



REVISED 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

September 28, 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

**REVISED AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
September 28, 2010**

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Corporal Michael Lopez
2. Proclamation Recognizing September 2010 as National Preparedness Month

**REVISED 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
SEPTEMBER 28, 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 - Deacon Richard Heames, St. Patrick's Roman Catholic 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 SEPTEMBER 14, 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 September 8-21, 2010, 2010.

A.4 [TRACT 29920 - PARTIALLY REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: CHT INVESTMENT, LLC, NEWPORT BEACH, CA 92660 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and
2. Authorize the Public Works Director/City Engineer to execute the partial reduction to the amount of the Faithful Performance security.

A.5 [TRACT 29920-2 - PARTIALLY REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: CHT INVESTMENT, LLC, NEWPORT BEACH, CA 92660 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and
2. Authorize the Public Works Director/City Engineer to execute the partial reduction to the amount of the Faithful Performance security.

- A.6 [TRACT 29920-3 - PARTIALLY REDUCE THE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: CHT INVESTMENT, LLC, NEWPORT BEACH, CA 92660 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and
2. Authorize the Public Works Director/City Engineer to execute the partial reduction to the amount of the Faithful Performance security.

- A.7 [TRACT 30268 - PARTIALLY REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: CHT INVESTMENT, LLC, NEWPORT BEACH, CA 92660 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and
2. Authorize the Public Works Director/City Engineer to execute the partial reduction to the amount of the Faithful Performance security.

- A.8 [APPROVAL OF CHECK REGISTER FOR JULY, 2010 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2010-84, approving the Check Register for the month of July, 2010 in the amount of \$8,141,103.96.

Resolution No. 2010-84

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

- A.9 [ADOPTION OF ROUTE 60 CORRIDOR MASTER PLAN FOR AESTHETICS AND LANDSCAPING \(Report of: Public Works Department\)](#)

Recommendation:

Review and adopt the Route 60 Corridor Master Plan for Aesthetics and Landscaping prepared by Caltrans.

- A.10 [APPROVE AMENDMENTS TO THE AGREEMENT WITH THE STATE OF CALIFORNIA TO EXTEND SCOPE OF WORK FOR THE CITY'S BICYCLE TRANSPORTATION ACCOUNT \(BTA\) GRANT TO ALLOW FOR DESIGN AND IMPLEMENTATION OF BIKE LANES ON CERTAIN STREETS](#)

(Report of: Public Works Department)

Recommendation:

1. Approve the Amendments to the Agreement with the State of California to extend the scope of work of the Bicycle Transportation Account project to provide for striping of bike lanes on certain streets;
2. Appropriate funds in the amount of \$49,000.00 from Measure "A" unappropriated fund balance to account 125.65320 for the purpose of tracking and billing to the state expenditures related to design and implementation of said bike lanes; and
3. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

A.11 TRACT MAP 32625 - ACCEPT IMPROVEMENT CREDIT/REIMBURSEMENT AGREEMENT TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM - DEVELOPER: MERITAGE HOMES OF CALIFORNIA, INC., IRVINE CA, 92617 (Report of: Public Works Department)

Recommendation:

1. Accept the Improvement Credit/Reimbursement Agreement Transportation Uniform Mitigation Fee Program (TUMF Agreement) for Tract 32625;
2. Authorize the Mayor to execute the Agreement; and
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

A.12 TRACT MAP 32834 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF CERTAIN PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING GOLDEN FIELD COURT, WATERFORD WAY, WINDHAVEN DRIVE, MISTY MEADOW COURT, WOODGLEN LANE, WARM SPRINGS WAY, WILD SAGE LANE, COLD CREEK COURT, OAK RIDGE ROAD, BROOKSIDE LANE, CREEKSIDE WAY, QUAIL CREEK DRIVE, SUMMER WINDS ROAD, BLOOMFIELD ROAD, MILL CREEK ROAD, AND THE PORTION OF EUCALYPTUS AVENUE, NASON STREET, AND DRACAEA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BEAZER HOMES HOLDING CORP, BREA, CA 92821 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-85 authorizing the acceptance of certain

public improvements within Tract Map 32834 as complete and accepting Golden Field Court, Waterford Way, Windhaven Drive, Misty Meadow Court, Woodglen Lane, Warm Springs Way, Wild Sage Lane, Cold Creek Court, Oak Ridge Road, Brookside Lane, Creekside Way, Quail Creek Drive, Summer Winds Road, Bloomfield Road, Mill Creek Road, and the portion of Eucalyptus Avenue, Nason Street, and Dracaea Avenue associated with the project into the City's maintained street system; and

Resolution No. 2010-85

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of Certain Public Improvements as Complete within Tract Map 32834 and Accepting Golden Field Court, Waterford Way, Windhaven Drive, Misty Meadow Court, Woodglen Lane, Warm Springs Way, Wild Sage Lane, Cold Creek Court, Oak Ridge Road, Brookside Lane, Creekside Way, Quail Creek Drive, Summer Winds Road, Bloomfield Road, Mill Creek Road, and the Portion of Eucalyptus Avenue, Nason Street, and Dracaea Avenue Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the additional reduction to the Faithful Performance Bond, exonerate the remaining Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 [ADOPTION OF RESOLUTION APPOINTING A NEW CITY TREASURER AND RESCINDING PRIOR APPOINTMENTS \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2010-86 appointing Richard Teichert City Treasurer effective September 29, 2010.

Resolution No. 2010-86

A Resolution of the City Council of the City of Moreno Valley, California, Appointing a New City Treasurer Effective September 29, 2010 and Rescinding Prior Appointments

A.14 [READOPTING CONFLICT OF INTEREST CODE \(ALSO LISTED AS ITEMS B.3 AND C.3\) \(Report of: City Clerk's Department\)](#)

Recommendation:

Adopt Resolution No. 2010-87, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject.

Resolution No. 2010-87

A Resolution of the City Council of the City of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, and Repealing all Prior Enactments on the Same Subject

- A.15 [SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES AND ASSIGNMENT OF AGREEMENT AND ALL AMENDMENTS TO THE COMMUNITY REDEVELOPMENT AGENCY FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 \(ALSO LISTED AS AGENDA ITEM C.4\) \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve the "Seventh Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660;
2. Authorize the City Manager to execute said "Seventh Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.;
3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendment(s) to the agreement with AECOM Technical Services, Inc., subject to the approval of the City Attorney; and
4. Authorize the assignment of the "Agreement for Professional Consultant Services" and all subsequent amendments with AECOM Technical Services to the Community Redevelopment Agency.

- A.16 [PM 33152-1 – REQUEST TO RATIFY THE PARTIAL REDUCTIONS TO THE IMPROVEMENT SECURITY FOR THE OLD 215 FRONTAGE ROAD ROADWAY PROJECT. DEVELOPER: ANDLAND PROPERTIES, LLC \(Report of: Public Works Department\)](#)

Recommendation:

Ratify the partial reductions to the public improvement security provided by the Public Works Director/City Engineer for the Old 215 Frontage Road roadway project, PM 33152-1 in accordance with the approved Public

Improvement Agreement granted on December 28, 2009, February 18, 2010 and August 11, 2010.

A.17 [RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE PARTIAL SECURITY REDUCTIONS \(Report of: Public Works Department\)](#)

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.

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 Security Given for Faithful Performance of Public Improvements

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 SEPTEMBER 14, 2010 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

B.3 [READOPTING CONFLICT OF INTEREST CODE \(ITEM ALSO LISTED AS A.14\) \(Report of: City Clerk's Department\)](#)

Recommendation:

Adopt Resolution CSD No. 2010-23, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject.

Resolution CSD No. 2010-23

A Resolution of the Community Services District of the City of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, and Repealing all Prior Enactments on the Same Subject

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 SEPTEMBER 14, 2010 \(Report of: City Clerk's Department\)](#)

Recommendation:
Approve as submitted.

C.3 [READOPTING CONFLICT OF INTEREST CODE \(ITEM ALSO LISTED AS A.14\) \(Report of: City Clerk's Department\)](#)

Recommendation:
Adopt Resolution No. RDA 2010-06, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject.

Resolution No. RDA 2010-06

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, and Repealing all Prior Enactments on the Same Subject

C.4 [SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 \(ALSO LISTED AS AGENDA ITEM A.15\) \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the assignment of the Agreement and subsequent Amendments with AECOM Technical Services, Inc. from the City;
2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and
3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for \$108,563.00 for additional professional services and extend the contract time to December 30, 2011, when the Seventh Amendment to Agreement for Professional Consultant Services has been signed by all parties (Account No. 897.91726).

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 SEPTEMBER 14, 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 [PUBLIC HEARING TO CONSIDER AMENDMENT OF FY 2010-2011 FEE SCHEDULE TO INCLUDE COTTONWOOD GOLF CENTER FEE ADJUSTMENTS \(Report of: Parks and Community Services Department\)](#)

Recommendation: That the City Council and CSD:

1. Conduct a Public Hearing to receive public input on adoption of adjustment of Cottonwood Golf Center Fees for FY 2010-2011; and
2. Adopt Resolution No. 2010-89, amending Resolution No. 2010-23, Section 7, Parks and Community Services, to amend Cottonwood Golf Center fees into the Fee Schedule for FY 2010-11.

Resolution No. 2010-89

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for the Cottonwood Golf Center for Fiscal Year 2010-11 and Repealing Prior Resolutions That May Be In Conflict

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

G. REPORTS

G.1 [PUBLIC AWARENESS: REGISTRATION AND VOTING OPTION FOR THE NOVEMBER ELECTION \(POWERPOINT PRESENTATION\) \(Ed Thomas, Director of Public Relations Registrar of Voters Department\)](#)

County of Riverside)

G.2 APPOINTMENT TO THE ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint Reese McClure to the Environmental and Historical Preservation Board with a term expiring June 30, 2013; or
2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.3 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Continued from September 14, 2010) (Report of: Parks and Community Services)

Recommendation: That the City Council and CSD:

Approve the Moreno Valley Parks, Recreation, and Open Space Comprehensive Master Plan.

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 - PERSONNEL MATTERS

a) Public Employee Performance Evaluation: City Manager

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