



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

April 12, 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
April 12, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Presentation of Award for Excellence in Information Technology Practices to the City's Technology Services Division
2. Proclamation Recognizing National Library Week
3. Proclamation Recognizing Sexual Assault Awareness Month
4. "Spotlight on Moreno Valley Business"

**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
APRIL 12, 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

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
April 12, 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 MARCH 22, 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 March 16 – April 5, 2011.

A.4 [APPROVAL OF THE 2011/2012 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA \(CSA\) 152 \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2011/2012 in the amount of \$537,553; and
2. Authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2011/2012.

A.5 [REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT JOHN F. KENNEDY VETERANS MEMORIAL PARK AND WOODLAND PARK \(ALSO LISTED AS ITEM B.3\) \(Report of: Parks and Community Services\)](#)

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at John F. Kennedy Veterans Memorial Park and Woodland Park; and
2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed \$ 241,976.03 as appropriated in FY10/11, in

account code 461.65329.7500.

A.6 [RESOLUTION FOR THE ABATEMENT OF PUBLIC NUISANCES \(Report of: Fire Department\)](#)

Recommendation:

Adopt Resolution No. 2011-30 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List in the staff report for the abatement of nuisances.

Resolution No. 2011-30

A Resolution of the City Council of the City of Moreno Valley, California, Confirming Statements of Costs Against Real Property Located in the City of Moreno Valley, for Abatements of Public Nuisances and Direction that said Statements of Costs Constitute a Lien upon said Properties

A.7 [REPORT OF PARTIAL REDUCTIONS PROCESSED DURING THE MONTHS OF FEBRUARY AND MARCH 2011 \(Report of: Public Works Department\)](#)

Recommendation:

No action required.

A.8 [PA07-0090 - REDLANDS ELECTRICAL IMPROVEMENTS – UTILITY ELECTRICAL INFRASTRUCTURE – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE UTILITY ELECTRICAL INFRASTRUCTURE AS COMPLETE AND ACCEPTING THE UTILITY ELECTRICAL INFRASTRUCTURE INTO THE CITY’S MAINTAINED SYSTEM, 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 Resolution No. 2011-33 authorizing the acceptance of the Utility Electrical Infrastructure for PA07-0090 - Redlands Electrical Improvements as complete and accepting the Utility Electrical Infrastructure into the City’s maintained system; and

Resolution No. 2011-33

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Utility Electrical Infrastructure for the Redlands Electrical Improvements as Complete

within Project PA07-0090, and Accepting the Utility Electrical Infrastructure into the City's Maintained System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.9 [APPROVAL OF THE FRANCHISE TAX BOARD AGREEMENT TO SHARE TAX INFORMATION \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Authorize the City Manager or his designee to sign a Franchise Tax Board Agreement that will allow both entities to share tax information confidentially.

A.10 [RESOLUTION REGARDING THE LIBERTY QUARRY \(Report of: City Manager's Office\)](#)

Recommendation:

Discuss and consider Resolution No. 2011-31 regarding the Liberty Quarry.
Resolution No. 2011-31

A Resolution of the City Council of the City of Moreno Valley, California, in Support of the Need for and Benefits of Liberty Quarry

A.11 [CONSIDERATION OF A REQUEST FROM BREAKTHROUGH COMMUNITY DEVELOPMENT CORPORATION \(BCDC\) TO SPONSOR ITS HOPE FOR OUR YOUTH CAMPAIGN \(Report of: City Clerk's Department\)](#)

Recommendation:

That the City Council consider the request of Breakthrough Community Corporation (BCDC) to sponsor its Hope for Our Youth Campaign (HYC), in the amount of \$2,040.

A.12 [TRACTS 22709, 22709-1, 31128, 31129, & 35760 – MAINTENANCE OF PUBLIC IMPROVEMENTS - ACCEPT AGREEMENT AND IRREVOCABLE LETTER OF CREDIT FOR MAINTENANCE OF THE MORENO BEACH CHANNEL \(CHANNEL F\) PUBLIC IMPROVEMENTS - DEVELOPER: WESTERN PACIFIC HOUSING - CORONA, CA 92880 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for Tracts 22709, 22709-1, 31128, 31129, & 35760;
2. Authorize the Mayor to execute the agreement;
3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and
4. 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.

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 MARCH 22, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

B.3 [REPLACEMENT OF PLAY STRUCTURES AND PLAYGROUND SURFACING AT JOHN F. KENNEDY VETERANS MEMORIAL PARK AND WOODLAND PARK \(ALSO LISTED AS ITEM A.5\) \(Report of Parks and Community Services\)](#)

Recommendation:

1. Award to Miracle Recreation Equipment Company, 878 E Hwy 60, Monett, MO 65708 for material and labor to replace play structures and playground surfacing at John F. Kennedy Veterans Memorial Park and Woodland Park; and
2. Authorize the Purchasing Manager to execute a purchase order in an amount not to exceed \$ 241,976.03 as appropriated in FY10/11, in account code 461.65329.7500.

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 MARCH 22, 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 MARCH 22, 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 THE MAIL BALLOT PROCEEDINGS FOR SOUTHEASTERN CALIF CONF SEV DAY ADVENTIST CHURCH—APN 484-030-015 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES AND CSD ZONE M \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

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 Southeastern Calif Conf Sev Day Adventist—Assessor Parcel Number (APN) 484-030-015 and Buddhaddhammo Temple—APN 488-210-014;

b. Verify and accept the result of the mail ballot proceedings 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 NPDES maximum commercial/industrial regulatory rate to APNs 484-030-015 and 488-210-014.

Recommendation: That the CSD:

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 Southeastern Calif Conf Sev Day Adventist—APN 484-030-015 and Buddhadhammo Temple—APN 488-210-014;
- b. Verify and accept the result of the mail ballot proceedings 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) charges to APNs 484-030-015 and 488-210-014.

E.2 [PUBLIC HEARING REGARDING ISSUANCE OF MULTI-FAMILY HOUSING REVENUE BONDS AND THE ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES OF MULTI-FAMILY HOUSING REVENUE BONDS FOR HEMLOCK FAMILY 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 issuance by the California Statewide Communities Development Authority of multifamily housing revenue bonds to finance the acquisition, construction and development of a 77-unit multifamily rental housing project known as Hemlock Family Apartments; and
2. Adopt Resolution No. 2011-32, pursuant to Section 147(f) of the Internal Revenue Code of 1986 approving the issuance of bonds by the Community Redevelopment Agency of the City of Moreno Valley for Hemlock Family Apartments.

Resolution No. 2011-32

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Issuance by the California Statewide Communities Development Authority of Multifamily Housing Revenue

Bonds for the Hemlock Family Apartments

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)

G.2 [PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR POZGAJ FRANK & MARIA FAMILY TRUST—APN 486-240-009 BALLOTING FOR NPDES AND CSD ZONE M AND RIDGE MORENO VALLEY—APNS 297-170-005 AND 297-170-066 BALLOTING FOR NPDES \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

Accept public comments regarding the mail ballot proceedings for Pozgaj Frank & Maria Family Trust—Assessor Parcel Number (APN) 486-240-009 and Ridge Moreno Valley—APNs 297-170-005 and 297-170-066 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate; and

Recommendation: That the CSD:

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 Pozgaj Frank & Maria Family Trust—APN 486-240-009 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.3 [APPROVE THE THREE-YEAR DEFICIT ELIMINATION PLAN FOR FISCAL YEARS 2011/12 - 2013/14 AND DIRECT STAFF TO IMPLEMENT THE FIRST TWO YEARS OF THE PLAN IN A TWO-YEAR BUDGET FOR FISCAL YEARS 2011/12 AND 2012/13 \(Report of: City Manager's Office\)](#)

Recommendation: That the City Council:

1. Approve the Three-Year Deficit Elimination Plan for Fiscal Years 2011/12 through 2013/14; and
2. Direct staff to incorporate the first two years of the plan in a proposed two-year budget for Fiscal Years 2011/12 and 2012/13 for Council consideration.

G.4 [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: 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