



**REVISED AGENDA
NOTICE AND CALL OF SPECIAL 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
BOARD OF LIBRARY TRUSTEES**

November 30, 2010

**SPECIAL PRESENTATIONS – 6:00 P.M.
SPECIAL 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 Mel Alonzo, ADA Coordinator, at 951.413.3027 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

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member

Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
November 30, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. APWA (American Public Works Association) Project of the Year Award
2. All-Star Recycling Awards Presented by Waste Management
3. Moreno Valley Chamber of Commerce Donation to the Military Appreciation Banner Program
4. Proclamation Recognizing Tao Music Group Promoter of the "Never Again" Benefit Concert

REVISED AGENDA*
SPECIAL MEETING 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

SPECIAL MEETING - 6:30 PM
NOVEMBER 30, 2010

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley and Board of Library Trustees will be held on November 30, 2010 commencing at 6:30 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

Agenda

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

INVOCATION

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 LAVENDER 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 NOVEMBER 9, 2010 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

A.3 [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 November 3-23, 2010.

A.4 [APPROVAL OF CHECK REGISTER FOR SEPTEMBER, 2010 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2010-102, approving the Check Register for the month of September, 2010 in the amount of \$10,389,935.29.

Resolution No. 2010-102

A Resolution of the City Council of the City of Moreno Valley, California, approving the Check Register for the Month of September, 2010

A.5 [APPROVAL OF GRANT APPLICATION SUBMITTALS FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM \(HSIP\) \(Report of: Public](#)

Works Department)

Recommendation:

Approve the submittal of grant applications for the Highway Safety Improvement Program (HSIP).

- A.6 APPROVE AGREEMENT WITH THE CITY OF RIVERSIDE FOR ALESSANDRO BOULEVARD MULTI-JURISDICTION TRAFFIC SIGNAL COORDINATION AND SYNCHRONIZATION PROJECT AND MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR A VIDEO INFORMATION DISTRIBUTION SYSTEM (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Alessandro Boulevard Multi-Jurisdiction Traffic Signal Coordination and Synchronization Project between the City of Moreno Valley and the City of Riverside;
 2. Approve payment in the amount of \$125,000 to the City of Riverside for the City's share of the project costs;
 3. Approve the Memorandum of Understanding (MOU) Video Information Distribution System Agreement between the City of Moreno Valley and the California Department of Transportation (Caltrans), District 8;
 4. Authorize the Mayor to execute the Agreement for the Alessandro Boulevard Multi-Jurisdiction Traffic Signal Synchronization Project and the MOU for a Video Information Distribution System on behalf of the City; and
 5. Authorize the City Manager to execute any subsequent amendments to the Agreement for the Alessandro Boulevard Multi-Jurisdiction Traffic Signal Synchronization Project and the MOU for a Video Information Distribution System on behalf of the City.
- A.7 RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED SEPTEMBER 30, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

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

- A.8 PERMIT PARKING FOR THE RESIDENTS OF CLYDESDALE LANE,

[GELDING WAY, QUARTER HORSE ROAD, MARE LANE, AND HACKNEY COURT \(Report of: Public Works Department\)](#)

Recommendation:

Approve and adopt Resolution No. 2010-103 and direct staff to implement permit parking on Clydesdale Lane, Gelding Way, Quarter Horse Road, Mare Lane, and Hackney Court.

Resolution No. 2010-103

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Clydesdale Lane, Gelding Way, Quarter Horse Road, Mare Lane, and Hackney Court

- A.9 [PROJECT PA96-0017 \(Tracts 27251 and 27251-1\) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, EAST SIDE OF MORRISON STREET BETWEEN FIR AVENUE AND EUCALYPTUS AVENUE; DEVELOPER - RSI MORENO VALLEY, LLC, NEWPORT, CA 92660 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and letters of credit for project PA96-0017 (Tracts 27251 and 27251-1);
2. Authorize the Mayor to execute the agreement;
3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation; and
4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by Richland Palmdale Developers, LLC a Delaware limited liability company upon acceptance of the substitution agreement and bonds.

- A.10 [AGREEMENT FOR THE MAINTENANCE AND OPERATION OF TRAFFIC SIGNALS AND HIGHWAY SAFETY LIGHTING SHARED BETWEEN THE CITIES OF RIVERSIDE AND MORENO VALLEY \(CONTINUED FROM NOVEMBER 9, 2010\) \(Report of: Public Works Department\)](#)

Recommendation:

1. Enter into an agreement with the City of Riverside for the maintenance and operation of traffic signals and highway safety lighting jointly owned by the cities of Riverside and Moreno Valley; and

2. Authorize the Mayor to execute said "Agreement" with the City of Riverside for the maintenance of traffic signals and highway safety lighting jointly owned by the cities of Riverside and Moreno Valley.

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 NOVEMBER 9, 2010 \(Report of: City Clerk's Department\)](#)

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 NOVEMBER 9, 2010 \(Report of: City Clerk's Department\)](#)

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 NOVEMBER 9, 2010 \(Report of: City Clerk's Department\)](#)

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 [RESOLUTION TO ADOPT THE ADJUSTMENT OF PARKING CONTROL](#)

[BAIL SCHEDULE \(Report of: Community Development Department\)](#)

Recommendation: That the City Council:

Conduct a Public Hearing and Adopt Resolution No. 2010-104, approving an adjustment to the FY10/11 Fee Schedule.

Resolution No. 2010-104

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Parking Violations for Fiscal Year 2010-11 and Repealing Prior Resolutions that May be in Conflict

E.2 [A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT \(PA10-0031\) TO THE PERMITTED USES TABLE 9.02.020-1 IN TITLE 9 TO ALLOW PHARMACIES AS A SUPPORT USE TO A MEDICAL OFFICE IN THE BUSINESS PARK-MIXED USE \(BPX\) ZONE \(Report of: Community Development Department\)](#)

Recommendation: That the City Council:

1. Conduct a Public Hearing for Municipal Code Amendment PA10-0031, and subsequent to the Public Hearing:

RECOGNIZE that application PA10-0031 (Municipal Code Amendment) will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as a Class 5 Categorical Exemption; and

2. INTRODUCE Ordinance No. 819 thereby APPROVING Municipal Code Amendment PA10-0031, based on the findings in the City Council Ordinance.

Ordinance No. 819

An Ordinance of the City Council of the City of Moreno Valley, California, approving application PA10-0031 amending the Municipal Code to make changes to Permitted Uses Table 9.02.020-1 by adding the Pharmacy Land Use to the Business Park-Mixed Use (BPX) Zone

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 [APPOINTMENT TO THE PARKS AND RECREATION COMMISSION \(TEENAGE MEMBER\) \(Report of: City Clerk's Department\)](#)

Recommendation: That the City Council:

1. Appoint Adam Ramirez to the Parks and Recreation Commission as a teenage member for a term expiring November 25, 2012, or until high school graduation, whichever comes first; or
2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.2 [A PROPOSED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 12.50 TO THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO LIMITATIONS ON ENGINE IDLING \(Report of: City Attorney\)](#)

Recommendation: That the City Council:

Review and Consider.

G.3 [AWARD OF CONTRACTS TO TOWING COMPANIES TO PARTICIPATE IN A CITY-WIDE ROTATIONAL TOW SERVICE PROGRAM \(Report of: City Manager's Office\)](#)

Recommendation: That the City Council:

1. Approve the proposals of the following tow operators/companies (in alphabetical order) to participate in the City's Rotational Tow Service (RTS) Program beginning January 1, 2011, and ending December 31, 2015, pending completion of certain conditions and authorize the City Manager to execute the appropriate agreements upon approval by the City Attorney:
 - a. Baldwin Towing Services
21891 Alessandro Boulevard
Owner: Howard Baldwin
 - b. Exclusive Recovery, Inc. (DBA: Exclusive Towing)
14461 & 14451 Commerce Center Way
Owner: Gerald Kohutek
 - c. Moreno Valley Tow
17007 Kitching Avenue
Owner: Glenn Tucker
 - d. Pepe's Towing
14351 Veterans Way
Owner: Manual Acosta
 - e. Superior Towing, Inc.

24385 Nandina Avenue
Owners: Patrick and Dawn Kirk

- f. Valleywide Towing
24850 Rivard Road
Owner: Robert Coleman
- g. Yucaipa Towing
22101 Alessandro Boulevard
Owner: George and Yvonne Acosta

2. Discuss the proposals of the following tow operators/companies that currently do not have towing facility operations in Moreno Valley. In order to be eligible to participate in the City's RTS Program per Moreno Valley Municipal Code Chapter 12.14, these operators must complete certain site improvements and obtain certain City approvals. Staff estimates that the required review, plan check and approvals will require a minimum of 60 days and the construction time is unknown. Council may consider these proposals for a term beginning with the issuance of a Certificate of Occupancy by the City's Building Official and ending December 31, 2015:

- a. Bob's Towing
24811 Rivard Road (proposed facility)
Owner: Bandar "Charlie" Al-Badawi
- b. Lawler's Triple L Towing
24385 Nandina Avenue (proposed facility)
Owner: Mike Pulcheon

3. Direct Staff to begin preparing an amendment to Moreno Valley Municipal Code Chapter 12.14 addressing minor technical issues and inconsistencies.

G.4 [PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION \(Report of: Economic Development Department\)](#)

Recommendation: That the RDA:

Adopt Resolution No. RDA 2010-07, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-07

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations made under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

- G.5 [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 LAVENDER 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 LAVENDER 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 - PUBLIC EMPLOYMENT

a) Public Employee Annual Performance Evaluation - City Attorney

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

ADJOURNMENT

***REVISION TO AGENDA**