



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

February 23, 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
February 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Firefighter of the Year - Sean Landavazo, Firefighter Apparatus Engineer
2. Employee of the Quarter presentation - Keyneica Jones, Management Analyst

**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
FEBRUARY 23, 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 - Rev. Dennis Krueger, Shepherd of the Valley Lutheran 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 FEBRUARY 9, 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 February 3, 2010.

A.4 [APPROVAL OF MORENO VALLEY ELECTRIC UTILITY REIMBURSEMENT AGREEMENT FOR ELECTRICAL FACILITY CONSTRUCTION BETWEEN MORENO VALLEY CACTUS RANCH, LLC AND THE CITY OF MORENO VALLEY \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley;
2. Authorize the City Manager to execute the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley; and
3. Appropriate \$59,569 from the Electric Utility's liability account 601.2810.01 for payment under the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley.

A.5 [NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL IMPROVEMENTS AT THE COTTONWOOD AVENUE AND PATTILYNN](#)

[DRIVE INTERSECTION - PROJECT NO. 09-12566628 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the work as complete for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection, constructed by Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519;
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 Pouk & Steinle, 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 [FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JAGDISH SHAH \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah, R.A., M.S. (Civil), 22900 Estoril Drive, Unit 5, Diamond Bar, CA 91765-4490;
2. Authorize the City Manager to execute said "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah; and
3. Authorize an increase in the Purchase Order to Jagdish Shah in the amount of \$225,000.00 when "First Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.7 [REAPPROPRIATION OF FUNDS FOR THE HEACOCK STREET FROM GENTIAN AVENUE TO POPPYSTONE DRIVE AND FREDERICK STREET/PIGEON PASS ROAD FROM SUNNYMEAD BOULEVARD TO HEMLOCK AVENUE REHABILITATION PROJECT - PROJECT NO. 06-12567425 \(Report of: Public Works Department\)](#)

Recommendation:

Authorize the Financial and Administrative Services Director to reappropriate funds in the amount of \$136,405 from Measure "A" Fund

Balance for the Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street / Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation Project.

- A.8 [PM 33152-1 – REQUEST TO EXTEND THE DURATION FOR A FULL ROAD CLOSURE OF OLD 215 FRONTAGE ROAD BETWEEN ALESSANDRO BOULEVARD AND DAY STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM MARCH 17, 2009 – JUNE 17, 2010; DEVEPER: ADLAND PROPERTIES, LLC, TORRANCE, CA 90505 \(Report of: Public Works\)](#)

Recommendation:

1. Authorize an extension of the duration for the full road closure of Old 215 Frontage Road Street from Alessandro Boulevard to Day Street for the construction of street improvements from March 17, 2010 to June 17, 2010; and
2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

- A.9 [AUTHORITY OF THE CITY MANAGER AND PUBLIC WORKS DIRECTOR TO APPROVE FUTURE AMENDMENTS TO CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60 NASON/INTERCHANGE IMPROVEMENTS PROJECT - PROJECT NO. 98-25897 \(Report of: Public Works Department\)](#)

Recommendation:

Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement" (District Agreement No. 8-1406), if needed, subject to the approval of the City Attorney.

- A.10 [APPROVAL OF CHECK REGISTER FOR DECEMBER, 2009 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2010-11, approving the Check Register for the month of December, 2009 in the amount of \$16,480,202.55.

Resolution No. 2010-11

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of December, 2009

- A.11 [ACCEPTANCE OF DONATION IN THE AMOUNT OF \\$3,530 FOR THE](#)

MORENO VALLEY ANIMAL SHELTER (Report of: Financial & Administrative Services Department)

Recommendation:

Accept a monetary donation in the amount of \$3,530 for the Moreno Valley Animal Shelter.

- A.12 RESOLUTION IN SUPPORT OF DESIGNATING MARCH 2010 AS THE "UNITED STATES CENSUS – MAKE YOURSELF COUNT" MONTH (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-12 designating March 2010 as “United States Census – Make Yourself Count” month.

Resolution No. 2010-12

A Resolution of the City Council of the City of Moreno Valley in Support of the United States Census – Make Yourself Count Month March 2010

- A.13 APPROVE PROJECT RECOMMENDATIONS FOR REMAINING UNEXPENDED “PROPOSITION 1B” - TRANSPORTATION BOND PROGRAM FUNDS AS PART OF THE FY 09/10 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (CONTINUED FROM FEBRUARY 9, 2010) (Report of: Public Works Department)

Recommendation:

1. Approve Project Recommendations for Remaining Unexpended Proposition 1B funds as part of the FY 09/10 Pavement Resurfacing Project; and
2. Authorize the City Engineer to update and submit the Proposition 1B Project Accountability Plan to the State Department of Finance.

- A.14 APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND ROBERT L. HANSEN FOR THE POSITION OF CITY ATTORNEY (Report of: Human Resource Department)

Recommendation:

Approve the employment agreement between the City of Moreno Valley and Robert L. Hansen for the position of City Attorney.

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 FEBRUARY 9, 2010 \(Report of: City Clerk\)](#)

Recommendation:
Approve as submitted.

B.3 [APPLY FOR AND SUBSEQUENT ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, AFTER SCHOOL PARTNERSHIPS OFFICE, FOR THE AFTER SCHOOL EDUCATION AND SAFETY \(ASES\) PROGRAM \(Report of: Parks and Community Services\)](#)

Recommendation:

1. Authorize staff to apply for additional grant monies from the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program;
2. Authorize the acceptance of the ASES Program grant in the amount of up to \$337,500 for Sugar Hill, Ridge Crest, and Hidden Springs Elementary Schools to provide literacy, academic enrichment, and a safe constructive alternative for students in kindergarten through fifth grades;
3. Authorize use of grant funds for personnel as follows: one Office Assistant, three Site Leaders, and 30 Program Assistants; and
4. Authorize the City Manager to sign documents with the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program on behalf of the City of Moreno Valley.

B.4 [AUTHORIZE THE SUBMISSION OF GRANT APPLICATIONS FOR THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM AND ADOPT THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD \(Report of: Parks and Community Services\)](#)

Recommendation:

1. Authorize the Parks and Community Services Director to submit the grant applications to the State Department of Parks and Recreation for the Statewide Park Development and Community Revitalization Program for the March Field Park Soccer Field Project and the Water Conservation and Demonstration Garden; and

2. Adopt the proposed Resolution No. CSD 2010-04 to certify the approval of the governing board approving the grant application for grant funds from the Statewide Park Program.

Resolution No. CSD 2010-04

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board Approving the Application for Statewide Park Program Grant Funds

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 FEBRUARY 9, 2010 \(Report of: City Clerk\)](#)

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 FEBRUARY 9, 2010 \(Report of: City Clerk\)](#)

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 [CONTINUATION OF THE PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 \(PROPOSED SKECHERS PROJECT\) - BALLOTING FOR NPDES AND CSD ZONE M \(CONTINUED FROM NOVEMBER 10, 2009\) \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony:
 - a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (“NPDES”) ballots for identified properties within Tentative Parcel Map (“TPM”) 35629;
 - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (“APN”) listing;
 - c. Receive and file with the City Clerk’s office the accepted Official Tally Sheet and APN listing; and
 - d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the identified properties within TPM 35629.
2. Acting in their capacity as President and Members of the Board of Directors of the CSD (“CSD Board”), after conducting the Public Hearing and accepting public testimony:
 - a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for the identified properties within TPM 35629;
 - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;
 - c. Receive and file with the City Clerk’s office the accepted Official Tally Sheet and APN listing; and
 - d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to the identified properties within TPM 35629.

E.2 [PUBLIC HEARING TO ADOPT FY 2009-10 ANNUAL ACTION PLAN AMENDMENT NO. 2 AND NO. 3 \(Report of: Economic Development Department\)](#)

Recommendation: That the City Council:

Review proposed FY 2009-10 Substantial Amendment 2 and 3 to increase funding for the 2010 Foreclosure Prevention Workshop program:

- a) Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2009-10 Annual Action Plan Substantial Amendments #2

and #3,

b) Adopt the proposed Amendments #2 and #3

c) Authorize the transfer of \$25,000 from account # 284.73939.6854 (Employment Resource Center) to account # 284.73939.6846 (Community Foreclosure Prevention) account; and

d) Authorize the transfer of \$5,000 from account # 284.73939.6839 (Small Business Fair) to account # 284.73939.6846 (Community Foreclosure Prevention).

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

G. REPORTS

G.1 [MID-YEAR BUDGET REVIEW \(Report of: Financial & Administrative Services Department\)](#)

Recommendation: That the City Council:

1. Receive and file this report; and
2. Approve the proposed mid-year budget appropriation adjustments.

G.2 [ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT \(CSD\) ZONE B \(RESIDENTIAL STREET LIGHTING\) PROGRAM \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") provide direction to staff on the alternatives to be implemented for the CSD Zone B (Residential Street Lighting) program.

G.3 [AMENDMENT TO THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

1. Approve and adopt Resolution No. 2010-13 to amend Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings.

Resolution No. 2010-13

A Resolution of the City Council of the City of Moreno Valley,

California, to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

2. Acting in the capacity as the Board of Directors of the Moreno Valley Community Services District (“CSD Board”), approve and adopt Resolution No. CSD 2010-05 to amend Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings.

Resolution No. CSD 2010-05

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California, to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

- G.4 [INTENTION OF THE COMMUNITY AND REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO PROVIDE FINANCIAL ASSISTANCE TO PALM DESERT DEVELOPMENT COMPANY, INC. FOR PHASE II OF THE RANCHO DORADO AFFORDABLE HOUSING PROJECT \(Report of: Economic Development Department\)](#)

Recommendation: That the City Council:

1. Acting in their capacity as Chairperson and Members of the Redevelopment Agency Board, adopt Resolution No. RDA 2010-01, which ratifies certain findings and determinations made under Resolution No. 2008-11, regarding providing conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South; and

Resolution No. RDA 2010-01

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.

2. The Redevelopment Agency Board appropriate \$4,750,000 from the RDA's 20% Housing Set Aside fund balance (Fund 894) for fiscal year 2009/10.

- 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 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 EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

ADJOURNMENT