



**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**

January 12, 2010

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.

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*
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 12, 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 - Pastor Regina Napper, Beyond the Walls International 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 DECEMBER 8, 2009 \(Report of: City Clerk\)](#)

Recommendation:

Approve as submitted.

A.3 [MINUTES - SPECIAL MEETING OF JANUARY 5, 2010 \(Report of: City Clerk\)](#)

Recommendation:

Approve as submitted.

A.4 [AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES \(A&E\) FOR THE CORPORATE YARD PHASE I OFFICE BUILDING AND SEWER LINE - PROJECT NO. 05-41266522 \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve the "Agreement for Design Professional Consultant Services" with Pitassi Architects, Inc. (Pitassi), 8439 White Oak Avenue, Suite 105, Rancho Cucamonga, CA 91730, to provide architectural and engineering services (A&E) for the Corporate Yard Phase I office building and sewer line;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with Pitassi;
3. Authorize the issuance of two Purchase Orders to Pitassi totaling \$340,105 (\$309,186 proposal plus 10% contingency) when the Agreement has been signed by all parties (\$276,158 from Account No. 412.66522 and \$63,947 from Account No. 754.71325); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the Agreement with Pitassi up to, but not to exceed, the 10% contingency amount of \$30,919, subject to the approval of the City Attorney.

A.5 [NOTICE OF COMPLETION AND ACCEPTANCE OF THE CONSTRUCTION FOR THE INDIAN 12KV TO GLOBE 12KV CIRCUIT TIE PROJECT, PROJECT NO. MVU-0004 \(Report of: Public Works Department\)](#)

Recommendation:

1. Ratify Contract Change Order No. 1 (Final);
2. Accept the work as complete for the Indian 12kV to Globe 12kV Circuit Tie Project, Project No. MVU-0004, which was constructed by Richard Lopez Construction, Corona, California;
3. Direct the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and
4. Authorize the Financial and Administrative Services Director to release the retention to Richard Lopez Construction, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.6 [NOTICE OF COMPLETION AND ACCEPTANCE OF 2009 PAVEMENT RESURFACING PROJECT \(PHASE II\) - PROJECT NO. 08-12556330 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the work as complete for 2009 Pavement Resurfacing Project (Phase II), constructed by All American Asphalt, PO Box 2229, Corona, CA 92878;
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 All American Asphalt, 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.7 [RESOLUTION IMPLEMENTING NEW TRANSPORTATION UNIFORM MITIGATION FEE INCLUDING ONE-YEAR TEMPORARY TUMF REDUCTION \(Report of: Public Works Department\)](#)

Recommendation:

Adopt Resolution No. 2010-01, a resolution of the City of Moreno Valley amending the Transportation Uniform Mitigation Fee (TUMF), applicable to all developments in the City of Moreno Valley, and implement a reduction in TUMF until December 31, 2010.

Resolution No. 2010-01

A Resolution of the City of Moreno Valley Amending the Transportation Uniform Mitigation Fee (TUMF) Applicable to all Developments in the City of Moreno Valley and Adopting a Temporary TUMF Reduction

- A.8 [RECEIPT OF ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT \(EECBG\) AWARD \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Receive the Energy Efficiency & Conservation Block Grant awarded to the City, in the amount of \$1,684,300.

- A.9 [APPROVAL OF CHECK REGISTER FOR NOVEMBER, 2009 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2010-02, approving the Check Register for the month of November, 2009 in the amount of \$15,107,429.29.

Resolution No. 2010-02

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

- A.10 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk\)](#)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of December 2, 2009 – January 5, 2010.

- A.11 [AUTHORIZATION TO APPROVE EXECUTIVE SEARCH CONTRACT WITH ALLIANCE RESOURCE CONSULTING \(Report of: Human Resources Department\)*](#)

Recommendation:

Authorize the Mayor to sign a contract with Alliance Resource Consulting to

conduct a recruitment for the new City Manager for the City of Moreno Valley.

- A.12 [ADOPT ORDINANCE NO. 806 APPROVING PA09-0029, AMENDING SECTION 9.17 OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE \(RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 8, 2009 ON A 5-0 VOTE\) \(Report of: Community Development Department\)](#)

Recommendation:

Adopt Ordinance No. 806 approving PA09-0029, amending section 9.17 of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 806

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9, Moreno Valley Municipal Code Regulations Regarding Landscape Requirements and Landscape Standards Including Water Efficiency Requirements and Monitoring of Water Usage

- A.13 [ADOPTION OF ORDINANCE REGARDING THE TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM AMENDMENT AND IMPLEMENTATION OF A ONE-YEAR TEMPORARY REDUCTION \(RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 8, 2009 ON A 5-0- VOTE\) \(Report of: Public Works Department\)](#)

Recommendation:

Adopt the proposed Ordinance No. 807, repealing and re-enacting Chapter 3.44 of the City of Moreno Valley Municipal Code authorizing participation in the Western Riverside County Transportation Uniform Mitigation Fee program, allowing for a temporary reduction in TUMF.

Ordinance No. 807

An Ordinance of the City of Moreno Valley, California, Repealing and Re-enacting Chapter 3.44 of Title 3 of the City of Moreno Valley Municipal Code, Authorizing Participation in the Western Riverside County Transportation Uniform Mitigation Fee Program and Adopting a Temporary Fee Reduction

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 8, 2009 \(Report of: City](#)

[Clerk\)](#)

Recommendation:

Approve as submitted.

- B.3 [MINUTES - SPECIAL MEETING OF JANUARY 5, 2010 \(Report of: City Clerk\)](#)

Recommendation:

Approve as submitted.

- B.4 [CERTIFICATION OF COMMUNITY FACILITIES DISTRICT NO. 1 ANNEXATION 2009-30 \(Report of: Public Works Department\)](#)

Recommendation:

Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District and as the legislative body of Community Facilities District No. 1 approve and adopt Resolution No. CSD 2010-01; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1" or "District") for Annexation No. 2009-30.

Resolution No. CSD 2010-01

A Resolution Of The Moreno Valley Community Services District Of The City Of Moreno Valley, California, Certifying The Result Of An Election And Adding Property To Community Facilities District No. 1

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 8, 2009 \(Report of: City Clerk\)](#)

Recommendation:

Approve as submitted.

- C.3 [MINUTES - SPECIAL MEETING OF JANUARY 5, 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 DECEMBER 8, 2009 \(Report of: City Clerk\)](#)

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 [FY 2010-2011 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 2010-2011 Program Year.

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) Report by Council Member Richard A. Stewart on March Joint Powers Commission (MJPC)

b) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

G.2 [PUBLIC MEETING REGARDING A MAIL BALLOT PROCEEDING FOR CALIFORNIA DRUG CONSULTANT, INC. - APN 486-280-041](#)

[BALLOTING FOR NPDES AND CSD ZONE M \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

1. Accept public comments regarding the mail ballot proceeding for California Drug Consultant, Inc.—Assessor Parcel Number (APN) 486-280-041 for approval of the NPDES maximum commercial/industrial regulatory rate; and
2. Acting in their capacity as President and Members of the Board of Directors of the CSD (“CSD Board”) accept public comments regarding the mail ballot proceeding for California Drug Consultant, Inc.—APN 486-280-041 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.3 [NEIGHBORHOOD STABILIZATION PROGRAM UPDATE \(Report of: Economic Development Department\)](#)

Recommendation: That the City Council:

Receive and file the update on the Neighborhood Stabilization Program.

G.4 [APPOINTMENT TO THE LIBRARY COMMISSION \(Report of: City Clerk's Department\)](#)

Recommendation: That the City Council:

1. Appoint one member to the Library Commission with a term expiring June 30, 2011; or
2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.5 [APPROVE PROPERTY CONVEYANCE AGREEMENT WITH MORENO VALLEY FESTIVAL, LTD. TO CONVEY A PORTION OF APN 481-020-024 TO THE CITY FOR LINE H FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 \(CONTINUED FROM DECEMBER 8, 2009 ON A 5-0 VOTE\) \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

1. Approve the “Property Conveyance Agreement” with Moreno Valley Festival, Ltd., for the right-of-way dedication along Ironwood Avenue necessary for the construction of storm drain Line H from Heacock Street to Indian Basin; and

2. Authorize the City Manager to execute the “Property Conveyance Agreement” and authorize the City Manager to approve any changes, subject to the approval of the City Attorney.

G.6 [2010 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 Council Member Richard A. Stewart to serve as the City of Moreno Valley’s representative on the March Joint Powers Commission (MJPC); and
3. Appoint Mayor Pro Tem 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 Mayor Pro Tem 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 Mayor Bonnie Flickinger to serve as the City of Moreno Valley’s representative on the Riverside County Transportation Commission (RCTC); and
7. Appoint Council Member Jesse L. Molina to serve as the City of Moreno Valley’s alternate representative on the Riverside County Transportation Commission (RCTC); and
8. Appoint Mayor 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 Mayor Pro Tem 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 Bonnie Flickinger to serve as the City of Moreno Valley's alternate representative on the Western Riverside County Regional Conservation Authority (RCA);
14. Approve the appointments to the remaining various committees and regional bodies, as noted on the 2010 Council Committee Participation list.

G.7 [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: 3

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

b) City Attorney Recruitment

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

ADJOURNMENT

* Revision to agenda