



AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF
MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

May 12, 2009

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session

First Tuesday of each month – 6:00 p.m.

City Council Study Sessions

Third Tuesday of each month – 6:00 p.m.

City Council Meetings

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor Pro Tem
Jesse L. Molina, Council Member

Richard A. Stewart, Mayor

Robin N. Hastings, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 12, 2009

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Four Canyon Springs High School Wrestling Champions
2. Moreno Valley Rockets Track Team – Sub Bantam
3. Proclamation Recognizing Public Works Week

**AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO
VALLEY AND THE BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING - 6:30 PM
MAY 12, 2009**

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Campbell, Koinonia Evangelistic Center

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency 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

Recommendation: Waive reading of all Ordinances.

A .2 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of April 22 – May 5, 2009.

A .3 APPROVAL OF CHECK REGISTER FOR MARCH, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2009-41, approving the Check Register for the month of March, 2009 in the amount of \$19,260,114.38.

A .4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL IMPROVEMENTS ON KRAMERIA AVENUE AT CALLE AURORA/VISTA CONEJO DRIVE PROJECT NO. 08-13768126 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Traffic Signal Improvements on Krameria Avenue at Calle Aurora/Vista Conejo Drive;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;
3. Authorize the Financial and Administrative Services Director to release the retention to DBX, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained system.

A .5 PA07-0139 – COMMERCIAL BUILDINGS - ACCEPT SUBSTITUTE AGREEMENT AND REDUCE CASH SECURITY FOR PUBLIC IMPROVEMENTS, EAST SIDE OF PERRIS BOULEVARD, SOUTH OF ALESSANDRO BOULEVARD, DEVELOPER - PERRIS ALESSANDRO LLC LOS ANGELES, CA 90025 (Report of: Public Works Department)

Recommendation:

1. Accept the Substitute Agreement for Public Improvements and Reduce Cash Security for PA07-0139;
2. Authorize the Mayor to execute the Substitute Agreement;
3. Direct the City Clerk to forward the signed Substitute Agreement to the County Recorder's office for recordation; and
4. Authorize the City Engineer to execute any amendments to the Substitute Agreement if the required public improvements are not completed within said timeframe.

A .6 PARCEL MAP 35386 – APPROVE FINAL MAP, OVERLOOK CIRCLE, EAST SIDE OF KITCHING STREET AND NORTH OF IRONWOOD AVENUE, DEVELOPER - STEVEN AND DEBRA COLEMAN, MORENO VALLEY, CA. 92557 (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 35386; and
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A .7 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR EMERGENCY OPERATIONS CENTER (EOC) PROJECT NO. 06-50182527 (Report of: Public Works Department)

Recommendation:

1. Waive minor irregularities for the lowest responsible Bidder's Proposal and award the construction contract for \$3,200,000 to

United Contractors Company, Inc., 2050 S. Santa Cruz Street #2300, Anaheim, CA 92805, the lowest responsible bidder, for construction of the EOC;

2. Authorize the City Manager to execute the Agreement with United Contractors Company, Inc.;
3. Authorize the issuance of two Purchase Orders to United Contractors Company, Inc. totaling \$3,840,000 (\$3,200,000 bid plus 20% contingency) for construction of the Emergency Operations Center in the amounts of \$2,800,000 from Account No. 501.82527 and \$1,040,000 from Account No. 412.78428; and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with United Contractors Company, Inc. up to, but not exceeding, the contingency amount of \$640,000, subject to the approval of the City Attorney.

A .8 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2009 (Report of: Financial & Administrative Services)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A .9 LEGISLATIVE UPDATE (Report of: City Manager's Office)

Recommendation:

Staff recommends that the City Council receive and file the informational report.

A .10 MINUTES - REGULAR MEETING OF APRIL 28, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- B .2 MINUTES - REGULAR MEETING OF APRIL 28, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

C CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- C .2 MINUTES - REGULAR MEETING OF APRIL 28, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

D CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- D .2 MINUTES - REGULAR MEETING OF APRIL 28, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

E 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 Bailiff.

- E .1 PUBLIC HEARING TO ADOPT FY 2008-2009 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT #3, THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed 2008-09 Annual Action Plan, Substantial Amendment #3, the Homelessness Prevention and Rapid Rehousing Program (HPRP);
2. Review and adopt the proposed 2008-09 Annual Action Plan Substantial Amendment #3, the Homelessness Prevention and Rapid Rehousing Program;
3. Authorize the City Manager to execute any subsequent Subrecipient Agreements related to provision of services under the Homelessness Prevention and Rapid Rehousing Program (HPRP); and
4. Due to strict federal program deadlines, authorize City Manager to make 'non-substantial' plan adjustments, if necessary.

E .2 PUBLIC HEARING TO ADOPT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2009/10 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2009/10 Annual Action Plan; and
2. Approve the proposed 2009/10 Annual Action Plan.

F ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G REPORTS

G .1 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H LEGISLATIVE ACTIONS

H .1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H .2 ORDINANCES -2ND READING AND ADOPTION

- H .2 .1 ORDINANCE NO. 790 AMENDING TITLE 3 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 3.12, PURCHASING (RECEIVED FIRST READING AND INTRODUCTION APRIL 14, 2009 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

Adopt Ordinance No. 790, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, regarding purchasing regulations.

Ordinance No. 790

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 3 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 3.12, Purchasing

- H .2 .2 ORDINANCE NO. 791 EXTENDING THE EXPIRATION DATE OF CERTAIN DISCRETIONARY PERMITS OR ENTITLEMENTS APPROVED BY THE CITY ON OR AFTER JANUARY 1, 2006 (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 28, 2009 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: City Manager's Office)

Recommendation: That the City Council:

Adopt Ordinance No. 791, extending the expiration date of certain discretionary permits or entitlements approved by the City on or after January 1, 2006.

Ordinance No. 791

An Ordinance of the City Council of the City of Moreno Valley, California, Extending the Expiration Date of Certain Discretionary Permits or Entitlements Approved by the City on or after January 1, 2006

- H .2 .3 ORDINANCE NO. 792 ESTABLISHING SOCIAL HOST ACCOUNTABILITY AND PROHIBITING UNRULY PARTIES WHERE UNDERAGE DRINKING OCCURS (RECEIVED

FIRST READING AND INTRODUCTION APRIL 28, 2009
ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Police
Department)

Recommendation: That the City Council:
Adopt Ordinance No. 792, "Social Host Accountability".

Ordinance 792

An Ordinance of the City Council of the City of Moreno
Valley, California, Establishing Social Host Accountability
and Prohibiting Unruly Parties Where Underage Drinking
Occurs

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the
Bailiff. There is a three-minute time limit per person. All remarks and questions
shall be addressed to the presiding officer or to the City Council and not to any
individual Council member, staff member or other person.

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,
COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT
AGENCY**

Materials related to an item on this Agenda submitted to the City
Council/Community Services District/Community Redevelopment Agency or the
Board of Library Trustees after distribution of the agenda packet are available for
public inspection in the City Clerk's office at 14177 Frederick Street during normal
business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION 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 and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

- a) Agency Representative: Robert G. Gutierrez
Employee Organization: MVCEA
- b) Agency Representative: Robert G. Gutierrez
Employee Organization: MVMA
- c) Agency Representative: Robert G. Gutierrez
Employee Organization: Moreno Valley Confidential
Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT