

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**February 21, 2023**

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

**SPECIAL PRESENTATIONS**

Moreno Valley Unified School District, Science Technology Engineering Arts  
Mathematics Academy Recognition.

**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  
February 21, 2023**

**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 Cabrera in the Council Chamber located at 14177 Frederick Street.

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

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Pro Tem Delgado.

**INVOCATION**

The invocation was led by Pastor Gabriel Carlson, Moreno Valley Christian Assembly

**ROLL CALL**

Council:	Ulises Cabrera	Mayor
	Edward A. Delgado	Mayor Pro Tem
	Elena Baca-Santa Cruz	Council Member
	David Marquez	Council Member
	Cheylynda Barnard	Council Member

## INTRODUCTIONS

Staff:	Jane Halstead	Manager of the Office of the Mayor and City Council/City Clerk
	Patty Rodriguez	Senior Deputy 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
	Michael Lloyd	Assistant City Manager
	Manuel Mancha	Community Development Director
	Melissa Walker	Public Works Director/City Engineer
	Jeremy Bubnick	Parks and Community Services Director
	Tyson Voss	Lieutenant
	Jesse Park	Fire Chief

## PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Judy Brice

1. Thanked City Staff.

Tom Jerele Sr.

1. Acknowledged City events and late resident.

Daryl T.

1. Various initiatives.

Christopher Baca

1. Various City improvements.

Bob Palomarez

1. Public Safety.

Jesus Aleman

1. Local artists.

Genevieve Aleman

1. Public Art.

Roy Bleckert

1. Talent in community.

Louise Palomarez

1. Freedom of speech.

Danny Zuniga

1. Local art development.

Michelle Davis

1. Compassion.

## **PUBLIC COMMENTS ON MATTERS ON THE AGENDA**

Daryl T

1. Public Safety.

Roy Bleckert

1. Council Rules and Procedures.

## **CITY COUNCIL OPENING COMMENTS**

None.

## **JOINT CONSENT CALENDARS (SECTIONS A-E)**

Mayor Cabrera asked if any members of the Council would like to pull any items from the consent calendar for separate action.

Mayor Pro Tem Delgado stated he was advised by the City Attorney's Office that because he is employed by the Riverside County Sheriff's Department, and pursuant to Government Code § 1091, it requires him to recuse himself from participating in the decision related to item A.5 on the consent calendar because he has a remote interest in this matter, since he receives a salary from the Riverside County Sheriff's Department. Mayor Pro Tem Delgado stated he was also advised by the City Attorney's Office that since the item is on the consent calendar, he does not need to leave the Council Chamber during the vote.

Mayor Cabrera clarified Mayor Pro Tem Delgado's statement by saying Mayor Pro Tem Delgado will be recusing himself from the vote on item A.5.

Mayor Cabrera asked Council if there were any other items members of the Council would like to remove for separate action.

Council Member Barnard asked to pull item A.8 and item A.12 for discussion and separate vote.

Mayor Cabrera asked Council if there were any other items they would like to have pulled for separate action.

With no other items, Mayor Cabrera called for Council questions of staff.

With no Council questions of staff, Mayor Cabrera called for a vote.

**Motion to approve the consent calendar made by Council Member Baca-Santa Cruz and seconded by Council Member Marquez.**

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

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

#### **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 - Feb 7, 2023, 4:30 PM

**Recommendation:**

1. Approve as submitted.

- A.3. City Council - Regular Meeting - Feb 7, 2023, 6:00 PM

**Recommendation:**

1. Approve as submitted.

- A.4. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2022/2023 FROM 1. July 1, 2022, through January 31, 2023. (Report of: City Clerk)

**Recommendation:**

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

A.5. ACCEPTANCE OF THE FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AWARD (Report of: Community Development)

**Recommendations:**

1. Accept the Fiscal Year 2022 Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program award of \$56,476 administered through the Riverside County Sheriff's Department;
2. Authorize the City Manager, or his designee, to execute for and on behalf of the City of Moreno Valley, agreements and other related documents including any amendments required by the Bureau of Justice Assistance for participation in the Edward Byrne Memorial Justice Assistance Grant Program, subject to the approval of the City Attorney; and
3. Authorize the Chief Financial Officer, or his designee, to make any necessary budget adjustments as recommended in the Fiscal Impact section of this report.

**RESULT:** APPROVED [4 to 0]  
**MOVER:** Elena Baca-Santa Cruz, Council Member  
**SECONDER:** David Marquez, Council Member  
**AYES:** Cabrera, Marquez, Barnard, Baca-Santa Cruz  
**ABSTAIN:** Ed Delgado, Mayor Pro Tem

A.6. APPROVAL OF FIRST AMENDMENT TO AGREEMENT WITH CIVIC SOLUTIONS, INC., FOR PLANNING CONSULTANT SERVICES ON AN AS NEEDED BASIS (AGMT NO. 2022-72-01) (Report of: Community Development)

**Recommendations:**

1. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with Civic Solutions, Inc., and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, and Purchase Orders, subject to the approval of the City Attorney, in accordance with approved terms of the agreement and within available budget as previously approved by Council;
2. Authorize an increase of \$500,000.00 to the not-to-exceed amount of

the Agreement with Civic Solutions, Inc., to \$550,000.00, funded by fees paid by project applicants. Authorize the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-507 to Civic Solutions, Inc.; and

3. 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. COLLEGE PROMISE MEMORANDUM OF UNDERSTANDING (Report of: Economic Development)

**Recommendations:**

1. Approve the Memorandum of Understanding (MOU) between the City of Moreno Valley (City) and the Riverside Community College District Foundation acting on behalf of Moreno Valley College (College) allowing for the allocation of \$100,000 to support the College Promise Initiative for two academic years.
2. Authorize the City Manager to execute the MOU as to form and all necessary documents with the College.

A.8. MARCH JOINT POWERS AUTHORITY SUNSETTING AGREEMENTS (**Item pulled from consent to Section G for separate vote**)

A.9. AUTHORIZE THE PURCHASE OF AN ELECTRIC CARGO VAN FOR THE SOLID WASTE PROGRAM (Report of: Financial & Management Services)

**Recommendations:**

1. Authorize the purchase of a 2022/2023 Electric Cargo Van to support the Solid Waste & Recycling program.
2. Authorized the Purchasing & Sustainability Division Manager to issue a Purchase Order to a vendor that has an Electric Cargo Van for sale that meets the needed specifications for \$75,000 plus sales tax, shipping, and modifications.
3. Authorize the City Manager or designee to execute the sales agreement and any needed amendments with the selected vendor that has an Electric Cargo Van, with required specifications, available for sale.
4. Authorize the use of the sole source procurement process since inventory and manufacturers Electric Cargo Van's are extremely limited.

A.10. RECEIPT OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2022 (Report of: Financial & Management Services)

1. Receive and file the Quarterly Investment Report for quarter ended December 31, 2022, in compliance with the City's Investment Policy.

A.11. ADOPT RESOLUTION NO. 2023-04 DESIGNATING AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE DOCUMENTS FOR THE CALIFORNIA VIOLENCE INTERVENTION AND PREVENTION (CalVIP) GRANT PROGRAM (Report of: Financial & Management Services)

**Recommendations:**

1. Adopt Resolution No. 2023-04, a Resolution of the City Council of the City of Moreno Valley, California, designating and authorizing City Manager, City Attorney and Chief Financial Officer to execute applications and documents for the purposes of obtaining and managing California Violence intervention and Prevention (CalVIP) Grant Program Funds awarded through The Board of State and Community Corrections (BSCC).

A.12. FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE MID-YEAR BUDGET AMENDMENTS **(Item pulled from consent to Section G for separate vote)**

A.13. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AMENDMENT NOS. 74 AND 75 (RESO. NOS. 2023-06 AND 2023-07) (Report of: Financial & Management Services)

**Recommendation:**

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2023-06, 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. 74) (D.R. Horton Los Angeles Holding Company, Inc., located near the northeast corner of Alessandro Blvd. and Lasselle St.)
2. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2023-07, 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. 75) (Hakan Buwan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.)

A.14. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.15. APPROVE THE AGREEMENT WITH MARKS ARCHITECTS, INC. FOR THE CITY HALL ELEVATOR MODERNIZATION PROJECT 803 0059 AND BUDGET APPROPRIATION (Report of: Public Works)

**Recommendations:**

1. Approve the agreement with Marks Architects Inc., for a total not-to-exceed amount of \$152,200 for the preparation of scope and fee documents in relation to the City Hall Elevator Modernization project 803 0059; and authorize the City Manager to execute the agreement using fund 3000 Facility Construction;
2. Authorize the issuance of a purchase order to Marks Architects Inc. for \$152,200 in accordance with approved terms of the agreement;
3. Authorize the City Manager to execute any amendments, purchase orders and/ or change orders, contingent upon approved budget and approval of the City Attorney; and
4. Approve Budget Adjustments as contained in the Fiscal Impact section of this report.

A.16. APPROVE AN INCREASE TO BMW MOTORCYCLES OF RIVERSIDE ANNUAL PURCHASE ORDER FOR FY 2022-23 (Report of: Police Department)

**Recommendation:**

1. Authorize a change order to increase Blanket Purchase Order #2023-274 to BMW Motorcycles of Riverside from \$50,000 to \$ 85,000 for FY 2022-23 year-end expenses.

A.17. PA03-0086 (TRACT 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND

WATER CONSERVATION DISTRICT. DEVELOPER - KB HOME CALIFORNIA, LLC (Report of: Public Works)

**Recommendations:**

1. Authorize the City Manager to execute the Quitclaim Deeds transferring all of the City's rights, title, and interest in and to the storm drain easements recorded on Tract 31592, recorded in Map Book 461, Pages 57 through 80 inclusive, in the Official Records of Riverside County, California and by separate instrument DOC#2018-0326762, to the Riverside County Flood Control and Water Conservation District (RCFC&WCD).
2. Direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.18. PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D23-001 FOR AUBURN RESIDENTIAL DEVELOPMENT LOCATED AT THE NORTHWEST CORNER OF BAY AVENUE AND MORENO BEACH DRIVE. DEVELOPER: KB HOME COASTAL, INC. (Report of: Public Works)

**Recommendations:**

1. Accept and approve the Development Impact Fees Improvement Credit Agreement #D23-001 (DIF Agreement) for PEN19-0168 improvements.
2. Authorize the City Manager to execute the DIF Agreement.

A.19. APPROVE AND EXECUTE THE AGREEMENT WITH ACCO ENGINEERED SYSTEMS, INC., FOURTH AMENDMENT WITH IMEG CORPORATION FOR THE PUBLIC SAFETY BUILDING HVAC REPLACEMENT PROJECT 803 0053 AND BUDGET APPROPRIATION (Report of: Public Works)

**Recommendations:**

1. Approve the Agreement for the Public Safety Building HVAC Replacement Project No. 803 0053 with Acco Engineered Systems, Inc, the lowest responsible bidder, and the Fourth Amendment with IMEG Corporation for Design and Construction Support Services, funded through Facility Construction (Fund 3000), Facilities Replacement Reserve (Fund 7330), and Equipment Replacement Reserve (Fund 7510);
2. Authorize the City Manager to execute the Agreement for the Public

Safety Building HVAC Replacement with Acco Engineered Systems, Inc. and Fourth Amendment for Design and Construction Support Services with IMEG Corp; and issuance of the Purchase Orders for completion after the Agreement and Amendment have been fully executed;

3. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreements within the authorized funding, subject to the approval of the City Attorney; and
4. Approve Budget Adjustments as contained 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 - CLOSED SESSION - FEBRUARY 7, 2023.  
(See Item A.2)

**Recommendation:**

1. Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023.  
(See Item A.3)

**Recommendation:**

1. Approve as submitted.

- B.4. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) - AMENDMENT NOS. 59, 62, 63, 69, 72 AND 74 (RESO. NOS. CSD 2023-09 TO CSD 2023-14) (Report of: Financial & Management Services)

**Recommendation:**

1. Adopt Resolution No. CSD 2023-09, 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. 59) (D.R. Horton Los Angeles Holding Company, Inc., located near the northeast corner of Alessandro Blvd. and Lasselle St.).

2. Adopt Resolution No. CSD 2023-10, 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. 62) (Hakan Buvan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.).
3. Adopt Resolution No. CSD 2023-11, 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. 63) (SPSSN Inv II, 22402 Bay Ave.).
4. Adopt Resolution No. CSD 2023-12, 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. 69) (David Santibanez de la Torre, 28778 McAbee Ave.).
5. Adopt Resolution No. CSD 2023-13, 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. 72) (Marta and Luis Ernesto Interiano, 24649 La Barca Way).
6. Adopt Resolution No. CSD 2023-14, 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. 74) (Denesse Duran and Jaime Eduardo Pulido, 23433 Dome St.).

### **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 - FEBRUARY 7, 2023.  
(See Item A.2)

**Recommendation:**

1. Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023.  
(See Item 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 - CLOSED SESSION - FEBRUARY 7, 2023.  
(See Item A.2)

**Recommendation:**

1. Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023.  
(See Item 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 - CLOSED SESSION - FEBRUARY 7, 2023.  
(See Item A.2)

**Recommendation:**

1. Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023.(See Item A.3)

**Recommendation:**

1. Approve as submitted.

## F. PUBLIC HEARINGS

- F.1. APPEALS OF PLANNING COMMISSION APPROVAL OF PLOT PLAN FOR AN AUTOMOBILE PARKING LOT (Report of: Community Development)

**Recommendations: That the City Council:**

- A. **ADOPT** Resolution No. 2023-08, attached hereto, **DENYING** Appeals PAA22-0005 and PAA23-0003, upholding the Planning Commission's decision approving the Plot Plan for the Automobile Parking Lot

**AND:**

1. **CERTIFYING** the Initial Study/Mitigated Negative Declaration prepared for Plot Plan PEN21-0102 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 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 PEN21-0102 pursuant to CEQA and the CEQA Guidelines; and.

- B. **ADOPT** Resolution No. 2023-09 attached hereto,

3. **APPROVING** the Planning Commission's approval of Plot Plan

PEN21-0102 based on the Recitals, Evidence contained in the Administrative Records, and Findings as set forth in Resolution No. 2023-09.

Planning Official/Manager Sean Kelleher provided the staff report.

Presentation was handed over to Interim City Attorney Steven Quintanilla to discuss legal issues with this project.

Mayor Cabrera opened the floor for Council questions of staff.

Council Member Marquez had questions for staff.

Planning Official/Manager Sean Kelleher responded to Council Member Marquez's inquiries.

With no additional Council questions of staff, Mayor Cabrera opened the public hearing.

Mayor Cabrera called for the applicant's presentation.

Frank Coyle of CASC Engineering provided introductory remarks regarding the project.

Martin Clouser provided Council with the presentation.

David Schiepe applicant for the project, provided additional remarks on the project.

With the conclusion of the applicant's presentation, Mayor Cabrera opened the floor for Council questions of the applicant.

With no Council questions of the applicant, Mayor Cabrera called for public comments to be heard.

Jamil Dada

1. Opposes project.

Major John Kalis

1. Opposes project.

Tina Grande

1. Opposes project.

Paul Rull

1. Opposes project.

Daniel Fairbanks

1. Opposes project.

Grace Martin

1. Opposes project.

Nicholas Adcock

1. Opposes project.

Roy Bleckert

1. Supports project.

Bob Palomarez

1. Supports project.

Louise Palomarez

1. Supports project.

Michelle Davis

1. Supports project.

Christopher Baca

1. Supports project.

Mayor Cabrera opened the floor for the applicant's rebuttal.

Martin Clouser and David Schiepe provided the applicant's rebuttal.

With the conclusion of the applicant's rebuttal, Mayor Cabrera closed the hearing.

Interim City Attorney Steve Quintanilla provided additional comments before Council deliberation.

Mayor Cabrera opened the floor for Council deliberation.

Council Member Marquez commented on the recent jet crash at the base, as well as the multiple warehouses built on March AFB/March JPA land. Council Member Marquez also noted he highly doubts the base will close if the project is approved, despite presumed threats.

Council Member Baca-Santa Cruz informed the residents that the letters from the March ARB are included in the agenda packet and begin on page 460 of the agenda packet.

Mayor Pro Tem Delgado thanked Council Member Baca-Santa Cruz for the explanation regarding the letter. Mayor Pro Tem Delgado stated he looks at the bigger picture of what March AFB does for not only our City and County, but the entire region.

Council Member Barnard stated there were many remedies that could have been made before getting to this point. Council Member Barnard noted that if March AFB did not want anybody to build in the clear zone, why did they not purchase the private property in this area. Council Member Barnard also noted the inconsistencies regarding the other potential uses of this property, since the main argument presented by the appellants is the preservation of life. Council Member Barnard also stated she believes this is an unfair predicament the Council has been put in, since there were many other remedies that could have resolved this issue.

Mayor Cabrera stated he is empathetic to both sides of the argument. Mayor Cabrera noted that no matter which way the vote goes, it is most likely not the end of the process for this project, as he believes the ultimate approval of this project will most likely be decided by the Courts.

With the conclusion of Council deliberation, Mayor Cabrera called for a vote.

**Motion made by Council Member Marquez and seconded by Council Member Barnard to adopt Resolution 2023-08 denying appeals PA22-0005, and PA22-0003, upholding the Planning Commission's decision to approve the Plot Plan for the Automobile Parking Lot, certifying the Initial Study/Mitigated Negative Declaration prepared for Plot Plan PEN21-0102, adopting the Mitigation Monitoring and Reporting Program prepared for the project, and adopting Resolution 2023-09 approving the Planning Commissions' approval of the Plot Plan PEN21-0102 based on the Recitals, Evidence contained in the Administrative Records, and Findings as set forth in Resolution 2023-09.**

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

**RESULT:** APPROVED [3 TO 2]  
**MOVER:** David Marquez, Council Member  
**SECONDER:** Cheylynda Barnard, Council Member  
**AYES:** David Marquez, Cheylynda Barnard, Elena Baca-Santa Cruz  
**NAYS:** Ulises Cabrera, Ed Delgado

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

**Recommendations: That the City Council:**

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceeding for the National Pollutant Discharge Elimination System (NPDES) Residential Regulatory Rate to be applied to the property tax bill of the parcels identified herein (Hakan Buvan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Circle);
2. Direct the City Clerk to open and count the returned NPDES ballot;
3. Verify and accept the results of the mail ballot proceeding as maintained by the City Clerk on the Official Tally Sheet and if approved, set the rate and impose the applicable NPDES Regulatory Rate on the Assessor's Parcel Numbers as mentioned;
4. Receive and file the Official Tally Sheet with the City Clerk's office.

Assistant City Manager Brian Mohan provided the staff report.

Mayor Cabrera called for Council questions of staff.

With no Council questions of staff, Mayor Cabrera called for public comments.

With no public comments, Mayor opened the floor for Council deliberation.

With no Council deliberation, Mayor called for a vote.

**Motion made by Mayor Cabrera and seconded by Council Member Marquez to direct the City Clerk to open the ballot and read the results.**

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

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

City Clerk, Jane Halstead opened the ballot and read the contents of the ballot, which contained one “yes” vote.

**Motion made by Mayor Cabrera and seconded by Mayor Pro Tem Delgado to receive and accept the results of the ballot.**

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

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Ulises Cabrera, Mayor  
**SECONDER:** Ed Delgado, Mayor Pro Tem  
**AYES:** Cabrera, Delgado, Marquez, Barnard, Baca-Santa Cruz

## **G. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION**

### **G.1. MARCH JOINT POWERS AUTHORITY SUNSETTING AGREEMENTS (Report of: Economic Development)**

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

1. Authorize the execution of the Fourteenth Amendment to the Joint Powers Agreement among the Member Agencies (“Fourteenth Amendment”) relating to March Joint Powers Authority (“Authority”) in substantial conformance to the form attached herewith as Exhibit A;
2. Authorize the execution of a Tax and Revenue Sharing Agreement (“Agreement”) among the Cities of Moreno Valley, Perris, and Riverside (“Cities”) and the County of Riverside (“County”) (collectively known as “Member Agencies”) in substantial conformance to the form attached herewith as Exhibit B; and
3. Authorize the City Manager to execute subsequent amendments to effectuate said agreements.

City Manager Mike Lee provided the staff report.

Mayor Cabrera opened the floor for Council questions of staff.

Council Member Marquez had questions for staff.

City Manager Mike Lee responded to Council Member Marquez's inquiries.

With no additional Council questions, Mayor Cabrera called for public comments.

Roy Bleckert

1. Freedom of speech.

With the conclusion of public comments, Mayor Cabrera called for Council deliberation.

With no Council deliberation, Mayor Cabrera called for a vote.

**Motion made by Council Member Marquez and seconded by Mayor Pro Tem Delgado to approve the March Joint Powers Authority Sunsetting Agreements.**

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

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Marquez, Council Member
<b>SECONDER:</b>	Ed Delgado, Mayor Pro Tem
<b>AYES:</b>	Cabrera, Delgado, Marquez, Barnard, Baca-Santa Cruz

G.2. FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE MID-YEAR BUDGET AMENDMENTS (Report of: Financial & Management Services)

**Recommendations: That the City Council:**

1. Receive and file the Fiscal Year 2022/23 Mid-Year Budget Review.
2. Adopt Resolution No. 2023-05. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for fiscal year 2022/23.
3. Approve the City Position Summary.
4. Approve the Salary Schedules effective February 22, 2023.

**Recommendations: That the CSD:**

1. Adopt Resolution No. CSD 2023-08. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised operating and capital budgets for Fiscal Year (FY) 2022/23.

**Recommendation: That the HA:**

1. Adopt Resolution No. HA 2023-01. A resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, adopting the revised operating and capital budget for Fiscal Year 2022/23.

Assistant City Manager Brian Mohan provided the staff report.

With Mayor Cabrera away from his seat on the dais, Mayor Pro Tem Delgado called for Council questions of staff.

With no questions of staff, Mayor Pro Tem Delgado called for public comments to be heard.

Public comments were heard.

Roy Bleckert

1. Transparency.

Assistant City Manager Brian Mohan provided clarification on the staff report.

Council Member Baca- Santa Cruz asked for further clarification.

Assistant City Manager Brian Mohan provided additional clarification.

Mayor Cabrera noted some changes he would like to see in future agendas.

**Motion made by Mayor Pro Tem Delgado and seconded by Council Member Marquez to approve the Fiscal Year 2022/23 Mid-Year Budget Review and Amendments.**

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

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Ed Delgado, Mayor Pro Tem  
**SECONDER:** David Marquez, Council Member  
**AYES:** Cabrera, Delgado, Marquez, Barnard, Baca-Santa Cruz

Assistant City Manager Brian Mohan stated for the record, only two items (A.8 and A.12) were pulled from consent for separate action. Item A.5 was voted on as part of the consent calendar, with Mayor Pro Tem Delgado recusing himself from the vote on the specific item.

## H. GENERAL BUSINESS

### H.1. ART MURAL PROGRAM DISCUSSION (Report of: City Manager)

#### **Recommendations:**

1. Council to authorize the Assistant City Manager & Parks & Community Services Director to work with the Arts Commission to develop a Public Art Policy. The policy will reflect the mission of the Arts Commission and will include guidelines regarding submittal process, selection criteria, installation, deinstallation, insurance, agreements, community engagement, and fiscal analysis.
2. Provide any other direction as authorized by Council.

Assistant City Manager Brian Mohan provided the staff report.

Mayor Cabrera opened the floor for Council questions of staff.

Mayor Pro Tem Delgado asked a question of staff.

Assistant City Manager Brian Mohan responded to Mayor Pro Tem Delgado's inquiry.

Council Member Barnard asked a question of staff.

Assistant City Manager Brian Mohan responded to Council Member Barnard's inquiry.

Mayor Cabrera asked a question of staff.

Assistant City Manager Brian Mohan responded to Mayor Cabrera's inquiry.

With the conclusion of Council questions of staff, Mayor Cabrera called for public comments to be heard.

Byron Portillo

1. Support.

Genevieve Aleman

1. Support.

Eddie Bautista

1. Support.

Karen Vilchis

1. Support.

Juan Salinas

1. Support.

Rosy Cortez

1. Support.

Juan Navarro

1. Support.

Rony Armas

1. Support.

Brandon Carn

1. Support.

Susan Aleman

1. Support.

Sarah Lara-Teller

1. Support.

Antonio Martinez

1. Support.

Jesus Aleman

1. Support.

Louise Palomarez

1. Support and concerns.

Christopher Baca

1. Support.

Tom Jerele Sr.

1. Support.

Mayor Cabrera called for Council deliberation.

Mayor Pro Tem Delgado stated he is looking forward to the art that is going to come to the City.

Council Member Barnard thanked everyone for coming out. Council Member Barnard appreciated one of the speakers and recounted the mural the resident proposed to be painted on the side of the Library on Alessandro. Council Member Barnard spoke about the importance of the Arts Commission and reminded residents of the vacancies on the Arts Commission.

Council Member Marquez thanked everyone for coming out and noted he has a personal experience with art being therapy and bringing people together. Council Member Marquez noted he fully supports this item.

Council Member Baca-Santa Cruz thanked everyone for coming out and wanted to thank one of the speakers, whose mural was selected to be created at Moreno Valley College. Council Member Baca-Santa Cruz noted her personal experiences with art growing up.

Mayor Cabrera thanked everyone for coming out and stated he liked many of the ideas that were presented by speakers. Mayor Cabrera stated he is very excited for the funding to come for these projects, as well as the possibility of adding additional funding through other public entities, grants, and private donors. Mayor Cabrera also expressed his desire to have as much public input as possible in these projects, as well as seeing equitable distribution of art throughout the Council Districts. Mayor Cabrera stated he looks forward to seeing art come to the City and recognized various speakers who came out to speak.

Mayor Cabrera called for a vote.

**Motion made by Mayor Cabrera and seconded by Council Member Marquez to authorize the Assistant City Manager and Parks and Community Services Director to work with the Arts Commission to develop a Public Art Policy, as well provide any other direction as authorized by Council.**

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

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ulises Cabrera, Mayor
<b>SECONDER:</b>	David Marquez, Council Member
<b>AYES:</b>	Cabrera, Delgado, Marquez, Barnard, Baca-Santa Cruz

H.2. REVIEW OF OPTIONS REGARDING PROCEDURES FOR SELECTING THE MAYOR PRO TEM (Report of: City Clerk)

1. Provide direction regarding whether the Mayor Pro Tem selection process should be revised based on the one of the options described in this Staff Report.

City Clerk Jane Halstead provided the staff report.

Mayor Cabrera called for Council questions of staff.

With no Council questions of staff, Mayor Cabrera called for public comments to be heard.

Darly T

1. Suggestions.

Roy Bleckert

1. Equal opportunity.

Louise Palomarez

1. Critical comments.

Mayor Cabrera opened the floor for Council deliberation.

Mayor Pro Tem Delgado stated he is in favor of keeping the current process of the Mayor Pro Tem selection and stated he will agree with whatever the majority of Council decides.

Council Member Barnard stated she believes the Mayor Pro Tem selection should be rotational. Council Member Barnard stated in

previous years, the Mayor Pro Tem selection was once ceremonial and rotated but became a conglomerate where one section maintained the Mayor Pro Tem selection. Council Member Barnard noted the Mayor Pro Tem selection is included in the Mayoral Duties and believes this item should be discussed in the Mayoral Duties Study Session.

Mayor Cabrera stated he does not like the current process of the Mayor Pro Tem selection and believes this process should be changed and noted he would like to see the selection process turned to more of a rotational option. Mayor Cabrera stated he would like to address the changes in the current meeting, as even if this item is discussed at the Mayoral Duties Study Session, the changes will still need to be brought back to a future Council Meeting for action.

Council Member Barnard stated she would rather have the Mayoral Duties/Mayor Pro Tem selection brought back to a future meeting and dealt with all together, instead of making changes piece by piece.

Mayor Cabrera stated he is open to making changes tonight or waiting to discuss this item at the Mayoral Duties Study Session.

Mayor Pro Tem Delgado asked staff if a motion is needed to add the Mayor Pro Tem selection to the March 14th Study Session.

Interim City Attorney Steven Quintanilla stated a motion would be needed.

City Manager Mike Lee asked Mayor Cabrera and the City Council to provide more direction, if possible.

Mayor Cabrera responded stated he personally liked the equal opportunity option, which specifies the Council Member who has not served as Mayor Pro Tem for the longest period would be selected.

City Manager Mike Lee responded asking how a tie would be broken, as every election there are two new members of Council that are elected.

Mayor Cabrera recounted some of the suggestions the public speakers had suggested to break a tie.

Mayor Pro Tem Delgado asked if this information must be clarified tonight.

City Manager Mike Lee stated the more clarity provided tonight, the better it is to bring an item back.

Council Member Baca-Santa Cruz makes a motion to include Mayor Pro Tem selection to Mayoral Duties Study Session scheduled for March 14th and if determinations are made at the Study Session, any action proposed be brought to the March 21st City Council Meeting.

Mayor Cabrera asked for clarification from staff.

Interim City Attorney Steve Quintanilla provided Mayor Cabrera with clarification.

**Motion made by Council Member Baca-Santa Cruz and seconded by Mayor Pro Tem Delgado to include Mayor Pro Tem selection to Mayoral Duties Study Session scheduled for March 14th and if determinations are made at the Study Session, any action proposed be brought to the March 21st City Council Meeting.**

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

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elena Baca-Santa Cruz, Council Member
<b>SECONDER:</b>	Ed Delgado, Mayor Pro Tem
<b>AYES:</b>	Cabrera, Delgado, Marquez, Barnard, Baca-Santa Cruz

H.3. SENATE BILL NO. 1439 - CONFLICTS OF INTERESTS RELATED TO CAMPAIGN CONTRIBUTIONS (Report of: City Attorney)

**Recommendation:**

1. That the City Council receive and file this report.

Interim City Attorney Steven Quintanilla provided the staff report.

Mayor Cabrera opened the floor for Council questions of staff.

Mayor Cabrera asked questions of staff.

Interim City Attorney Steven Quintanilla responded to Mayor Cabrera's inquiries.

With no additional Council questions of staff, public comments were called.

Roy Bleckert

1. Personal perspective.

Christopher Baca

1. Personal perspective.

Interim City Attorney Steven Quintanilla provided additional clarification to the Mayor and City Council.

With no action necessary, the item was received and filed by the City Council.

## **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 heard a fantastic presentation by Lieutenant Colonel Michael Hunter about the Southern California Air Show coming to March Air Reserve Base on April 22<sup>nd</sup> and 23<sup>rd</sup>. He shared that they are bringing in incredible displays of precision flying by the U.S. Air Force Thunderbirds and the Patriots Jet Team, the civilian-owned aerobatic jet team flown by former Thunderbird and Blue Angel pilots. The air show will also feature non-stop aerobatic demonstrations plus static on-ground displays. They will have the same shows both days and there will be no cost for attendance or parking.

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

Council Member Barnard reported the following:

Items covered at the RCHCA Board of Directors meeting on February 9, 2023, included identifying that the City of Moreno Valley collected a total of \$31,235 in Stephens' Kangaroo Rat Mitigation fees in the Second Quarter of Fiscal Year 2022/2023.

#### **Riverside County Transportation Commission (RCTC)**

Mayor Cabrera reported the following:

The Commission approved the Fiscal Year 2022/2023 mid-year budget adjustments for a net increase of \$2,559,200 and \$3,459,200 in revenues and expenditures, respectively.

The Commission also approved the release of the 2023 Regional Arterials Call for Projects for approximately \$85 million of 2009 Western Riverside County Measure A Regional Arterials (MARA) funds and \$50 million Transportation Uniform Mitigation Fee (TUMF) Regional Arterials funds.

**Riverside Transit Agency (RTA)**

None.

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

None.

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

None.

**School District/City Joint Task Force**

None.

**I.2. EMPLOYEE ASSOCIATION REPORTS**

None.

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

1. Boards and Commissions.
2. Festival of Arts.
3. Upcoming Winter Storm.

**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. Looking forward to City art.

Council Member Barnard

1. Wished everyone Happy Black History Month.
2. Mountain View Middle School Career Day.

Mayor Pro Tem Delgado

1. Looking forward to City art.

Mayor Cabrera

1. Meeting dates.
2. Boards and Commissions.

## **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Cabrera adjourned the meeting at 11:04pm in honor of the late Timothy Caszatt.

## **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