



**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**

**October 26, 2010**

**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 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.*

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

Bonnie Flickinger, Mayor

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

**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**October 26, 2010**

**CALL TO ORDER**

SPECIAL PRESENTATIONS

1. Employee of the Quarter Presentation - Steve Lulli, Field Supervisor, Animal Services Division
  
2. Recognition of Moreno Valley AYSO Region 187 Boys Under 16 Soccer Team – USA Cup Tournament Champions

**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  
OCTOBER 26, 2010**

**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** - Reverend Martin Finau, Moreno Valley United Methodist Church

**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 OCTOBER 12, 2010 \(Report of: City Clerk\)](#)**

**Recommendation:**

Approve as submitted.

### **A.3 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk\)](#)**

**Recommendation:**

Receive and file the Reports on Reimbursable Activities for the period of October 6 – 19, 2010.

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

**Recommendation:**

Adopt Resolution No. 2010-92, approving the Check Register for the month of August, 2010 in the amount of \$11,716,106.30.

Resolution No. 2010-92

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of August, 2010

### **A.5 [NOTICE OF COMPLETION AND ACCEPTANCE OF THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 \(Report of: Public Works Department\)](#)**

**Recommendation:**

1. Accept the work as complete for the 2010 Pavement Resurfacing Project, constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;
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 Hardy & Harper, 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 road system.

A.6 [AMENDMENT AND RESTATEMENT INDEPENDENT CONTRACTOR AGREEMENT \(Report of: Community Development Department\)](#)

**Recommendation:**

1. Approve the Amendment and Restatement Independent Contractor Agreement with Melad and Associates for Plan Check Services; and
2. Authorize the Mayor to execute the Amendment and Restatement Independent Contractor Agreement

A.7 [AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD \(EAST\) INTERSECTION - Project No. 10-41779229 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Award the construction contract for the Traffic Signal Improvements on Sunnymead Ranch Parkway at Village Road (East) Intersection to SoCal Engineers, Inc., the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with SoCal Engineers, Inc.;
3. Authorize the issuance of a Purchase Order to SoCal Engineers, Inc. for a total amount of \$180,260 (\$207,299 base bid amount plus 15% contingency) when the contract has been signed by all parties; and
4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with SoCal Engineers, Inc., up to but not to exceed the Purchase Order's total contingency of \$27,039, subject to the approval of the City Attorney.

A.8 [NOTICE OF COMPLETION AND ACCEPTANCE OF THE STREET IMPROVEMENT PROGRAM FOR PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE, AND APPROVE AND ADOPT PROPOSED RESOLUTION ACCEPTING PUBLIC RIGHT-OF-WAY FOR PORTION OF SAME - Project No. 08-12585523 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Accept the work as complete for the Street Improvement Program (SIP) for Partida Drive, Carillo Court, and Kimberly Avenue constructed by C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593;
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 C & C Grading & Paving, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project;
4. Approve and adopt Resolution No. 2010-93 accepting dedication of property for public right-of-way and accept portions of streets into the City maintained road system; and

Resolution No. 2010-93

A Resolution of the City Council of the City of Moreno Valley, California, Accepting Public Right-of-Way for Portions of Partida Drive from Juniper Avenue to South Carillo Court, and Kimberly Avenue from Wilmot Street to Redlands Boulevard, and Accepting Improved Portions of Partida Drive from Juniper Avenue to Carillo Court, Carillo Court from West End to East End, and Kimberly Avenue from Wilmot Street to Redlands Boulevard into the City Maintained Road System

5. Direct the City Engineer to certify the acceptance of said dedication and cause said certification to be recorded at the office of the Recorder of the County of Riverside together with said Resolution.

A.9 [APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY \(Report of: Public Works Department\)](#)

**Recommendation:**

Approve Resolution No. 2010-94 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2010-94

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.10 [PARTICIPATION IN THE RIVERSIDE COUNTY MORTGAGE CREDIT CERTIFICATE PROGRAM \(Report of: Economic Development Department\)](#)

**Recommendation:**

1. Adopt Resolution 2010-95 authorizing the City's participation in Riverside County's Mortgage Credit Certificate Program, and

Resolution No. 2010-95

A Resolution of the City Council of the City of Moreno Valley, California Approving Participation in the Riverside County Mortgage Credit Certificate (MCC) Program

2. Authorize the Economic Development Director to certify the status of the City's Housing Element.

A.11 [RESOLUTION FOR THE ABATEMENT OF PUBLIC NUISANCES \(Report of: Community Development Department\)](#)

**Recommendation:**

Adopt Resolution No. 2010-96 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List in the staff report for the abatement of nuisances.

Resolution No. 2010-96

A Resolution of the City Council of the City of Moreno Valley, California, Confirming Statements of Costs Against Real Property Located in the City of Moreno Valley, for Abatements of Public Nuisances and Direction that Said Statements of Costs Constitute a Lien Upon Said Properties

A.12 [SCHOOL RESOURCE OFFICER \(SRO\) POSITION FOR RANCHO VERDE HIGH SCHOOL, GMS AWARD 2010-DD-BX-0445 \(Report of: Police Department\)](#)

**Recommendation:**

1. Approve the funding of the School Resource Officer Position at Rancho Verde High School and adopt Resolution No. 2010-97 authorizing the acceptance of the grant;

Resolution No. 2010-97

A Resolution Authorizing the Acceptance of the Grant (#2010-DD-BX-0445) for the Allocation of One School Resource Officer at Rancho

Verde High School within the Val Verde Unified School District

2. Approve the Memo of Understanding (MOU) between the City of Moreno Valley and the Val Verde Unified School District (VVUSD) for the 2010/2011 school year;
3. Approve the third amended contract between the city of Moreno Valley and County of Riverside approving the one SRO position; and
4. Authorize the appropriation to the General Fund amount awarded in the grant in the amount of \$500,000 to fund one SRO position for a period of three (3) years. The project and award period will be from August 1, 2010 through July 31, 2013. There will be no matching funds required.

A.13 [ADMINISTRATIVE SERVICES AGREEMENT FOR COUNTY SERVICE AREA \(CSA\)-152 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM \(NPDES\) PROGRAM BETWEEN RIVERSIDE COUNTY AND CITY OF MORENO VALLEY \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Approve the Administrative Services Agreement (Agreement) for the CSA-152 Program with Riverside County;
2. Authorize the Mayor to execute the Agreement; and
3. Direct the City Clerk to transmit the Agreement to Riverside County.

A.14 [RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE PARTIAL SECURITY REDUCTIONS \(CONTINUED FROM SEPTEMBER 28 AND OCTOBER 12, 2010\) \(Report of: Public Works Department\)](#)

**Recommendation:**

Adopt the proposed resolution (Resolution No. 2010-88) authorizing the Public Works Director/City Engineer to approve partial security reductions of the public improvement securities and accept the partial Public Improvements as complete, but not into the City maintained system.

Resolution No. 2010-88

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Public Works Director/City Engineer to Reduce Securities Associated with Public Improvements

A.15 [ORDINANCE NO. 815, AN ORDINANCE OF THE CITY COUNCIL OF THE](#)



CITY OF MORENO VALLEY, CALIFORNIA, REPEALING ORDINANCE NO. 793 (P08-060) A SPECIFIC PLAN AMENDMENT TO REALIGN KRAMERIA AVENUE BETWEEN IRIS AVENUE AND HEACOCK STREET AND DOWNGRADE KRAMERIA AVENUE FROM A MINOR ARTERIAL TO A INDUSTRIAL COLLECTOR IN THE MORENO VALLEY INDUSTRIAL SPECIFIC PLAN (SP 208) AS DESCRIBED IN THE ORDINANCE, AND THE REVISED SPECIFIC PLAN MAPS ATTACHED TO THE ORDINANCE AS EXHIBITS A, B, C AND D (RECEIVED FIRST READING AND INTRODUCTION OCTOBER 12, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

**Recommendation:**

Adopt Ordinance No. 815, REPEALING Ordinance No. 793, and thereby rescinding approval of the Specific Plan Amendment (P08-060), and returning the alignment of Krameria Avenue between Heacock Street and Indian Street in the Circulation Element in the Moreno Valley Industrial Specific Plan (SP 208) to those in place predating the approval of P08-060 (maps attached to the Ordinance as Exhibits A, B, C, and D).

Ordinance No. 815

An Ordinance of the City Council of the City of Moreno Valley, California, repealing Ordinance No. 793 (P08-060) a Specific Plan Amendment to Realign Krameria Avenue between Iris Avenue and Heacock Street and Downgrade Krameria Avenue from a Minor Arterial to a Industrial Collector in the Moreno Valley Industrial Specific Plan (SP 208) as Described in the Ordinance, and the Revised Specific Plan Maps Attached to the Ordinance as Exhibits A, B, C and D

**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 OCTOBER 12, 2010 \(Report of: City Clerk\)](#)

**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 OCTOBER 12, 2010 \(Report of: City Clerk\)](#)

[Clerk\)](#)

**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 OCTOBER 12, 2010 \(Report of: City Clerk\)](#)

**Recommendation:**

Approve as submitted.

**E. PUBLIC HEARINGS - NONE**

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.

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

**G. REPORTS**

G.1 [CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES \(Informational Oral Presentation - not for Council action\)](#)

a. Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

G.2 [CONSIDER THE DEFERRAL OF THE APPOINTMENT OF THE CITY MANAGER UNTIL AFTER NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION \(DISCUSSION\) \(Stewart/Molina\)](#)

G.3 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

**H. LEGISLATIVE ACTIONS**

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

H.1 .1 [ADOPTION OF 2010 CALIFORNIA BUILDING CODES.](#)

CALIFORNIA CODE OF REGULATIONS, TITLE 24,  
INCORPORATING THE LATEST EDITIONS OF THE MODEL  
CODES WITH AMENDMENTS (Report of: Community Development  
Department)

**Recommendation: That the City Council:**

Introduce Ordinance No. 816 amending Title 8, of the City of Moreno Valley Municipal Code by amending Chapter 8.14, repealing and replacing Chapters 8.20, 8.22, 8.24, 8.26, 8.36 and adding Chapter 8.23 and adopting, as modified, the California Building Standards Code, California Code of Regulations, Title 24; incorporating the 2009 International Building Code, 2009 Uniform Mechanical Code, the 2009 International Residential Code, the 2009 Uniform Plumbing Code, the 2009 International Fire Code, and the 2008 National Electrical Code; and adopting other regulations relating to Building and Fire Prevention requirements.

Ordinance No. 816

An Ordinance of the City Council of the City of Moreno Valley, California, amending Title 8, of the City of Moreno Valley Municipal Code by amending Chapter 8.14, repealing and replacing Chapters 8.20, 8.22, 8.24, 8.26, 8.36, and adding Chapter 8.23 and adopting, as modified, the California Building Standards Code, California Code of Regulations, Title 24: incorporating the 2009 international Building Code, the 2009 Uniform Mechanical Code, the 2009 International Residential Code, the 2009 Uniform Plumbing Code, the 2009 International Fire Code, and the 2008 National Electrical Code; and adopting other regulations relating to Building and Fire Prevention requirements.

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 - PUBLIC EMPLOYMENT

a) Public Employee Annual Performance Evaluation: City Clerk

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

### **ADJOURNMENT**