



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

January 13, 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
William H. Batey II, Council Member

Richard A. Stewart, Mayor

Robin N. Hastings, Council Member
Jesse L. Molina, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
January 13, 2009

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Moreno Valley Chamber of Commerce Presentation to the Inland Empire Reading Scholarship Program

2. Moreno Valley Chamber of Commerce Presentation to the Moreno Valley Friends of the Library

**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
JANUARY 13, 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 Gibson, Breakthrough Church of God in Christ

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 MINUTES - REGULAR MEETING OF DECEMBER 9, 2008 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

A .3 MINUTES – SPECIAL MEETING OF JANUARY 6, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

A .4 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 December 3, 2008 – January 6, 2009.

A .5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE IRONWOOD AVENUE SIDEWALK/WALKWAY IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625-1 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Ironwood Avenue Sidewalk/Walkway Improvements from Heacock Street to Perris Boulevard constructed by Grand Pacific Contractors, Inc. (Grand Pacific), 680 North Cota Street, Corona, CA 92880;
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 & Administrative Services Director to release the retention to Grand Pacific 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 .6 AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES TO PROVIDE PROGRAMMING, CONCEPTUAL DESIGN, INCREMENTAL GROWTH PLAN AND RECONFIGURATION FOR THE PUBLIC SAFETY BUILDING PROJECT NO. 07-50182327 (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Design Professional Consultant Services" with Roesling Nakamura Terada Architects, Inc. (RNT), 363 5th Avenue, Suite 202, San Diego, CA 92101, to provide programming, conceptual design, incremental growth plan and reconfiguration for the Public Safety Building;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with RNT;
3. Authorize the issuance of a Purchase Order to RNT in the amount of \$934,711 (\$849,737 proposal amount plus 10% contingency) when the Agreement has been signed by all parties (Account No. 501.82327); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the Agreement with RNT up to, but not to exceed, the 10% contingency amount of \$84,974, subject to the approval of the City Attorney.

A .7 NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT GRAHAM STREET AND BAY AVENUE PROJECT NO. 08-12566626 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Traffic Signal and Street Improvements at Graham Street and Bay Avenue constructed by DBX, Inc. (DBX), 42066 Avenida Alvarado, Suite C, Temecula, CA 92590;
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 & Administrative Services Director to release the retention to DBX 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 .8 ADOPT THE RESOLUTION TO DECLINE THE OFFER OF DEDICATION FOR ROADWAY PURPOSES, IF THE OFFER EXISTS, EXCLUDING ANY EASEMENTS, FOR THE UNIMPROVED PORTION OF STERLING STREET FROM WILLIAMS AVENUE TO GIFFORD AVENUE, AND STODDARD STREET FROM ALESSANDRO BOULEVARD TO WILLIAMS AVENUE AND FROM WILLIAMS AVENUE TO GIFFORD AVENUE PROJECT NO. 02-12185520 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2009-01, Declining the Offer of Dedication for Roadway Purposes, if the offer exists, excluding any easements, for the unimproved portion of Sterling Street from Williams Avenue to Gifford Avenue, and Stoddard Street from Alessandro Boulevard to Williams Avenue and from Williams Avenue to Gifford Avenue; and
2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A .9 NOTICE OF COMPLETION AND ACCEPTANCE OF THE CONSTRUCTION FOR THE MORENO VALLEY COMMUNITY SOCCER FIELD RENOVATIONS PROJECT NO. 06-46165325

(Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Moreno Valley Community Park Soccer Field Renovations (Project No. 06-46165325) constructed by Los Angeles Engineering, Inc.(LAEI), 633 N. Barranca Avenue, Covina, CA 91723;
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 & Administrative Services Director to release the retention to LAEI 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 park system.

A .10 ORDINANCE NO. 783 APPROVING A SPECIFIC PLAN AMENDMENT (P08-089) TO CHANGE THE LAND USE FROM COMMUNITY COMMERCIAL (CC) TO VILLAGE OFFICE/RESIDENTIAL (VOR) WITHIN THE VILLAGE SPECIFIC PLAN (SP 204) BASED ON THE FINDINGS IN THE ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 9, 2008 ON A 5-0 VOTE (REPORT OF: COMMUNITY DEVELOPMENT DEPARTMENT)

Recommendation:

Adopt Ordinance No. 783.

Ordinance No. 783

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P0-089 (Specific Plan Amendment) to Change the Land Use District from Community Commercial (CC) to Village Office/Residential (VOR) within the Village Specific Plan (SP 204) for Four Parcels Located at 12411, 12425, 12437 and 12449 Loraine Terrace

A .11 APPROVAL OF CHECK REGISTER FOR NOVEMBER, 2008

(Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2009-02, approving the Check Register for the month of November, 2008 in the amount of \$19,171,094.96.

Resolution No. 2009-02

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of November, 2008

- A .12 ANNUAL REPORT ON DEVELOPMENT IMPACT FEES (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve and accept the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006; and
2. Approve the finding that staff has demonstrated a continuing need to hold unexpended Development Impact Fees.

- A .13 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED SEPTEMBER 30, 2008 (Report of: Financial & Administrative Services Department)

Recommendation:

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

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 DECEMBER 9, 2008 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

- B .3 MINUTES – SPECIAL MEETING OF JANUARY 6, 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 DECEMBER 9, 2008 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

C .3 MINUTES – SPECIAL MEETING OF JANUARY 6, 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 DECEMBER 9, 2008 (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 FY 2009-2010 CDBG AND HOME PROGRAM OBJECTIVES AND POLICIES (Report of: Economic Development Department)

Recommendation that the City Council

1. Conduct a public hearing to allow for public comment on the

needs of low- to moderate- income residents in the community, including the CDBG Target Areas; and

2. Approve the proposed CDBG and HOME Program Objectives and Policies for the 2009-2010 Program Year.

F ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G REPORTS

- G .1 REPORT ON NEW MUNICIPAL DEPARTING LOAD CHARGES
(Report of: Public Works Department)

Recommendation:

No action recommended. Report is for City Council's information.

- G .2 REPRIORITIZATION OF CAPITAL PROJECTS TO BE FUNDED BY THE 2007 RDA BONDS (Continued from December 16, 2008)
(Report of: Economic Development Department)

Recommendation that the City Council

Consider and evaluate the reprioritization of capital projects to be funded by the 2007 RDA Bond Issuance.

- G .3 2009 COUNCIL COMMITTEE PARTICIPATION APPOINTMENTS
(Report of: City Clerk's Department)

Recommendation that the City Council

1. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's representative on the March Joint Powers Commission (MJPC); and
2. Appoint Mayor Richard A. Stewart to serve as the City of Moreno Valley's representative on the March Joint Powers Commission (MJPC); and
3. Appoint Council Member Robin N. Hastings to serve as the City of Moreno Valley's alternate representative on the March Joint Powers Commission (MJPC); and

4. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's representative on the Riverside County Habitat Conservation Agency (RCHCA); and
5. Appoint Council Member Robin N. Hastings to serve as the City of Moreno Valley's alternate representative on the Riverside County Habitat Conservation Agency (RCHCA); and
6. Appoint Council Member Jesse L. Molina to serve as the City of Moreno Valley's representative on the Riverside County Transportation Commission (RCTC); and
7. Appoint Mayor Pro Tem Bonnie Flickinger to serve as the City of Moreno Valley's alternate representative on the Riverside County Transportation Commission (RCTC); and
8. Appoint Mayor Pro Tem Bonnie Flickinger to serve as the City of Moreno Valley's representative on the Riverside Transit Agency (RTA); and
9. Appoint Council Member Jesse L. Molina to serve as the City of Moreno Valley's alternate representative on the Riverside Transit Agency (RTA); and
10. Appoint Council Member Robin N. Hastings to serve as the City of Moreno Valley's representative on the Western Riverside Council of Governments (WRCOG); and
11. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's alternate representative on the Western Riverside Council of Governments (WRCOG); and
12. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's representative on the Western Riverside County Regional Conservation Authority (RCA); and
13. Appoint Mayor Pro Tem Bonnie Flickinger to serve as the City of Moreno Valley's alternate representative on the Western

Riverside County Regional Conservation Authority (RCA); and

14. Approve the appointments to the remaining various committees and regional bodies, as noted on the 2009 Council Committee Participation list.

- G .4 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 - NONE

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