Payment Program (CAPP); and
4. Approve Resolution 2022-76. A Resolution of the City Council of the City of Moreno Valley, California, to confirm the Electric Rates and Rules for Moreno Valley Utility.

- A.14. APPROVE THE SECOND AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL CONSULTANT DESIGN SERVICES WITH WSP USA INC. FOR THE MORENO MDP LINE F-18 AND F-19, PROJECT NO. 804 0017 (Report of: Public Works)

**Recommendations:**

1. Approve the Second Amendment to Agreement for Professional Consultant Services to WSP USA Inc (WSP USA) to provide design related services for the Moreno Master Drainage Plan (MDP) Line F-18 and F-19 project, funded with Measure A funds (Fund 2001) and Public Works Capital Projects funds (Fund 3002);

2. Authorize the City Manager to execute the Second Amendment to Agreement for Professional Consultant Services with WSP USA, subject to the approval of the City Attorney;
3. Authorize an amendment to the existing Purchase Order with WSP USA in the amount of up to but not to exceed \$326,256.00;
4. Authorize an amendment to the Agreement termination date, extending the termination date from December 31, 2022 to December 31, 2025; and
5. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with WSP USA, not to exceed the Purchase Order amount, subject to the approval by the City Attorney.

A.15. AUTHORIZE THE AWARD OF PROFESSIONAL SERVICES AGREEMENT TO HUNTER CONSULTING INC., DBA HCI ENVIRONMENTAL & ENGINEERING FOR HAZARDOUS WASTE CLEAN-UP, REMOVAL, AND DISPOSAL SERVICES (Report of: Public Works)

1. Award a five-year contract to Hunter Consulting Inc., dba HCI Environmental & Engineering for a total not-to-exceed amount of \$300,000 for Hazardous Waste Clean-up, Removal, and Disposal Services on a routine and on-call basis; and authorize the City Manager to execute contracts in conformance with the attached Agreement funded through State Gasoline Tax (Fund 2000), Facilities Maintenance (Fund 7310), and Fleet Operations (Fund 7410);
2. Authorize the issuance of annual purchase orders for Hunter Consulting Inc., dba HCI Environmental & Engineering on a routine and as needed basis each year of the Agreement term subject to funds available in the City Council approved Operating Budget; and
3. Authorize the City Manager, or his designee, to execute the agreement and any subsequent amendments, subject to the approval of the City Attorney, in accordance with approved terms of the agreement.

A.16. APPROVE RESOLUTION FOR SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF MORENO VALLEY IS ELIGIBLE (Report of: Financial & Management Services)

**Recommendation:**

1. Adopt Resolution No. 2022-77 - A Resolution of the City Council of



the City of Moreno Valley, California, approving the submittal of applications for all CalRecycle grants for which the City of Moreno Valley is eligible. CalRecycle requires an updated Resolution every five (5) years.

A.17. AUTHORIZATION TO AWARD AGREEMENTS TO ANSER ADVISORY MANAGEMENT, LLC AND WILLDAN ENGINEERING FOR CONSTRUCTION INSPECTION CONSULTANT SERVICES (Report of: Public Works)

**Recommendations:**

1. Approve each Agreement for Professional Consultant Services with Anser Advisory Management, LLC (Anser), and Willdan Engineering (Willdan) to provide construction inspection consultant services for the Land Development Division.
2. Authorize the City Manager to execute each Agreement for Professional Consultant Services with Anser and Willdan for \$125,000.00 each, for six months in Fiscal Year 2022/2023 and \$250,000.00 for each, annually thereafter; and authorize the City Manager, or his designee, to execute any subsequent amendments, subject to the approval of the City Attorney, in accordance with approved terms of the agreement. Agreements funded by inspection fees collected from developers and utility companies.
3. Authorize the issuance of purchase orders to Anser and Willdan in the amount of \$125,000.00 each, for six months in Fiscal Year 2022/2023 and authorize the Chief Financial Officer to approve subsequent related purchase orders for annual extensions up to a maximum of four annual extensions with Anser and Willdan not-to-exceed \$250,000.00 each, annually, in accordance with the approved terms of the Agreement.
4. Authorize the Chief Financial Officer to make any necessary budget adjustment appropriations related to expenditures and offsetting revenues.

A.18. AUTHORIZATION OF CITY MANAGER TO AMEND THE AGREEMENTS FOR VENDORS CONTRACTED ON THE STATE ROUTE 60/ MORENO BEACH INTERCHANGE PHASE 2 IMPROVEMENTS PROJECT, PROJECT NO. 801 0021. (Report of: Public Works)

**Recommendations:**

1. Authorize the City Manager to amend the agreements for vendors contracted on the State Route 60/ Moreno Beach Interchange Phase

2 Improvements Project, Project No. 801 0021, subject to the approval by the City Attorney; and

2. Authorize Chief Financial Officer to make any budget adjustments necessary based on amended agreements as long as the budget adjustments are reflected in the following quarterly budget review to Council.

A.19. RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024 (ROPS 23-24) (RESO. NO. SA 2022-07) (Report of: Financial & Management Services)

**Recommendations: That the City Council as Successor Agency:**

1. Adopt Resolution No. SA 2022-07. 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 Approving the Recognized Obligation Payment Schedule and Administrative Budget for the Period of July 1, 2023 through June 30, 2024 (ROPS 23-24), and Authorizing the City Manager acting for the Successor Agency or his/her Designee to Make Modifications Thereto.
2. Authorize the City Manager acting for the Successor Agency or his Designee to make modifications to the Schedule.
3. Authorize the transmittal of the ROPS 23-24, for the period of July 1, 2023 through June 30, 2024 ("Exhibit A"), including Administrative Budget ("Exhibit B") for the said period, to the Countywide Oversight Board for County of Riverside for review and approval.

A.20. APPROVE FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES FOR CITYWIDE GENERAL NUISANCE ABATEMENT SERVICES (AGMT NO. 2019-119) (Report of: Financial & Management Services)

**Recommendations:**

1. Approve the First Amendment to the Agreement for professional services with Inland Empire Property Service, Inc;
2. Authorize the City Manager to execute the First Amendment to the Agreement for professional services with Inland Empire Property

Service for citywide general nuisance and hazard abatement services;

3. Authorize an increase in the Purchase Order for Inland Empire Property Services, Inc. in the amount of \$275,000 for a total not-to-exceed of \$775,000 once the First Amendment has been signed by all parties; and
4. Authorize the City Manager to execute any subsequent related extensions or Amendments to the Agreement, including the authority to authorize associated purchase orders in accordance with the terms of the Agreement, subject to approval of the City Attorney and the approved budget by City Council.

A.21. AUTHORIZE AN AGREEMENT WITH MIRACLE RECREATION EQUIPMENT COMPANY FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR PARQUE AMISTAD AND HIDDEN SPRINGS PARK (PROJECT NO. 807 0004 50 57-3016). (Report of: Parks & Community Services)

**Recommendations:**

1. Authorize an agreement with Miracle Recreation Equipment Company for the purchase and installation of Miracle Playground Equipment for Parque Amistad and Hidden Springs Park.
2. Authorize the issuance of a purchase order to Miracle Recreation Equipment Company for an amount up to \$422,787.85 (bid amount plus a 10% contingency) upon full execution of the agreement.
3. Authorize the Executive Director to execute the Agreement with Miracle Recreation Equipment and any subsequent related Extensions or Amendments to the Agreement and change orders to the contract, subject to the approval of the City Attorney.

A.22. ADOPTION OF RESOLUTION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE ANNUAL ADJUSTMENT TO THE CITY USER FEE SCHEDULE – PARKS & COMMUNITY SERVICES FEE FOR 2023 (Report of: Parks & Community Services)

**Recommendation:**

1. That the City Council adopt Resolution 2022-78 approving a CPI adjustment to the Parks and Community Services User Fees.

A.23. PEN19-0244 (TR 33436) – APPROVE COOPERATIVE AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER

CONSERVATION DISTRICT, THE CITY, AND KB HOME COASTAL, INC., FOR THE SUNNYMEAD MDP LINE Q-3, STAGE 4, LOCATED ON IRONWOOD AVENUE WEST OF LASSELLE STREET AND LASSELLE STREET FROM IRONWOOD AVENUE TO KALMIA AVENUE DEVELOPER: KB HOME COASTAL, INC. (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 (the City), and KB Home Coastal, Inc. (the Developer), for the Sunnymead MDP Line Q-3, Stage 4;
2. Authorize the City Manager, or designee, to execute the Cooperative Agreement and any subsequent amendments, subject to the approval of the City Attorney; and
3. Direct the City Clerk to forward the signed Cooperative Agreement to the District.

A.24. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO PUB CONSTRUCTION INC. FOR THE JUAN BAUTISTA DE ANZA MULTI-USE TRAIL ATP-4, FROM THE MORENO VALLEY MALL TO IRIS AVE, PROJECT NO. 801 0086 (Report of: Public Works)

**Recommendations:**

1. Adopt Resolution No. 2022-79, rejecting apparent low bidder as non-responsive and awarding a construction contract to lowest responsive and responsible bidder PUB Construction Inc. for the Juan Bautista de Anza Multi-Use Trail ATP-4 from the Moreno Valley Mall to Iris Avenue, Project No. 801 0086 and authorize the City Manager to execute a contract in substantial conformance with the attached contract in the amount of \$5,949,539.00, 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 TKE Engineering, Inc. to provide construction management and inspection services for the Juan Bautista de Anza Multi-Use Trail ATP-4, from the Moreno Valley Mall to Iris Avenue, Project No. 801 0086 project and authorize the City Manager to execute the agreement and any subsequent amendments with TKE Engineering, Inc. in the amount of \$325,645.00;
3. Award an agreement for Professional Consultant Service to RMA Group to provide material testing and geotechnical services for the

Juan Bautista de Anza Multi-Use Trail ATP-4, from the Moreno Valley Mall to Iris Avenue, Project No. 801 0086 project and authorize the City Manager to execute the agreement and any subsequent amendments with RMA Group in the amount of \$93,800.00;

4. Approve the First Amendment to KOA Corporation to provide Landscape Design and Design Support Services during construction for the Juan Bautista de Anza Multi-Use Trail from Moreno Valley Mall to Iris Avenue; authorize the First Amendment to extend the termination date from December 31, 2022 to June 30, 2023; and authorize the City Manager to execute the First Amendment to Agreement and any subsequent amendments with KOA Corporation in the amount of \$22,247.50;
5. Approve the Fourth Amendment to the On-Call Agreement for Professional Civil Engineer/Project Manager services with CAV Consulting for various CIP projects including this project and authorize the City Manager to execute the Fourth Amendment to Agreement and any subsequent amendments with CAV Consulting;
6. Authorize the issuance of a Purchase Order to PUB Construction Inc. in the amount of \$6,544,492.90 (bid amount plus a 10% contingency), a Purchase Order to TKE Engineering, Inc. in the amount of \$325,645.00, and a Purchase Order to RMA Group in the amount of \$93,800.00, necessary for completing the construction of this project, funded by Capital Projects Grants Fund (Fund 2301);
7. Approve the change order to the existing Purchase Order for KOA Corporation in the amount \$22,247.50, funded by Capital Projects Grants Fund (Fund 2301) for a not-to-exceed Purchase Order total amount of \$505,071.50 once the Amendment has been signed by all parties;
8. Approve the change order to the existing Purchase Order for CAV Consulting in the amount \$100,000, funded by Gas Tax Fund (Fund 2000), for a not-to-exceed Purchase Order total amount of \$574,500.00 once the Amendment has been signed by all parties; and
9. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to PUB Construction Inc. contract not exceeding the contingency of \$594,953.90, subject to the approval of the City Attorney.

A.25. APPROVE THE SECOND AMENDMENT TO THE AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES FOR ENVIRONMENTAL ASSESSMENT WITH CASC ENGINEERING AND CONSULTING, INC. FOR

THE SEVEN LOT AFFORDABLE HOUSING PROJECT, APN 481-270-058  
(Report of: Public Works)

**Recommendations:**

1. Approve the Second Amendment to the Agreement for On-Call Professional Consultant Services for Environmental Assessment with CASC Engineering and Consulting, Inc. (CASC, Inc.), to perform Final Design and Environmental Clearance, for the Seven Lot Affordable Housing project, APN 481-270-058, funded with Housing Authority funds (Fund 8884);
2. Authorize the City Manager to execute the Second Amendment to Agreement and any subsequent amendments for On-Site and/or Professional Services (Design Professional Services) with CASC, Inc., subject to the approval by the City Attorney;
3. Authorize an amendment to the existing Purchase Order with CASC, Inc. in the amount of up to but not to exceed \$164,870.00 (\$50,000.00 for the original Agreement, \$0 for the First Amendment, plus \$114,870.00 for the Second Amendment to agreement) once the Agreement has been signed by all parties; and
4. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

**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 -NOV 1, 2022 6:00 PM (SEE A.2).

**Recommendation:** Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - CLOSED SESSION - NOV 1, 2022 4:30 PM (SEE A.3).

**Recommendation:** Approve as submitted.

- B.4. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 15, 2022 6:00 PM (SEE A.4).

**Recommendation:** Approve as submitted.

B.5. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) - AMENDMENT NOS. 50-55, 57, 61 (RESO. NOS. CSD 2022-71 to CSD 2022-78) (Report of: Financial & Management Services)

**Recommendation:**

1. Adopt Resolution No. 2022-71, 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. 50) (Amelia Ramirez Mendoza, located at 15330 Theresa Ave.).
2. Adopt Resolution No. 2022-72, 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. 51) (Trinidad Juarez, located at 24707 Carolyn Ave.).
3. Adopt Resolution No. 2022-73, 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. 52) (Raul and Maria Mendoza, located at 14138 Blue Ribbon Ln.).
4. Adopt Resolution No. 2022-74, 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. 53) (Moreno Valley M.O.B., located north of Eucalyptus Ave. between Day St. and Memorial Way).
5. Adopt Resolution No. 2022-75, 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. 54) (Mercedes Lazaro Catalan Ma and David Flores Lazaro, located at 25702 Dandelion Ct.).
6. Adopt Resolution No. 2022-76, 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. 55) (Wagih Sewiha and Nagwa Mikhaeil, located at 24708 Patrician Ct.).

7. Adopt Resolution No. 2022-77, 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. 57) (Nayeli Velasco, located at 24576 Qualton Ct.).
8. Adopt Resolution No. 2022-78, 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. 61) (Ruben Pelayo, located at 13622 Persimmon Rd.).

### **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 - NOV 1, 2022 6:00 PM (SEE A.2).

**Recommendation:** Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - CLOSED SESSION - NOV 1, 2022 4:30 PM (SEE A.3).

**Recommendation:** Approve as submitted.

- C.4. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 15, 2022 6:00 PM (SEE A.4).

**Recommendation:** Approve as submitted.



#### **D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

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

**Recommendation:** Waive reading of all Ordinances.

- D.2. MINUTES - CITY COUNCIL - REGULAR MEETING - NOV 1, 2022 6:00 PM (SEE A.2).

**Recommendation:** Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - CLOSED SESSION - NOV 1, 2022 4:30 PM (SEE A.3).

**Recommendation:** Approve as submitted.

- D.4. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 15, 2022 6:00 PM (SEE A.4).

**Recommendation:** Approve as submitted.

#### **E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY**

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

**Recommendation:** Waive reading of all Ordinances.

- E.2. MINUTES - CITY COUNCIL - REGULAR MEETING - NOV 1, 2022 6:00 PM (SEE A.2).

**Recommendation:** Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - NOV 1, 2022 4:30 PM (SEE A.3).

**Recommendation:** Approve as submitted.

- E.4. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 15, 2022 6:00 PM (SEE A.4).

**Recommendation:** Approve as submitted.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Ulises Cabrera, Council Member  
**SECONDER:** David Marquez, Council Member  
**AYES:** Delgado, Baca-Santa Cruz, Gutierrez, Marquez, Cabrera

Mayor Gutierrez left the meeting at 7:45pm.

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

Seth Cox

1. Displeased with City

James Williamson

1. Pedrorena Park

Matt Seeley

1. Juan Bautista Multi Use Trail bid

Ghazi Mubarak

1. Juan Bautista Multi Use Trail bid

Rosa Bravo

1. Homelessness

Sammie Luna

1. Homelessness

Daryl Terrell

1. 2022 Election

Bob Palomarez

1. Senior Center Expansion

Fred Banuelos

1. Thanked City Staff
2. Moreno Valley Trade Center
3. Cannabis Permits

Bill Redden

1. 37 lot development project

Roy Bleckert

1. City Council meeting procedure
2. Warehouse jobs

Louise Palomarez

1. 2022 Election
2. Critical of Council Member Marquez

Eddie Bautista

1. 2022 Election

## **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. PEN20-0162 Moreno Business Center (Report of: Community Development)**

#### **Recommendations: That the City Council:**

1. **ADOPT** Resolution No. 2022-80, attached hereto, **DENYING** Appeals PAA22-0002 and PAA22-0003,

#### **AND:**

1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Plot Plan PEN20-0162 (PEN21-0079) 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 Project, which consists of Plot Plan PEN20-0162 (PEN21-0079) pursuant to CEQA and the CEQA Guidelines.

2. **ADOPT** Resolution No. 2022-80 attached hereto,  
**AND:**

1. **APPROVING** Plot Plan PEN20-0162 (PEN21-0079) based on the Recital, Evidence contained in the Administrative Records, and Findings as set forth in Resolution No. 2022-81.

Senior Planner Julia Descoteaux provided the staff report.

Mayor Gutierrez opened the floor for Council questions.

Council Member Cabrera and Mayor Pro Tem Delgado asked questions of staff.

Mayor Gutierrez opened the hearing.

Larry Cochran of LDC Industrial Realty, Inc. and Tracy Zin presented the developer presentation.

Council Member Baca-Santa Cruz, Council Member Cabrera, Council Member Marquez, and Mayor Pro Tem Delgado asked questions of the developer.

Public Testimony was heard.

Charles L. Smith

1. Supported

Jeff Sims

2. Opposed

Efrain Lopez

1. Supported

David Zeitz

1. Opposed

Bianca Blua

1. Opposed

Elizabeth Sena

1. Opposed

Bob Palomarez

1. Supported

Gabriela Mendez

1. Opposed

Jovanny Aguilera

1. Opposed

Amparo Munoz

1. Opposed

George Hague

1. Opposed

Angel Ramirez

1. Opposed

Louise Palomarez

1. Supported

Roy Bleckert

1. Supported

JoAnn Stephan

1. Supported

Applicant provided a response to the public comments.

Mayor Gutierrez opened the floor for Council deliberations.

Mayor Pro Tem Delgado commented regarding warehouses in the city and the benefits of the project.

Council Member Cabrera commented about potential traffic with this project.

Council Member Marquez commented about warehouses in the City and the lack of good paying jobs they bring.

Council Member Baca-Santa Cruz commented about the benefits this project will bring to District 1.

Mayor Gutierrez commented about the restrictions of the property and the benefits this project will bring to District 1.

Mayor Gutierrez called for a motion denying the appeal.

**Motion was moved by Council Member Elena Baca-Santa Cruz and seconded by Mayor Pro Tem Delgado.**

**Motion passed by a vote of 3-2, Council Member Baca-Santa Cruz, Mayor Pro Tem Delgado, and Mayor Gutierrez, with Council Member Marquez, Council Member Cabrera voting no.**

<b>RESULT:</b>	<b>APPROVED [3 TO 2]</b>
<b>MOVER:</b>	Elena Baca-Santa Cruz, Council Member
<b>SECONDER:</b>	Ed Delgado, Mayor Pro Tem
<b>AYES:</b>	Ed Delgado, Elena Baca-Santa Cruz, Dr. Yxstian A. Gutierrez
<b>NAYS:</b>	David Marquez, Ulises Cabrera

F.2. PUBLIC HEARING TO ADOPT SUBSTANTIAL AMENDMENT NO. 3 TO THE 2019-2020 ANNUAL ACTION PLAN CARES (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. 3 to the 2019-2020 Annual Action Plan CARES Act Amendment.
2. Review and adopt the proposed Substantial Amendment No. 3 to the 2019-2020 Annual Action Plan CARES Act Amendment.
3. Authorize a budget amendment as set forth in the fiscal impact section and authorize the Chief Financial Officer to reduce/de-obligate grant funds from previously awarded HUD funds.

Assistant City Manager Brian Mohan provided the staff report.

Mayor Pro Tem Delgado opened the floor for Council questions of staff.

Mayor Pro Tem Delgado and Council Member Baca-Santa Cruz asked questions of staff.

Mayor Pro Tem Delgado opened the hearing and asked for public comment.

City Clerk Jane Halstead responded stating there were no public comments.

Mayor Pro Tem Delgado closed the hearing.

Mayor Pro Tem Delgado called for a motion.

**Motion was moved by Council Member Elena Baca-Santa Cruz and seconded by Mayor Pro Tem Delgado.**

**Motion passed by a vote of 4-0, Council Member Baca-Santa Cruz, Council Member Marquez, Council Member Cabrera, and Mayor Pro Tem Delgado, with Mayor Gutierrez absent.**

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Elena Baca-Santa Cruz, Council Member
<b>SECONDER:</b>	Ed Delgado, Mayor Pro Tem
<b>AYES:</b>	Ed Delgado, Elena Baca-Santa Cruz, David Marquez, Ulises Cabrera
<b>AWAY:</b>	Dr. Yxstian A. Gutierrez

F.3. PUBLIC HEARING FOR THE FIVE-YEAR CONSOLIDATED PLAN FOR PROGRAM YEARS 2023-2028 AND THE ANNUAL ACTION (Report of: Financial & Management Services)

**Recommendations: That the City Council:**

1. Conduct a Public Hearing to allow for the public to comment on the needs of low-and-moderate income residents in Moreno Valley.
2. Approve the proposed CDBG, HOME, and ESG Grant Objectives and Policies for the 2023-2024 Program Year.

Assistant City Manager Brian Mohan provided the staff report.

Mayor Pro Tem Delgado opened the floor for Council questions.

With no questions for staff, Mayor Pro Tem Delgado opened the hearing and called for public comment.

City Clerk Jane Halstead responded stating there was no public comment.

With no public comment, Mayor Pro Tem Delgado closed the hearing.

Mayor Pro Tem Delgado called for a motion.

**Motion was moved by Council Member Cabrera and seconded by Council Member Marquez.**

**Motion passed by a vote of 4-0, Council Member Baca-Santa Cruz, Council Member Marquez, Council Member Cabrera, and Mayor Pro Tem Delgado, with Mayor Gutierrez absent.**

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Ulises Cabrera, Council Member
<b>SECONDER:</b>	David Marquez, Council Member
<b>AYES:</b>	Ed Delgado, Elena Baca-Santa Cruz, David Marquez, Ulises Cabrera
<b>AWAY:</b>	Dr. Yxstian A. Gutierrez

#### **G. GENERAL BUSINESS - NONE**

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:

The Commission authorized the Executive Director to sign the grant deed for the 17<sup>th</sup> Option Parcel related to the West March DDA.

The Commission also heard an update from the executive director of the Air and Marines Operations Center.



**Riverside County Habitat Conservation Agency (RCHCA)**

None.

**Riverside County Transportation Commission (RCTC)**

Mayor Pro Tem Delgado reported the following:

At the November 9th Riverside County Transportation Commission meeting the Commission heard a presentation regarding the Interstate 15 Smart Freeway Improvements Project and then awarded an agreement to Anser Advisory Management, LLC for construction management services, materials testing, and construction surveying.

The Commission also heard the state and federal legislative updates from David Knudsen of the Budget and Implementation Committee.

At the November 28th meeting, the Commission discussed the comprehensive on-call consultant services related to various environmental and archaeological services. The Committee heard a presentation regarding the procurement process and recommended the Commission to award the agreements to four (4) companies.

**Riverside Transit Agency (RTA)**

Council Member Marquez reported the following:

At the November 2<sup>nd</sup> Committee meeting the Committee heard a report regarding Low Carbon Transit Operations Program (LCTOP) and approved the transfer of FY19 LCTOP funds and FY20 LCTOP funds to the FY22 LCTOP Implementation of Fare Promotions Project. The Committee also approved the implementation of the \$5 monthly pass promotion in the December 2022 and January 2023 or longer depending on program usage and funding availability.

At the November 2<sup>nd</sup> Committee meeting the Committee heard a presentation regarding Fiscal Year 2022 (FY22) independent financial audit and accepted the RTA FY22 Basic Financial Statements.

The Board also decided to hold its monthly meeting virtually in December 2022.

**Western Riverside Council of Governments (WRCOG)**

Mayor Pro Tem Delgado reported the following:

At the November 7, 2022 WRCOG Executive Committee meeting, the committee approved the revised 2022 TUMF Central Zone 5-Year Transportation Improvement Program. The Central Zone includes the Cities of Menifee, Moreno Valley, Perris, and the County of Riverside (District 5).

The items covered at the December 5, 2022 meeting included updates on a number of continuing business items; however, there are no major items to report on.

**Western Riverside County Regional Conservation Authority (RCA)**

Council Member Marquez reported the following:

The items covered at the RCA Board of Directors meeting on December 5, 2022 includes the September 2022 MSHCP fee collections which identifies that Moreno Valley’s MSHCP fee collections for August 2022 were pending at the time the report was prepared.

The Items covered at the RCA Board of Directors meeting on November 7, 2022 include:

The August 2022 MSHCP fee collections report stated the following, per month:

- June 2022 totaled \$61,795
- July 2022 totaled \$152,958

**I.2. EMPLOYEE ASSOCIATION REPORTS**

None.

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

None.

### **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. City Tree Lighting and Snow Day
2. Moreno Valley Animal Shelter
3. 2022 Election
4. Citywide pavement project
5. MVUSD Ribbon Cutting

#### Council Member Cabrera

1. City Tree Lighting and Snow Day
2. Bloomberg Philanthropies Program
3. 2022 Election
4. Special Meeting
5. Thanked City residents

#### Council Member Baca-Santa Cruz

1. City Tree Lighting and Snow Day
2. DIF fees
3. Moreno Valley Animal Shelter
4. 2022 Election

## 5. December 20th City Council Meeting

Mayor Pro Tem Delgado

1. 2022 Election
2. Thanked District 2 residents
3. Thanked City staff
4. Shared motivation for being on the City Council

### **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Pro Tem Delgado adjourned the meeting at 8:44 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.

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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Ulises Cabrera  
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