AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY

January 12, 2016

STUDY SESSION – 6:00 PM

City Council Study Sessions
Second Tuesday of each month – 6:00 p.m.
City Council Meetings
Special Presentations – 5:30 P.M.
First & Third Tuesday of each month – 6:00 p.m.
City Council Closed Session
Will be scheduled as needed at 4:30 p.m.

City Hall Council Chamber – 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Dr. Yxstian A. Gutierrez, Mayor

Jeffrey J. Giba, Mayor Pro Tem
Jesse L. Molina, Council Member
George E. Price, Council Member
D. LaDonna Jempson, Council Member

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THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

STUDY SESSION – 6:00 PM
JANUARY 12, 2016

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION
Pastor Janet Wallace, Agape Fellowship Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS EITHER ON THE AGENDA OR NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL
There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council.

A. SPECIAL ORDER OF BUSINESS

A.1. ADA TRANSITION PLAN (Report of: City Attorney)

A.2. TRANSPARENCY AND OPEN DATA INITIATIVES (Report of: City Manager)

A.3. CITY COUNCIL REQUESTS AND COMMUNICATIONS

(ITEMS MAY BE DEFERRED BY COUNCIL IF TIME DOES NOT PERMIT FULL REVIEW.)

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

Any written information related to an open session agenda item that is known by the

City to have been distributed to all or a majority of the City Council less than 72 hours prior to this meeting will be made available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

ADJOURNMENT

CERTIFICATION

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

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Jane Halstead, CMC,
City Clerk

Date Posted:

Report to City Council

TO:	Mayor and City Council
FROM:	Steve Quintanilla, Interim City Attorney
AGENDA DATE:	January 12, 2016
TITLE:	ADA TRANSITION PLAN

RECOMMENDED ACTION

Recommendation:

This report recommends that the City Manager solicit proposals from qualified ADA consultants to conduct a comprehensive review of the 1995 Transition Plan and 2010 ROW Plan and develop a single Comprehensive City-Wide Transition Plan that incorporates the elements of both Plans.

SUMMARY

This report recommends that the City Manager solicit proposals from qualified ADA consultants to conduct a comprehensive review of the 1995 Transition Plan and 2010 ROW Plan and develop a single Comprehensive City-Wide Transition Plan that incorporates the elements of both Plans.

DISCUSSION

Americans with Disabilities Act (ADA)
The Americans with Disabilities Act (ADA) is a Federal civil rights law that prohibits discrimination against people with disabilities. Under this law, people with disabilities are entitled to all of the rights, privileges, advantages, and opportunities that others have when participating in civic activities. The integration of people with disabilities into the mainstream of American life is a fundamental purpose of the ADA.

Title II of the ADA
Title II of the ADA applies all programs, services, or activities of the City and its affiliated agencies. Title II requires that City contractors (such as for-profit and non-profit organizations) that provide public services also have an obligation to refrain from discriminating against people with disabilities. Equal treatment is the fundamental

purpose of the ADA; basically, people with disabilities must not be treated in a different or inferior manner with respect to the rights, privileges, advantages, and opportunities that others have when participating in civic activities.

ADA Coordinator

Since the City of Moreno Valley is a public entity with 50 or more employees, it is required to have an ADA grievance procedure place and to designate at least one responsible employee to coordinate ADA compliance. Although the law does not require the use of the term "ADA Coordinator," it is commonly used by state and local governments across the country.

The ADA Coordinator's role is to coordinate the City's efforts to comply with the ADA and investigate any complaints that the City has violated the ADA. The ADA Coordinator serves as the point of contact for individuals with disabilities to request auxiliary aids and services, policy modifications, and other accommodations or to file a complaint with the City; for the general public to address ADA concerns; and often for employees of the City who have ADA concerns. The name, office address, and telephone number of the ADA Coordinator must be provided to all interested persons. Currently, the City's designated ADA Coordinator is Senior Engineer Guy Pegan, who works in the City's Public Works Division. Mr. Pegan assumed the role as the City's ADA Coordinator upon the departure of Engineering Division Manager Mark Sambito in mid-2015. In light of the numerous claims PERMA (Public Entity Risk Management Authority) has received regarding a variety of ADA issues, PERMA recommends that the City consider elevating its focus on these issues at the staff level. Staffing alternatives will be included in upcoming mid-year budget discussions.

Self-Evaluation

All cities were required to complete a self-evaluation of their facilities, programs, policies and practices by January 26, 1993. The purpose of the self-evaluation is to identify and correct those policies and practices that are inconsistent with the ADA's Title II requirements. Self-evaluations should consider all of the City's programs, activities and services, as well as the policies and practices that the City has put in place to implement its various programs and services. Remedial measures necessary to bring the programs, policies and services into compliance with Title II should be specified -- including, but not limited to: (1) relocation of programs to accessible facilities; (2) offering programs in an alternative accessible manner; (3) structural changes to provide program access; (4) policy modifications to ensure nondiscrimination; and (5) auxiliary aids needed to provide effective communication.

1995 Transition Plan

In accordance with Title II of the ADA, staff completed a self-evaluation of all City programs and facilities, which included, among other things, a review of City policies pertaining to program access. In addition, staff inspected all City-owned and -leased facilities to evaluate compliance with ADA. From this, the City adopted the 1995 ADA Transition Plan ("1995 Transition Plan"). The 1995 Transition Plan identified specific facilities that required structural and nonstructural modifications to be in compliance with accessibility standards. The 1995 Transition Plan also focused on City programs that

were to be made in compliance with the ADA. The City made changes to certain procedures and programs and modified certain facilities to be in compliance and/or consistent with the 1995 Transition Plan.

In 2014, the City retained ADA consultant Disability Access Consultants ("DAC") to conduct a review of the City's policies and facilities to update the City's 1995 Plan, in accordance with the ADA ("2014 DAC Review"). Although the work was comprehensive, completion dates were not identified, nor were priorities identified, due possibly to financial shortfalls and staff cutbacks.

2010 Public Right-of-Way Access Transition Plan

In 2010, the City adopted The Public Right of Way Access Americans with Disabilities Act Transition Plan ("2010 ROW Plan"). The 2010 ROW Plan was deemed to be an extension of the 1995 Transition Plan. The 2010 ROW Plan summarizes pedestrian access needs in the City. Specifically, the 2010 ROW Plan outlines the recommended procedures for the prioritization, implementation and scheduling of necessary remedial work and provides an evaluation of the City's ADA compliant curb (access) ramps and public sidewalks (only those within the City's right-of-way and control), and various traffic pedestrian detectable warning devices.

In 2014, the City's Public Works Department conducted a separate accessibility study regarding the 2010 ROW Plan, with a focus on curb ramps ("2014 ROW Study"). As such, the City revised the 2010 ROW Plan based upon this 2014 ROW Study with respect only to curb ramps. This means that there is a need for the City to complete its review of the entire 2010 ROW Plan.

Recommendation

In light of the foregoing, the City Attorney's Office, with the concurrence of PERMA, which is the Joint Powers Authority that provides insurance coverage and risk management services for the City, strongly recommends that the City Manager solicit proposals from qualified ADA consultants (including DAC) to conduct a comprehensive review of the 1995 Transition Plan and 2010 ROW Plan and to develop a single Comprehensive City-Wide Transition Plan that incorporates the elements of both Plans. The scope of services to be provided should include a thorough and complete evaluation of all of the City's services, programs, policies, practices, facilities and public right-of-way infrastructure, to determine what modifications and/or structural changes are necessary to meet all applicable ADA accessibility requirements. The ADA consultant should also be expected to include in the Comprehensive City-Wide Transition Plan a proposed budget for meeting the objectives of the Plan, along with a specific time table for completing each required modification and change necessary to achieve ADA compliant accessibility within the time mandated by law and/or as expeditiously as possible. Finally, the ADA consultant shall be expected to provide an opportunity for interested individuals to participate in the transition planning process by offering them an opportunity to submit comments, suggestions and recommendations.

ALTERNATIVES

1. Retain a qualified and experienced ADA consultant to perform the services described in this report. **Recommended.**

2. Do not retain a qualified and experienced ADA consultant to perform the services described in this report and provide further direction to staff. This alternative will expose the City to potentially costly fines and/or monetary damages that may arise from ADA-related claims, complaints and enforcement actions. **Not recommended.**

FISCAL IMPACT

This will be determined once proposals are received in response to the Request for Proposals described in this report.

NOTIFICATION

Publication in the agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Steven B. Quintanilla
Interim City Attorney

Department Head Approval:
Name
Title

Concurred By:
Name
Title

CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

ATTACHMENTS

None

APPROVALS

Budget Officer Approval	✓ Approved	1/06/16 4:22 PM
City Attorney Approval	✓ Approved	1/06/16 4:02 PM
City Manager Approval	✓ Approved	1/07/16 10:26 AM

Attachment: studySessionOpenData160112 (1874 : TRANSPARENCY AND OPEN DATA INITIATIVES)

CITY OF MORENO VALLEY – OPEN DATA INITIATIVE

January 12, 2016

PRESENTATION BY: Steve Hargis, Technology Service Division Manager

Moreno Valley Open Data Initiative

"OPEN DATA"

PROMOTES FREELY AVAILABLE DATA

– DATA THAT IS NOT RESTRICTED LEGALLY –

TO EVERYONE TO USE AS THEY WISH, WITHOUT RESTRICTION.

IT CONNECTS CITIZENS WHO ARE PASSIONATE ABOUT IMPROVING THEIR COMMUNITY WITH PUBLIC SERVICES THAT ARE TRANSPARENT, RESPONSIVE, AND DEDICATED TO IMPROVED GOVERNANCE THROUGH INNOVATION.

Moreno Valley Open Data Initiative

Open Data links everyone into a community that uses its resources…

Citizens	…providing feedback and ideas
Advocates	…promoting accountability and results
Community Organizers	…thinking forward to a better future
Researchers	…promoting analysis to identify issues and find solutions
Technologist	…utilizing innovation to improve services
Government Officials	…providing strong leadership and stewardship

…to promote transparency, responsive governance, and growth.

WHO BENEFITS FROM "OPEN DATA"

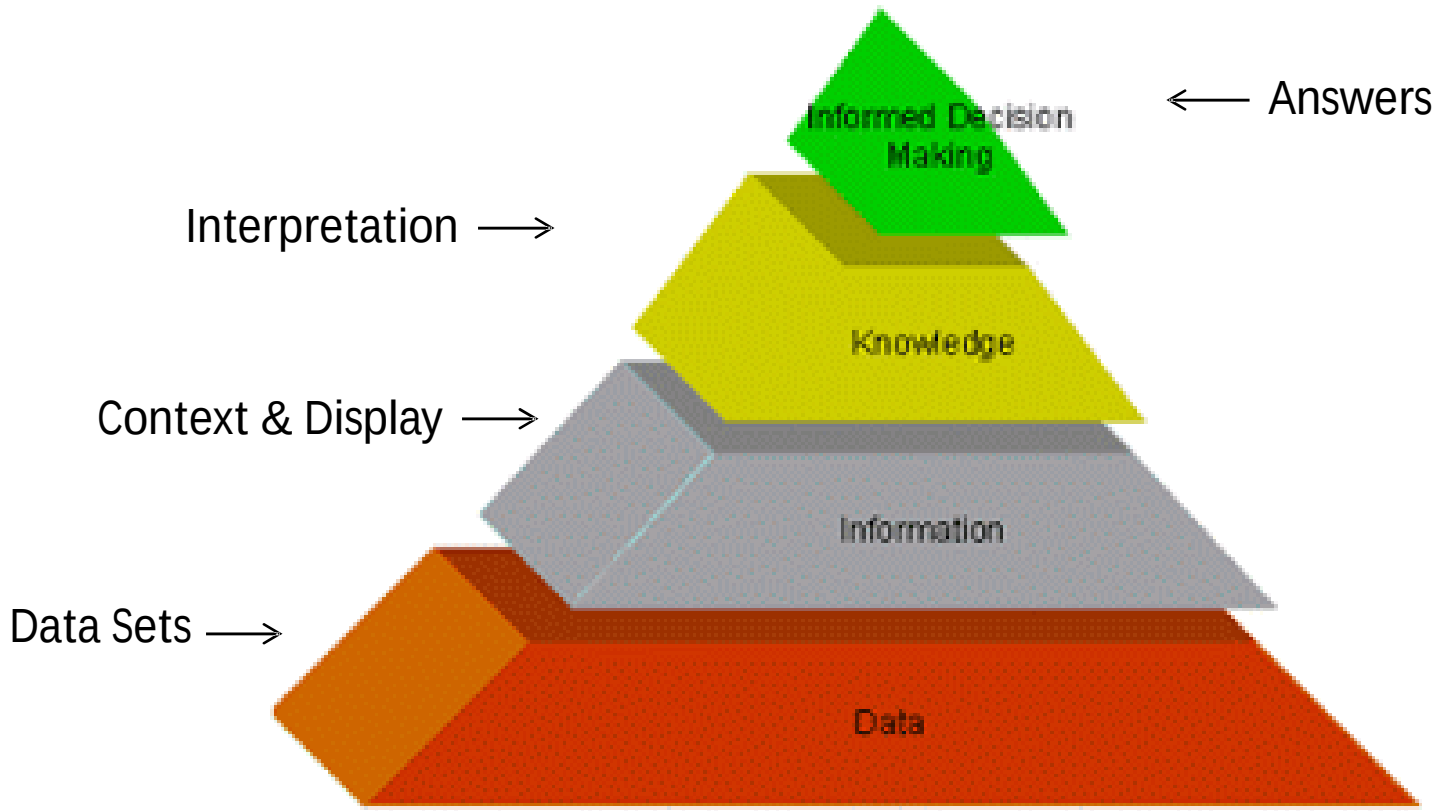
Attachment: studySessionOpenData160112 (1874 : TRANSPARENCY AND OPEN DATA INITIATIVES)

Moreno Valley Open Data Initiative

But the data must be easy to use and understand…

Attachment: studySessionOpenData160112 (1874 : TRANSPARENCY AND OPEN DATA INITIATIVES)

Moreno Valley Open Data Initiative



HOW DOES OPEN DATA WORK?

Attachment: studySessionOpenData160112 (1874 : TRANSPARENCY AND OPEN DATA INITIATIVES)

Moreno Valley Open Data Initiative

"THE COMMON BELIEF IS THAT PUBLICATION OF RAW DATA FILES MAY BE WELCOMED BY THE TECHNICALLY PROFICIENT BUT WITHOUT CONTEXTUAL INFORMATION, MAY PROVE INACCESSIBLE TO MOST USERS."

WHAT WE'VE LEARNED:

RAW DATA WITHOUT CONTEXT DOESN'T ANSWER QUESTIONS.

TOOLS TO PROVIDE CONTEXT ARE NOT FREE AND SOME ARE MORE ROBUST THAN OTHERS.

Moreno Valley Open Data Initiative

CURRENT TRANSPARENCY ACTIVITIES:

- BUDGET REVIEWS - QUARTERLY
- AUDITED FINANCIAL REPORTS - ANNUALLY
- CHECKBOOK REPORT - MONTHLY
- POSITION CONTROL ROSTER – EVERY REGULAR MEETING
- COMPENSATION REPORT - ANNUALLY
- TREASURY REPORTS - MONTHLY
- TELEVISED & ARCHIVED CITY COUNCIL MEETINGS
- PUBLIC RECORDS REQUEST

PROPOSAL IS TO ADD:

- OPEN DATA

Moreno Valley Open Data Initiative

TO CONTINUE TO ENHANCE TRANSPARENCY:

TECHNOLOGY SERVICES WAS DIRECTED TO
DEVELOP A STUDY SESSION PRESENTATION BY THE FINANCE SUBCOMMITTEE DURING THE
DECEMBER 14TH, 2015 MEETING

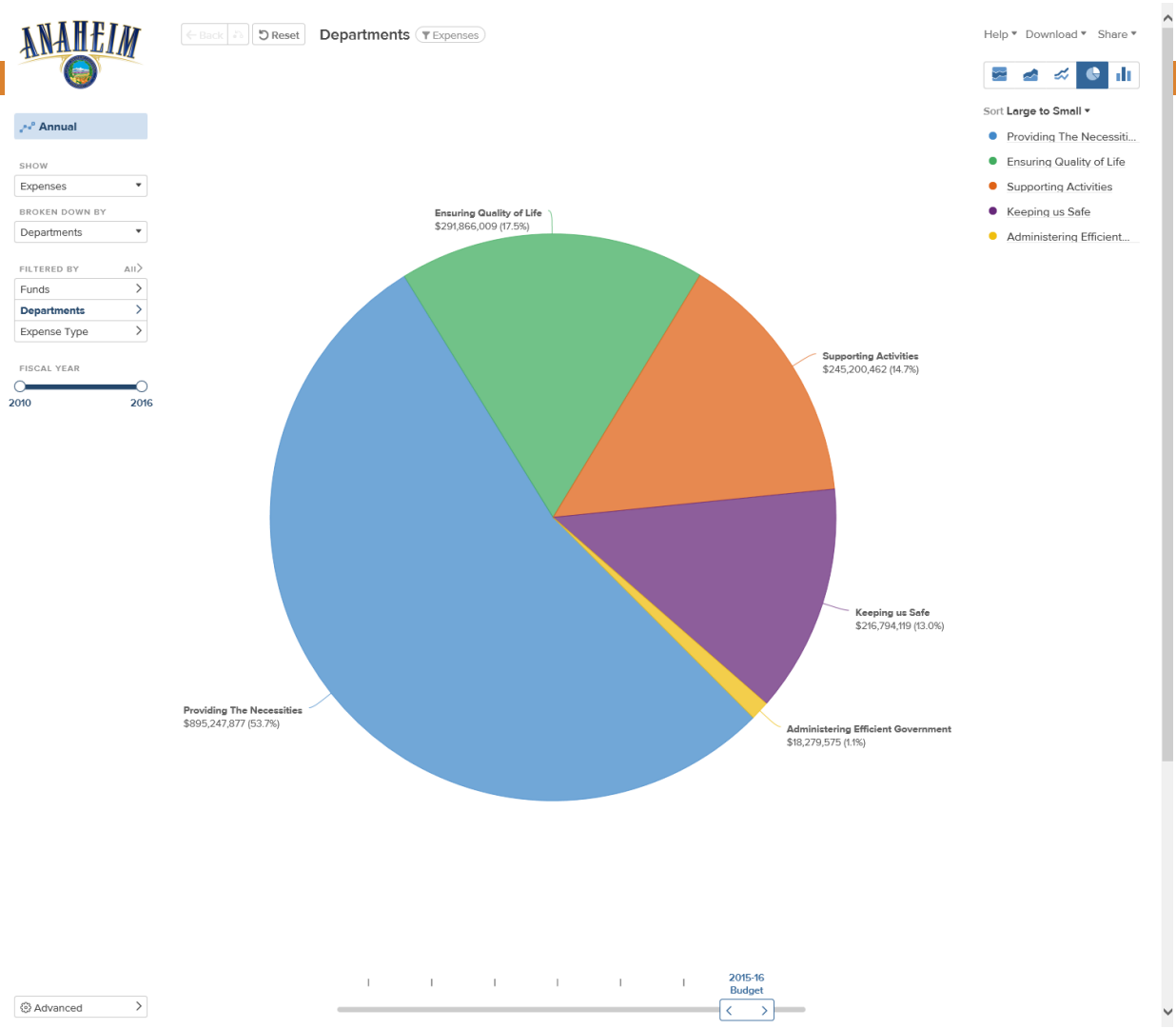
TODAY WE WILL REVIEW THREE TECHNOLOGY PLATFORMS TO ENHANCE TRANSPARENCY FOR THE CITY

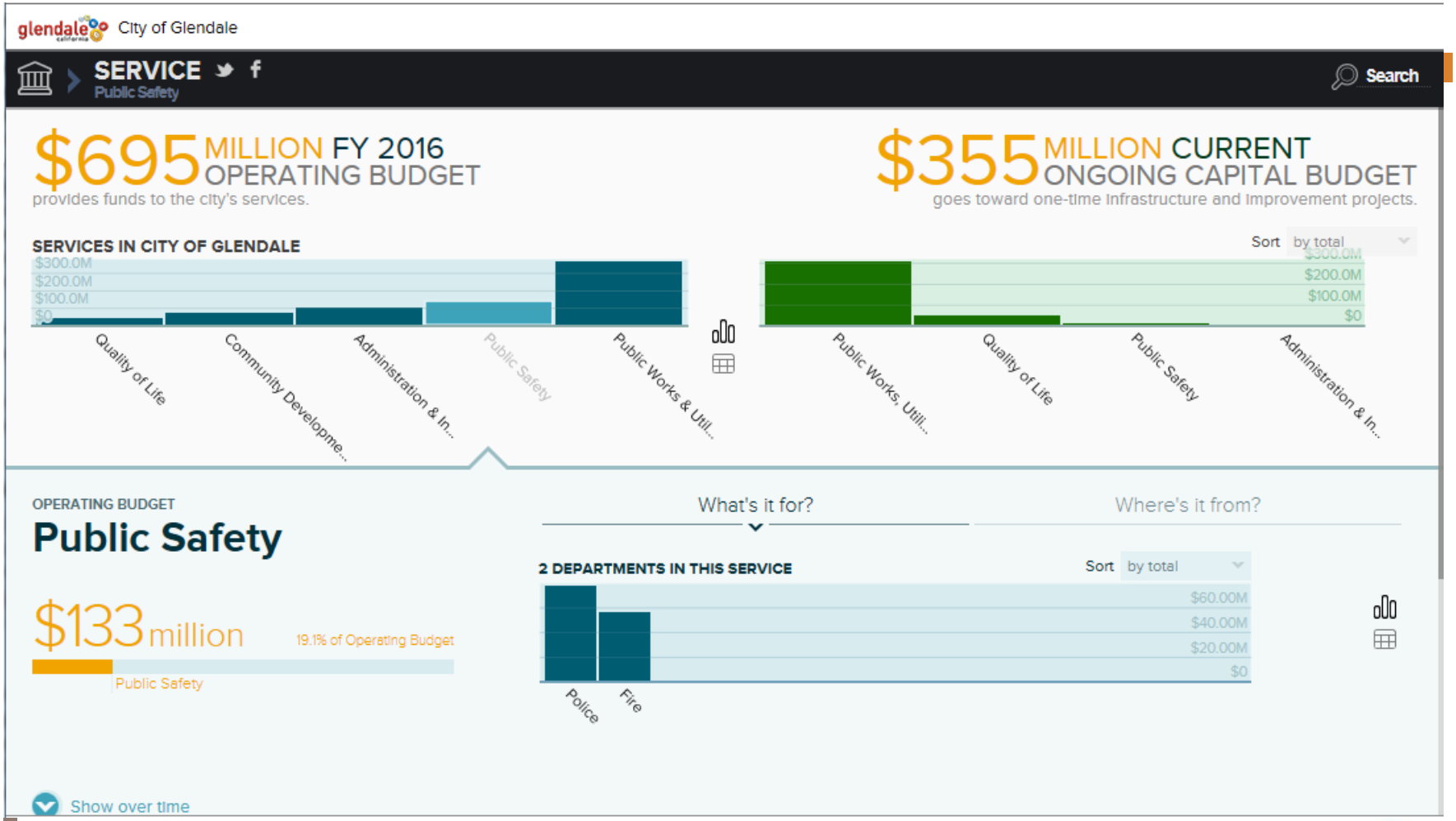
- JUNAR
- OPENGOV
- SOCRATA

Attachment: studySessionOpenData160112 (1874 : TRANSPARENCY AND OPEN DATA INITIATIVES)

MORENO VALLEY
WHERE DREAMS SOAR

ANAHEIM USING OPENGOV





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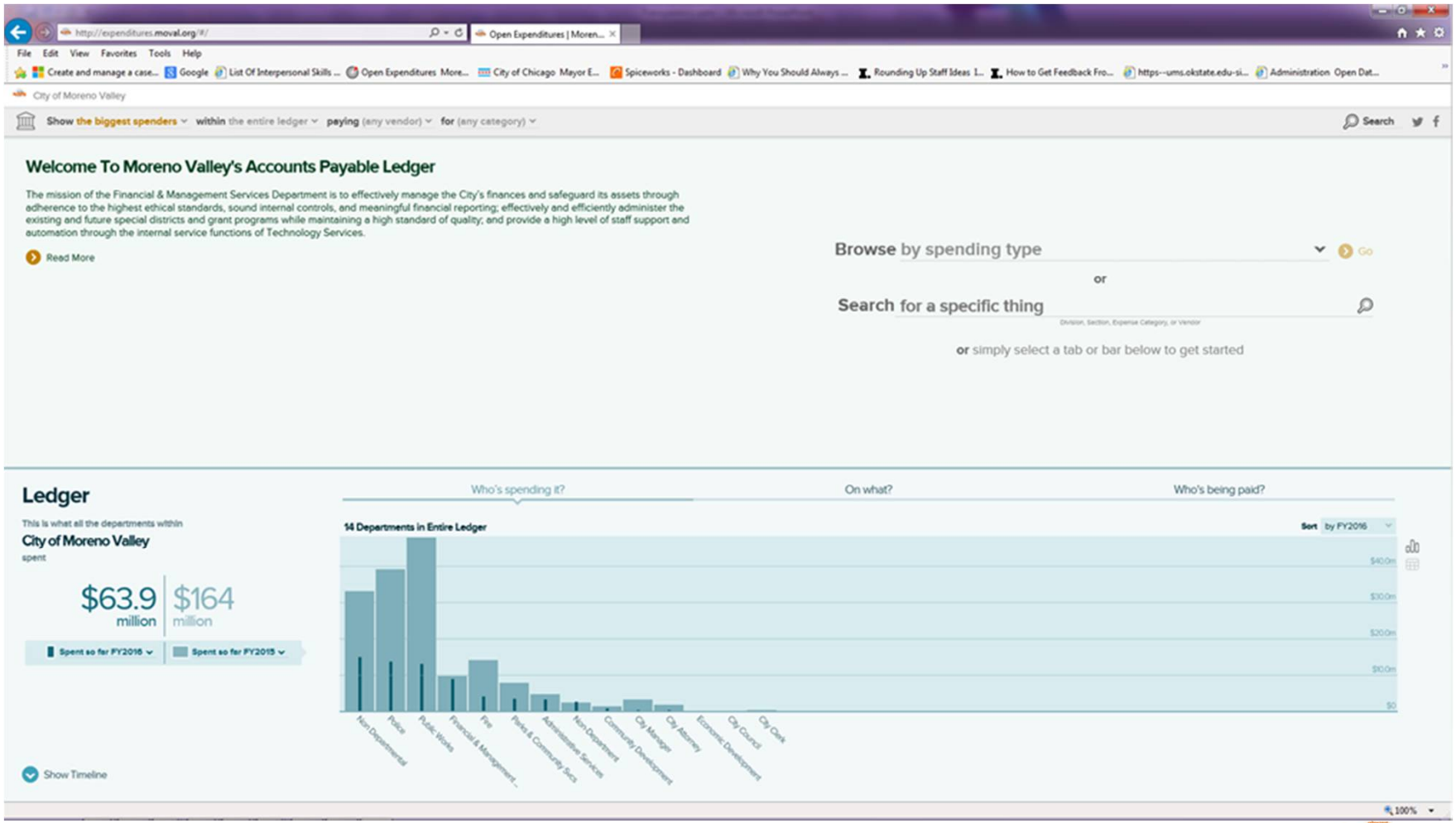

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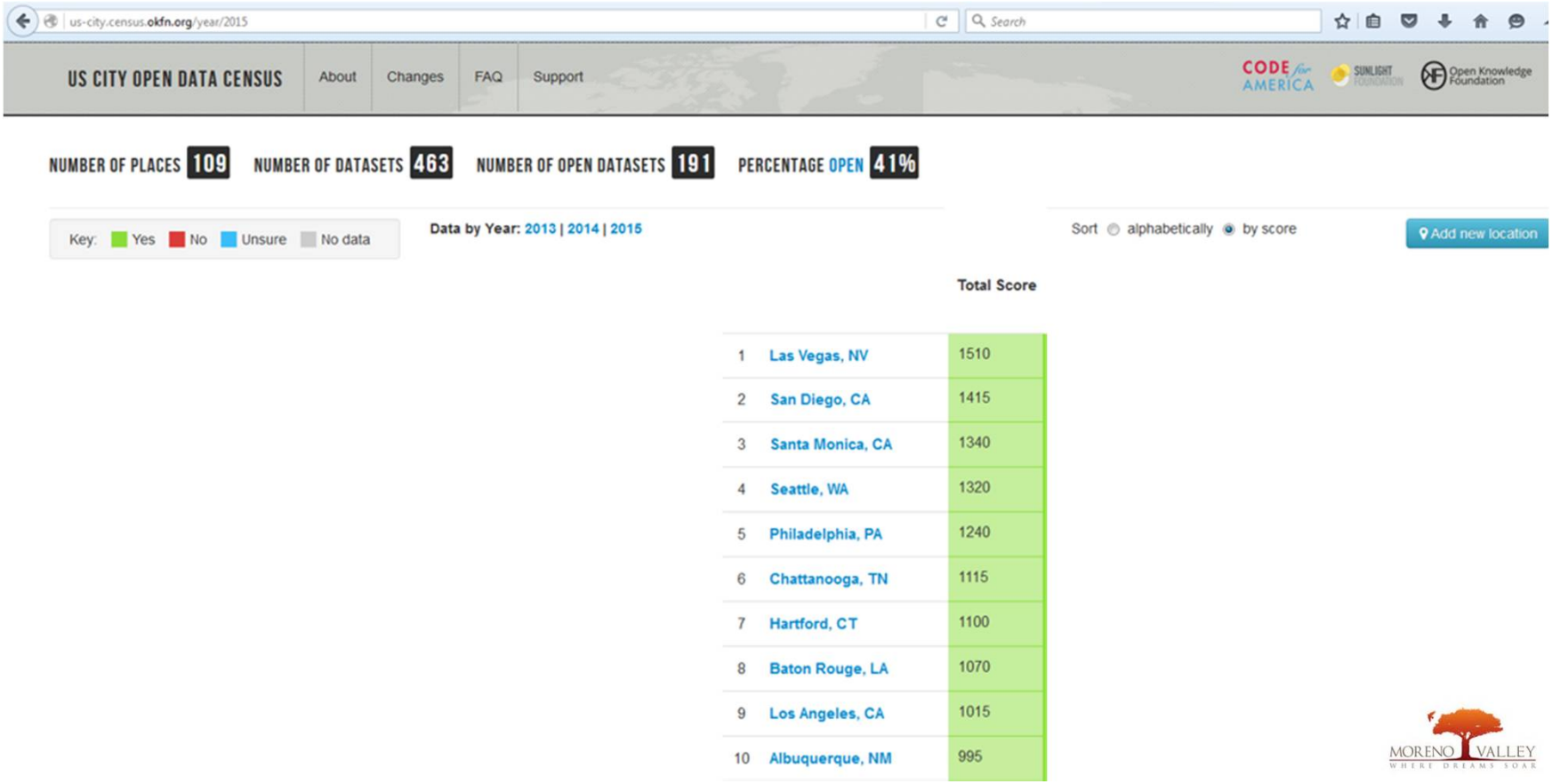
Moreno Valley Open Data Initiative

SEVEN CITIES RATED IN THE TOP TEN FOR TRANSPARENCY USE SOCRATA



		Total Score
1	Las Vegas, NV	1510
2	San Diego, CA	1415
3	Santa Monica, CA	1340
4	Seattle, WA	1320
5	Philadelphia, PA	1240
6	Chattanooga, TN	1115
7	Hartford, CT	1100
8	Baton Rouge, LA	1070
9	Los Angeles, CA	1015
10	Albuquerque, NM	995

MORENO VALLEY
WHERE DREAMS SOAR

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Moreno Valley Open Data Initiative

ANNUAL COST

JUNAR

$15,000 - FOR ALL CAPABILITIES

OPENGOV

$15,000 - FOR ALL CAPABILITIES

SOCRATA

$12,555 – FOR PAYMENT REGISTER & 5 DATA SETS

OR

$29,640 – For PAYMENT REGISTER & BUDGET & 25 DATA SETS

JUNAR + OPENGOV < SOCRATA FUNCTIONALITY

Attachment: studySessionOpenData160112 (1874 : TRANSPARENCY AND OPEN DATA INITIATIVES)

Moreno Valley Open Data Initiative

REQUESTING DIRECTION:

- Proceed with the current Socrata contract at an annual cost of $12,555
  - Socrata Open Payment Register Application – March 1st, 2016
- Expand the Socrata contract at an annual cost of $29,640
  - Socrata Open Payment Register Application – March 1st, 2016
  - Socrata Open Budget Application - Begin developing
- Close the Socrata contract and open a contract with OpenGov at an annual cost of $15,000
- Direct staff to research other options

COUNCIL DIRECTION

Attachment: studySessionOpenData160112 (1874 : TRANSPARENCY AND OPEN DATA INITIATIVES)