



**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 27, 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**  
**September 27, 2011**

**CALL TO ORDER**

SPECIAL PRESENTATIONS

1. Verizon Donation to the Moreno Valley Black Chamber of Commerce Community Foundation Family Adult Literacy Program and Technology (FALPT)
2. American Public Works Association (APWA) 2010 Project of the Year Award – Kitching Street Improvements Project
3. Recognition of Moreno Valley Rockets Field and Track Team

**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 27, 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 James Samples - New Life Christian Fellowship**

**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

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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 13, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**

Approve as submitted.

A.3 [MINUTES - SPECIAL MEETING OF SEPTEMBER 6, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**

Approve as submitted.

A.4 [APPROVAL OF CHECK REGISTER FOR JULY, 2011 \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation:**

Adopt Resolution No. 2011-97, approving the Check Register for the month of July, 2011 in the amount of \$11,090,197.25.

Resolution No. 2011-97

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of July, 2011

A.5 [AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SIDEWALKS AND ACCESS RAMPS PROJECT - PROJECT NO. 10-12272227 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Award the construction contract for the Citywide Sidewalks and Access Ramps Project to Mora's Equipment & Construction, Inc., the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with Mora's Equipment & Construction, Inc.;
3. Authorize the issuance of a Purchase Order to Mora's Equipment & Construction, Inc. for a total amount of \$219,592.20 (\$182,993.50

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base bid amount plus 20% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mora's Equipment & Construction, Inc., up to but not to exceed the Purchase Order's total contingency of \$36,598.70, subject to the approval of the City Attorney.

A.6 [TRACT MAP 20185 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, FRAN LOU DRIVE BETWEEN PERRIS BOULEVARD AND KITCHING STREET - DEVELOPER: LCTH INVESTMENT LP, NEWPORT BEACH, CA 92660 \(Report of: Community and Economic Development\)](#)

**Recommendation:**

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor Bond associated with Tract 20185 for public improvements; and
2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for Tract 20185 to the County Recorder's Office for recordation.

A.7 [ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 \(ALSO LISTED AS ITEM C.3\) \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Adopt Resolution No. 2011-98 ordering the vacation of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, excepting and reserving an easement for existing public utilities and access rights in conformance with California Streets and Highways Code - Chapter 3: Section 8324;

Resolution No. 2011-98

A Resolution of the City Council of the City of Moreno Valley, California, ordering the Vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue

2. Direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the office of the County Recorder for recordation as required by California Streets and Highways Code - Chapter 3:

Section 8325;

3. Authorize the Mayor to execute Easement Deeds to Parcel "A" of Lot Line Adjustment Number 817, and Parcel 1 of Lot Line Adjustment Number 1008 for ingress and egress along Lot B of Parcel Map 23244 (Motor Way); and
4. Authorize the Mayor to execute a quitclaim deed to transfer real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

A.8 [SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO 98-25897 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Approve the Seventh Amendment to Agreement for Professional Consultant Services in the amount of \$76,875.09 with PB Americas, Inc. (PB), 451 Vanderbilt Way, Suite 200, San Bernardino, California 92408 for continuing services during construction;
2. Authorize the City Manager to execute said Seventh Amendment to Agreement for Professional Consultant Services with PB;
3. Authorize a Change Order to increase the Purchase Order with PB, in the amount of \$92,250.00 (\$76,875.09 plus 20% contingency) when the Seventh Amendment has been signed by all parties (Account No. 125.89720); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the contract with PB up to, but not exceeding, the contingency amount of \$15,374.91, subject to the approval of the City Attorney.

A.9 [ACCEPTANCE OF FY 2011-12 SB 821 GRANT AND FUNDING APPROPRIATION FOR CITYWIDE PEDESTRIAN ENHANCEMENTS PROJECT \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Accept the Riverside County Transportation Commission (RCTC) SB 821 Bicycle and Pedestrian Facilities Program grant award of up to \$75,000 in funds for the Citywide Pedestrian Enhancements project.; and

2. Authorize the \$75,000 revenue and expense appropriation in SCAG Article 3 (Fund 122) funds for the construction costs and reimbursement of the Citywide Pedestrian Enhancements project.

A.10 [FOURTH AMENDMENT TO AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND COUNTY OF RIVERSIDE \(Report of: Police Department\)](#)

**Recommendation:**

Adopt the Fourth Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

A.11 [ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – MUNICIPAL SPAY-NEUTER GRANT FUND PROGRAM \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation:**

Receive and accept a grant award in the amount of \$15,000 from the California Department of Food & Agriculture for the purpose of providing low to no cost spaying and neutering of dogs and cats owned by individuals residing in the City.

A.12 [APPROVAL OF A RESOLUTION IMPLEMENTING A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION \(VEBA\) TRUST, AND TERMINATING THE EXISTING VEBA TRUST. \(Report of: Human Resources Department\)](#)

**Recommendation:**

Adopt Resolution No. 2011-99, implementing a Voluntary Employee Beneficiary Association (VEBA) Trust, transferring the assets from the existing VEBA trust to the new California Government Voluntary Employees Beneficiary Association (CALGOVEBA) Trust, and terminating the existing VEBA trust.

Resolution No. 2011-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the California Government Voluntary Employee Beneficiary Association (Calgoveba) Trust

A.13 [PM 35859 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF NANDINA AVENUE BETWEEN PERRIS BOULEVARD AND KNOX STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM SEPTEMBER 28, 2011 – DECEMBER 28, 2011; DEVELOPER: FIRST INDUSTRIAL, L.P. A DELAWARE LIMITED PARTNERSHIP, EL](#)

[SEGUNDO, CA. 90245 \(Report of: Community and Economic Development Department\)](#)

**Recommendation:**

1. Authorize a full road closure of Nandina Avenue from Perris Boulevard to Knox Street for the construction of street improvements from September 28, 2011 – December 28, 2011; 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.

**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 13, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**

Approve as submitted.

B.3 [AUTHORIZATION TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICE OF NUTRITIONAL SNACKS TO THE AFTER SCHOOL EDUCATION AND SAFETY PROGRAM \(Report of: Parks and Community Services Department\)](#)

**Recommendation:**

1. Award the contract to Family Services Association, 21250 Box Springs Road, Suite 212, Moreno Valley, CA 92557-8712 to supply and deliver nutritional snacks to the 43 After School Education and Safety Program sites for the balance of the 2011/2012 school year; and
2. Authorize the Purchasing Manager to execute a purchase order in the amount not to exceed \$440,640 to Family Services Association.

**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 13, 2011 \(Report of: City Clerk Department\)](#)



**Recommendation:**

Approve as submitted.

- C.3 [ADOPT RESOLUTION ORDERING THE VACATION OF MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE AND TRANSFER THE PROPERTY TO THE REDEVELOPMENT AGENCY - PROJECT NO. 08-89791725 \(ALSO LISTED AS ITEM A.7\) \(Report of: Public Works Department\)](#)

**Recommendation:**

Execute the Acceptance Certification, which will allow the transfer of real property known as Motor Way between Auto Mall Drive and Eucalyptus Avenue from the City of Moreno Valley, a Municipal Corporation to the Community Redevelopment Agency.

**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 13, 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 \(POWERPOINT PRESENTATION BY DR. ALAN HESLOP, NATIONAL DEMOGRAPHICS CONSULTANT\) \(Report of: City Clerk's Department\)](#)

**Recommendation: That the City Council:**

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.

**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. Council Member William H. Batey II report on Riverside County Habitat Conservation Agency (RCHCA)

G.2 [MEDIA AND COMMUNICATIONS STRATEGY \(Report of: City Manager's Office\)](#)

**Recommendation: That the City Council:**

Approve the proposed Media and Communications Strategy.

G.3 [ECONOMIC DEVELOPMENT ACTION PLAN UPDATE \(Report of: Community & Economic Development Department\)](#)

**Recommendation: That the City Council:**

Review the update of activities reflected in the City Council approved Economic Development Action Plan and Action Steps adopted to make Moreno Valley a Best Place to do Business.

G.4 [INTRODUCTION OF 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 \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation: That the City Council:**

Introduce Ordinance No. 833 for first reading and schedule adoption of the Ordinance for October 11, 2011 whereby the City shall elect to Amend Section 10.02.100 of the City of Moreno Valley Municipal Code relating to the mandatory spay and neuter of dogs and cats.

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

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 \(ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026\) \(RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED\) \(Report of: Community & Economic Development Department\)](#)

**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 \(RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 6, 2011, BY A 3-2 VOTE, CO AND MOLINA OPPOSED\) \(Report of: Community & Economic Development Department\)](#)

**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 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: 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**