



**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**

July 26, 2011

SPECIAL MEETING – 5:00 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.

Richard A. Stewart, Mayor

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

Marcelo Co, Council Member
William H. Batey II, Council Member

***REVISED AGENDA
SPECIAL MEETING OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY**

**SPECIAL MEETING - 5:00 PM
JULY 26, 2011**

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 will be held on July 26, 2011 commencing at 5:00 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

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 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.

AGENDA
July 26, 2011

JOINT CONSENT CALENDARS (SECTION A)

All items listed under the Consent Calendar Section A are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council requests that an item be removed for separate action. 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 APPROVAL OF TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT BETWEEN NEXTG NETWORKS OF CALIFORNIA AND THE CITY OF MORENO VALLEY; APPLICANT: NEXTG NETWORKS OF CALIFORNIA, INC., A DELAWARE CORP. MILPITAS, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Telecommunication Network License and Encroachment Agreement between NextG Networks of California and the City of Moreno Valley;
2. Authorize the City Manager to execute the Agreement, subject to City Attorney approval; and
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

A.3 PM 35629 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION FOR A PORTION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT DESIGNATED AS EASEMENT NOTE “B” DEDICATED ON PARCEL MAP NO. 35629 RECORDED AS INSTRUMENT NO. 2010-0408448 LOCATED ON LOTS B, C, AND D OF PARCEL MAP NO. 35629 AND APPROVAL OF AN OFFER OF DEDICATION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT REPLACING THE ONE BEING SUMMARILY VACATED ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution, a summary vacation of a portion of the pedestrian access and sidewalk easement designated as

Easement Note "B" dedicated on Parcel Map No. 35629 recorded as Instrument No. 2010-0408448 located on Lots B, C, and D of Parcel Map No. 35629;

Resolution No. 2011-80

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of a Pedestrian Access and Sidewalk Easement Designated as Easement "B" Dedicated on Parcel Map No. 35629 Recorded as Instrument No. 2010-0408448 Located on Lots B, C, and D of Parcel Map No. 35629

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording;
3. Approve the Offer of Dedication of a pedestrian access and sidewalk easement as described in the Offer of Dedication; and
4. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate.

A.4 PARCEL MAP NO. 35859 – FIRST SAN MICHELLE LOGISTICS COMPLEX – APPROVE FINAL MAP AND ACCEPT THE AGREEMENT, AND SECURITY FOR PUBLIC IMPROVEMENTS; WEST SIDE OF PERRIS BOULEVARD, EAST SIDE OF KNOX STREET, NORTH SIDE OF NANDINA AVENUE, SOUTH SIDE OF SAN MICHELLE ROAD; DEVELOPER: FIRST INDUSTRIAL, L.P., A DELAWARE LIMITED PARTNERSHIP, EL SEGUNDO, CA 90245 (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 35859, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;
2. Accept the Agreement and Security for Public Improvements;
3. Authorize the Mayor to execute the Agreement;
4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if

the required public improvements are not completed within said timeframe.

- *A.5 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES' ASSOCIATION FOR FISCAL YEAR 2011-12 (Report of: Human Resources Department)

Recommendation:

Approve the successor Memoranda of Understanding (MOU) between the City of Moreno Valley and the Moreno Valley City Employees Association (MVCEA) for Fiscal Year 2011-12.

- A.6 CREATION OF NEW FIRE PREVENTION JOB TITLE (Report of: Fire Department)

Recommendation:

Approve the position title, description and salary schedule for the temporary part-time position of Fire Prevention Technician within the Fire Prevention Bureau.

- A.7 RELOCATION AGREEMENT FOR THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) BOOSTER STATION LOCATED AT THE NORTHWEST CORNER OF NASON STREET AND DRACAEA AVENUE (Report of: Public Works Department)

Recommendation:

1. Approve the Relocation Agreement for the relocation of the existing Eastern Municipal Water District (EMWD) booster station at the northwest corner of Nason Street and Dracaea Avenue;
2. Authorize the City Manager to execute the Relocation Agreement; and
3. Direct the City Clerk to forward the signed Relocation Agreement to Eastern Municipal Water District for execution.

- A.8 CREATION OF AN NSP-FUNDED HOMEBUYER ASSISTANCE PROGRAM (NSP-HAP) (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the creation of an Neighborhood Stabilization Program (NSP) grant-funded Homebuyer's Assistance Program (HAP), modeled after the existing Community Redevelopment Agency (RDA) funded HAP; and

2. Appropriate \$250,000 from the NSP fund balance for the NSP-HAP.

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 AND AUTHORIZATION RESOLUTION FOR EXECUTION AND DELIVERY OF CALIFORNIA COMMUNITIES GAS TAX REVENUE CERTIFICATES OF PARTICIPATION, SERIES 2011B TOTAL ROAD IMPROVEMENT PROGRAM (TRIP) (Report of: Financial & Administrative Services Department and Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-81 approving the sale, execution, and delivery of not more than \$20 million in principal amount of California Communities Gas Tax Revenue Certificates of Participation, Series 2011B (TRIP – Total Road Improvement Program) (the “COPs” or “Certificates”) and approving certain actions in connection therewith, and authorizing judicial validation proceedings relating thereto;

Resolution No. 2011-81

Approving the Execution and Delivery of California Communities Gas Tax Revenue Certificates of Participation, Series 2011b (T.R.I.P. – Total Road Improvement Program) Pursuant to a Trust Agreement, Authorizing the Execution and Delivery of a Trust Agreement, Certificate Purchase Agreement and an Installment Sale Agreement, Authorizing the Distribution of an Official Statement in Connection with the Offering and Sale of Such Certificates, and Authorizing the Filing of a Validation Action and Other Matters Relating Thereto

2. Approve the proposed budget adjustments as identified on Attachment 6 for Gas Tax and Measure A funded projects/programs as a modification of the approved FY 2011-12 and FY 2012-13 Operating Budget and FY 2011-12 Capital Improvement Plan (CIP);
3. Approve the annual transfer of \$1,256,000 from the Measure A Fund to the COP Series 2011B Principal and Interest Payment Fund to fund the Installment Payments and reflect the following in Riverside County Transportation Commission’s (RCTC) Measure A 5-year Local Streets and Roads CIP:

- a) Transfer from Measure A to the COP Series 2011B Principal and Interest Payment Fund;
 - b) Proposed budget adjustments for Measure A funded projects/programs as identified on Attachment 6;
4. Authorize the Public Works Director / City Engineer to submit an amended FY 2012-2016 Measure "A" Local Streets and Roads Five-Year CIP to the Riverside County Transportation Commission (RCTC) to include the addition of the Nason Street Project from Fir Avenue to Cactus Avenue;
 5. Appropriate \$1,256,000 in the COP Series 2011 B Principal and Interest Payment Fund expense budget for installment payments; and
 6. Authorization the addition of the Nason Street Project from Fir Avenue to Cactus Avenue in the FY 2011-12 CIP and authorize the appropriation of up to \$15,000,000 for this project.

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

G. REPORTS

- *G.1 REDISTRICTING PRESENTATION BY NATIONAL DEMOGRAPHICS CORPORATION FOUNDER ALAN HESLOP (ORAL PRESENTATION) (Report of: City Clerk's Department)
- G.2 RESOLUTION TO CREATE A JULY 4TH ADVISORY BOARD (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-82 creating the July 4th Advisory Board; and

Resolution No. 2011-82

A Resolution of the City Council of the City of Moreno Valley, California, to Create a July 4th Advisory Board
2. Establish trust account 00359.359.2239.16 for receiving donations from the community to fund the City's July 4th Festivities.

- *G.3 RESOLUTION OF THE CITY COUNCIL DECLARING ITS INTENTION TO ENACT AN ORDINANCE WHEREBY THE CITY SHALL ELECT TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY

REDEVELOPMENT PROGRAM; INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE CITY TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; AND RESOLUTIONS OF THE CITY COUNCIL AND OF THE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE AGREEMENT TO TRANSFER TAX INCREMENT (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Introduce an Ordinance No. 832 for first reading and schedule adoption of the Ordinance for August 23, 2011 whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

2. Adopt Resolution No. 2011-83 declaring its intention to enact an Ordinance whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Resolution No. 2011-83

A Resolution of the City Council of the City of Moreno Valley Declaring its Intention to Enact an Ordinance Whereby the City Shall Elect Comply with and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

3. Adopt Resolution No. 2011-84, a resolution of the City of Moreno Valley approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. 2011-84

A Resolution of the City of Moreno Valley Approving an Agreement to

Transfer Tax Increment by and Between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley Dated as of August 30, 2011 and Making Certain Findings in Connection Therewith

4. That the Community Redevelopment Agency Board of Directors adopt RDA Resolution No. 2011-11, a resolution of the Community Redevelopment Agency approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. RDA 2011-11

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley Approving The Agreement To Transfer Tax Increment By And Between The Agency And The City Of Moreno Valley Dated As Of August 30, 2011 And Making Certain Findings In Connection Therewith

5. That the City Council and the Redevelopment Agency Board of Directors authorize the City Manager, the Executive Director of the Redevelopment Agency and the Finance and Administrative Services Director to execute documents necessary to comply with the adopted Resolutions and Ordinance;
6. Authorize the transfer of \$6,169,642 from RDA Tax Increment fund balance to General Fund fund balance to comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code; and
7. Authorize the appropriation of \$6,169,642 from General Fund fund balance and remit payments to the County Auditor-Controller, as stated per ABX1 27.

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**

***Revision to agenda**

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: 5

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL -
INITIATION OF LITIGATION

Number of Cases: 5

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

ADJOURNMENT

* Materials related to an item on this Agenda submitted to the City Council/Community Services District or Community Redevelopment Agency 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.