



**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 11, 2011**

**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.*

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

Richard A. Stewart, Mayor

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

**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**October 11, 2011**

**CALL TO ORDER**

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Fire Prevention Week – October 9 -15, 2011
2. "Business Spotlight"

**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 11, 2011**

**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 Diane Gardner - Beautiful Women of God**

**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

AGENDA  
October 11, 2011

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 27, 2011 \(Report of: City Clerk Department\)](#)**

**Recommendation:**

Approve as submitted.

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

**Recommendation:**

Receive and file the Reports on Reimbursable Activities for the period of September 7 - October 4, 2011.

### **A.4 [APPROVE MORENO VALLEY ELECTRIC UTILITY SOLAR INCENTIVE PROGRAM UPDATES \(Report of: Public Works Department\)](#)**

**Recommendation:**

1. Approve the revised Net Energy Metering Agreement (NEM) for the Moreno Valley Electric Utility (MVU) Solar Incentive Program; and
2. Approve the appropriation of \$200,000 from the MVU Public Purpose Program Fund for customer rebates, consulting services, marketing and engineering expenses directly related to the MVU Solar Electric Incentive Program.

### **A.5 [ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE \(Report of: Community & Economic Development Department\)](#)**

**Recommendation:**

Review and approve the annual Agreements for Services the Moreno Valley Chamber of Commerce, and the Moreno Valley Hispanic Chamber of Commerce.

### **A.6 [APPROVAL OF A SERVICE CONTRACT WITH WELLS FARGO INSURANCE SERVICES TO PROVIDE EMPLOYEES BENEFITS BROKER SERVICES \(Report of: Human Resources Department\)](#)**

**Recommendation:**

Approve the service contract with Wells Fargo Insurance Services for the provision of employees benefits broker services.

- A.7 [APPROVAL OF THE INTEGRATED GENERATION MANAGEMENT PROJECT, ICE BEAR DEPLOYMENT AGREEMENT BETWEEN SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY \(SCPPA\) AND THE CITY OF MORENO VALLEY ELECTRIC UTILITY \(MVU\) \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Approve the Integrated Generation Management Project ICE BEAR Deployment Agreement between Southern California Public Power Authority and the City of Moreno Valley Electric Utility (MVU);
2. Authorize the City Manager or his designee to execute the Integrated Generation Management Project ICE BEAR Deployment Agreement between Southern California Public Power Authority (SCPPA) and the City of Moreno Valley Electric Utility (MVU); and
3. Approve the appropriation of \$62,500 from the MVU Public Purpose Fund for the first year of the program.

- A.8 [REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS AND AUTHORIZATION TO OFFER AN EARLY CONSTRUCTION COMPLETION FINANCIAL INCENTIVE IN THE CONSTRUCTION BID DOCUMENTS FOR THE STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE - PROJECT NO. 12-12599520 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Adopt the plans and specifications on file in the office of the City Engineer for the Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue once biddable ready construction plans and specifications are provided to the City by the developer, Highland Fairview Properties;
2. Authorize the City Engineer to advertise the project for construction bids once all required rights-of-way are obtained and dedicated to the City by the developer, Highland Fairview Properties; and

3. Authorize the City Engineer to offer an early construction completion financial incentive in the construction bid documents as an incentive for the successful lowest responsible bidder to complete the project up to two months ahead of the contract completion date.

- A.9 [AUTHORIZATION FOR THE MAYOR TO SIGN THE AMENDMENT TO THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE FOR THE RIVERSIDE SUPERIOR COURT CASE ENTITLED RADOS, ET AL V. CITY OF MORENO VALLEY \(Report of: City Attorney\)](#)

**Recommendation:**

Authorize the Mayor to Sign the Amendment to the Settlement Agreement in the Case Rados, et al. v. City of Moreno Valley (Riverside Superior Court Case No. RIC 425623).

**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 27, 2011 \(Report of: City Clerk Department\)](#)

**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 SEPTEMBER 27, 2011 \(Report of: City Clerk Department\)](#)

**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 SEPTEMBER 27, 2011 \(Report of: City Clerk Department\)](#)

**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 REGARDING COUNCILMANIC REDISTRICTING \(POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT - TO BE PROVIDED UNDER SEPARATE COVER\) \(CONTINUED FROM SEPTEMBER 27, 2011 ON A 3-0-2 VOTE, CO AND BATEY ABSENT\) \(Report of: City Clerk's Department\)](#)

**Recommendation: That the City Council:**

1. Conduct a public hearing to review the four National Demographics Corporation redistricting plans and the citizen-drawn plans of the Councilmanic districts in the City of Moreno Valley; and
2. Provide direction on a final redistricting map.

- E.2 [PUBLIC HEARING REGARDING THE REISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS AND THE ADOPTION OF A RESOLUTION APPROVING THE REISSUANCE OF SAID BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR THE OAKWOOD APARTMENTS \(Report of: Community & Economic Development Department\)](#)

**Recommendation: That the City Council:**

1. Conduct a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, at which it will hear and consider information concerning the reissuance by the California Statewide Communities Development Authority of bonds to finance the acquisition, construction and development of a 241 unit multifamily rental housing project known as the Oakwood Apartments; and
2. Adopts Resolution 2011-100, pursuant to Section 147(f) of the Internal Revenue Code of 1986 approving the reissuance of bonds by the California Statewide Communities Development Authority for the Oakwood Apartments.

Resolution No. 2010-100

A Resolution of the City Council of the City of Moreno Valley Approving the Reissuance by the California Statewide Communities Development Authority of Multifamily Housing Revenue Bonds for the Oakwood Apartments (Moreno Valley)

## 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 Richard A. Stewart report on March Joint Powers Commission (MJPC)
- b. Mayor Pro Tem Jesse L. Molina report on Riverside Transit Agency (RTA)
- c. Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)
- d. Council Member William H. Batey II Report on Riverside County Habitat Conservation Agency (RCHCA) (Continued from September 27, 2011)

G.2 APPOINTMENT TO THE ARTS COMMISSION (Report of: City Clerk Department)

**Recommendation: That the City Council:**

1. Appoint Kevin L. Morrissey to the Arts Commission with a term expiring June 30, 2012; and
2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.3 ADOPT RESOLUTION NO. 2011-59 - TO APPROVE AN AMENDMENT TO THE CalPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON DECEMBER 23, 2011, AND CONDUCT THE FIRST READING OF ORDINANCE NO. 828, AS REQUIRED BY CalPERS. (Report of: Human Resources Department)

**Recommendation: That the City Council:**

Adopt Resolution No. 2011-59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on December 23, 2011, and conduct the first reading of Ordinance No. 828, as required by CalPERS.



Resolution No. 2011-59

Resolution of Intention to Approve an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the City Council City of Moreno Valley

Ordinance No. 828

An Ordinance of the City Council of the City of Moreno Valley, California, Authorizing an Amendment to the Contract between the City of Moreno Valley and the Board of Administration of the California Public Employees' Retirement System

- G.4 [MEDIA AND COMMUNICATIONS STRATEGY \(CONTINUED FROM SEPTEMBER 27, 2011 ON A 3-0-2 VOTE, CO AND BATEY ABSENT\) \(Report of: City Manager's Office\)](#)

**Recommendation: That the City Council:**

Approve the proposed Media and Communications Strategy.

- 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](#)

- H.2 .1 [ORDINANCE NO. 829 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE \(ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026\) \(RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED\) \(CONTINUED FROM SEPTEMBER 27, 2011 ON A 3-0-2 VOTE, BATEY AND CO ABSENT\) \(Report of: Community & Economic Development Department\)](#)

**Recommendation: That the City Council:**

Adopt Ordinance No. 829

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California,

Approving Zone Change Application PA08-0098 to Change the Zone from Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

- H.2 .2 [ORDINANCE NO. 830 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS \(RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED\) \(CONTINUED FROM SEPTEMBER 27, 2011 ON A 3-0-2 VOTE, BATEY AND CO ABSENT\) \(Report of: Community & Economic Development Department\)](#)

**Recommendation: That the City Council:**

Adopt Ordinance No. 830

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

- H.3 [ORDINANCE NO. 833 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 10.02.100 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE MANDATORY SPAY AND NEUTER OF DOGS AND CATS \(RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 27, 2011, BY A 3-0-2 VOTE, BATEY AND CO ABSENT\) \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation: That the City Council:**

Adopt Ordinance No. 833

Ordinance No. 833

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 10.02.100 of the City of Moreno Valley Municipal Code Relating to the Mandatory Spay and Neuter of Dogs and Cats

H.4 ORDINANCES - URGENCY ORDINANCES - NONE

H.5 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: 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**