



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

February 8, 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
February 8, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. "Employee of the Quarter Recognition - Fourth Quarter 2010" - Dale Mendenhall, GIS Technician

2. "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
FEBRUARY 8, 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

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 JANUARY 25, 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 January 19 - February 1, 2011.

A.4 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT AND AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE SHADOW MOUNTAIN BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS AGENDA ITEM B3) (Report of: Parks and Community Services Department)

Recommendation:

1. Waive the minor irregularities of the lowest Bidder's Proposal and award the construction contract for the Shadow Mountain Ballfield Lighting and Restroom Project to Fleming Environmental Inc., 1372 E. Valencia Drive, Fullerton, CA 92831, the lowest responsive and responsible bidder;
2. Authorize the City Manager to execute a contract with Fleming Environmental Inc.;
3. Authorize the issuance of a Purchase Order to Fleming Environmental Inc., in the amount of \$343,083.36 (\$285,902.80 for the bid amount plus 20% contingency) when the contract has been signed by all parties;
4. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Fleming

Environmental Inc., up to but not to exceed the Purchase Order contingency of \$57,180.56 subject to the approval of the City Attorney; and

5. Authorize the Parks and Community Services Director to initiate purchase orders for the direct purchase of the project's new Musco sports field lighting and electronic switch gear for the total not to exceed amount of \$331,000.00, subject to the approval of the City Manager and City Attorney (Account No. 461.66527 and 461.66430).

A.5 TELECOMMUNICATIONS LICENSE AGREEMENT WITH ROYAL STREET COMMUNICATIONS CALIFORNIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY (ALSO LISTED AS AGENDA ITEM B4) (Report of: Parks and Community Services Department)

Recommendation:

Authorize the Mayor to execute a Telecommunications License Agreement with Royal Street Communications California, LLC, a Delaware limited liability corporation for approximately 663 square feet of ground space on the property known as John F. Kennedy Veterans Memorial Park.

A.6 ACCEPTANCE AND AUTHORIZATION TO PROCEED WITH HMGP FUNDED PROJECT: STORM DRAIN AND MISCELLANEOUS STREET IMPROVEMENTS BETWEEN ALESSANDRO BOULEVARD AND DRAINAGE FACILITY LINE F PROJECT NO. 11-12566730 (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to \$1,178,000 in the federal funds under the Hazard Mitigation Grant Program (HMGP) to construct a storm drain and miscellaneous street improvements in the southeast area of Alessandro Boulevard and Redlands Boulevard;
2. Authorize the Public Works Director/City Engineer to execute the HMGP grant related documents as required and file them with the California Emergency Management Agency per Resolution No. 2011-11; and

Resolution No. 2011-11

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Public Works Director/City Engineer to Execute on Behalf of City of Moreno Valley Hazard Mitigation Grant Program (HMGP) Documents and File them in the California Emergency Management Agency for HMGP Funded Projects

3. Authorize the appropriation of \$220,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction of the storm drain and miscellaneous street improvements in the southeast area of Alessandro Boulevard and Redlands Boulevard.

A.7 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 484-242-017 FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE PROJECT NO. 11-41570125 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 484-242-017 for Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue;
2. Authorize a Purchase Order in the amount of \$261,000 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70125);
3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and
4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of \$261,000 plus the escrow fees for the acquisition of APN 484-242-017.

A.8 MVTV-3 VIDEO CAMERA REPLACEMENT (Report of: City Manager's Office)

Recommendation:

Approve the transfer of no more than \$17,000 from the Equipment Replacement Reserve Fund to the Public/Education/Government Access Programming Fund Number 00132.13210.6365 – Misc. Equipment for the purchase of three Panasonic HVX cameras and accessories.

A.9 NOTICE OF COMPLETION AND ACCEPTANCE OF THE ALESSANDRO BOULEVARD AND INDIAN STREET SIDEWALK IMPROVEMENTS PROJECT NO. 09-12582828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for construction of the Alessandro Boulevard and Indian Street Sidewalk Improvements, constructed by

The C&R Construction Group, Inc., 3255 Swetzer Road, Loomis, CA 95650;

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 The C&R Construction Group 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 system.

A.10 ACCEPTANCE OF FY 2010-11 BTA GRANT, APPROVE BTA AGREEMENT, AND FUNDING APPROPRIATION FOR INDIAN STREET BETWEEN IRIS AVENUE AND KATRINA STREET BICYCLE LANES PROJECT (Report of: Public Works Department)

Recommendation:

1. Accept the California Department of Transportation (Caltrans) Bicycle Transportation Account (BTA) Program grant award of up to \$152,458 in funds for the Indian Street between Iris Avenue and Katrina Street Bicycle Lanes project;
2. Adopt Resolution No. 2011-12, approve and authorize execution of Agreement No. BTA1011-08-SBD-01, to administer the Local Agency-State Agreement for the Fiscal Year 2010/2011 for Class II Bikeway improvements on Indian Street between Iris Avenue and Katrina Street;

Resolution No. 2011-12

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Agreement No. BTA 1011-08-SBD-01 to Administer Local Agency-State Agreement for the State-Aid Projects Between the State of California, Acting by and Through the Department of Transportation and the City of Moreno Valley

3. Authorize the \$169,398 (award amount of \$152,458 plus 10% City match) appropriation of undesignated Measure "A" (Fund 125) funds for the design and construction costs of the Indian Street between Iris Avenue and Katrina Street Bicycle Lanes project; and
4. Authorize the Public Works Director/City Engineer to enter into any

future agreement amendments with Caltrans to complete the Fiscal Year 2010/2011 BTA grant.

- A.11 TRACT MAP 22180, 22180-2, & 22180-3 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF GENTIAN AVENUE, BETWEEN INDIAN STREET AND PERRIS BOULEVARD, DEVELOPER: PJRJ IRIS INVESTMENT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RANCHO CUCAMONGA, CA 91730 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor cash security associated with Tract's 22180, 22180-2, & 22180-3 for public improvements; and
2. Direct the City Clerk to forward the Notification of Requirement for Public Improvement Security for each tract to the County Recorder's Office for recordation.

- A.12 PA04-0216 (PM 33275) – RESIDENTIAL - ACCEPT AGREEMENT AND REAL PROPERTY AS SECURITY FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF ROXANNE ROAD AND GIFFORD AVENUE, DEVELOPER: ALFONSO R. GUZMAN, JOSE GUZMAN, & YAMIN GUZMAN, MORENO VALLEY, CA. 92555 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Deed of Trust for Public Improvements for PA04-0216 (PM 33275);
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 time frame.

- A.13 APPROVAL OF ADMINISTRATIVE AMENDMENT TO THE 2008-2013 CONSOLIDATED PLAN TO ESTABLISH A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR HUD FUNDED PROJECTS. (Report of: Community and Economic Development Department)

Recommendation:

Approve the Administrative Amendment to the 2008-2013 Consolidated Plan to include a Residential Anti-Displacement and Relocation Assistance Plan (RARAP).

- A.14 A RESOLUTION IN OPPOSITION TO THE GOVERNOR'S PROPOSAL TO ABOLISH REDEVELOPMENT AGENCIES IN CALIFORNIA (Report of: City Manager's Office)

Recommendation:

Adopt Resolution 2011-13 in opposition to the Governor's proposal to abolish Redevelopment Agencies in California.

Resolution Number 2011-13

A Resolution of the City Council of the City of Moreno Valley, California, in Opposition to the Governor's Proposal to Abolish Redevelopment Agencies in California

- A.15 APPROVE AGREEMENT FOR INDEPENDENT AUDIT SERVICES FOR A PERIOD OF 3 YEARS WITH 2 OPTION YEARS (CONTINUED FROM JANUARY 25, 2011) (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve a 3-year agreement with two option years with the independent audit firm, Lance Soll & Lunghard, LLP, in an amount not to exceed \$343,070; and
2. Authorize and direct the City Manager to sign the agreement on behalf of the City and its related entities, subject to the City Attorney approval as to legal form.

- A.16 REPORT OF PARTIAL REDUCTIONS PROCESSED DURING THE MONTH OF DECEMBER 2010 (Report of: Public Works Department)

Recommendation:

Receive and file the informational report.

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 JANUARY 25, 2011 (Report of: City Clerk Department)

Recommendation:

Approve as submitted.

- B.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT AND AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE SHADOW MOUNTAIN BALLFIELD LIGHTING AND RESTROOM PROJECT, PROJECT NOS. 10-46166527 AND 10-46166430 (ALSO LISTED AS AGENDA ITEM A4) (Report of Parks and Community Services Department)

Recommendation:

1. Waive the minor irregularities of the lowest Bidder's Proposal and award the construction contract for the Shadow Mountain Ballfield Lighting and Restroom Project to Fleming Environmental Inc., 1372 E. Valencia Drive, Fullerton, CA 92831, the lowest responsive and responsible bidder;
 2. Authorize the City Manager to execute a contract with Fleming Environmental Inc.;
 3. Authorize the issuance of a Purchase Order to Fleming Environmental Inc., in the amount of \$343,083.36 (\$285,902.80 for the bid amount plus 20% contingency) when the contract has been signed by all parties;
 4. Authorize the Parks and Community Services Director to execute any subsequent change orders to the contract with Fleming Environmental Inc., up to but not to exceed the Purchase Order contingency of \$57,180.56 subject to the approval of the City Attorney; and
 5. Authorize the Parks and Community Services Director to initiate purchase orders for the direct purchase of the project's new Musco sports field lighting and electronic switch gear for the total not to exceed amount of \$331,000.00, subject to the approval of the City Manager and City Attorney (Account No. 461.66527 and 461.66430).
- B.4 TELECOMMUNICATIONS LICENSE AGREEMENT WITH ROYAL STREET COMMUNICATIONS CALIFORNIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY (ALSO LISTED AS AGENDA ITEM A5) (Report of Parks and Community Services Department)

Recommendation:

Authorize the Mayor to execute a Telecommunications License Agreement with Royal Street Communications California, LLC, a Delaware limited liability corporation for approximately 663 square feet of ground space on

the property known as John F. Kennedy Veterans Memorial Park.

B.5 ACCEPTANCE OF THE AMENDED CONTRACT FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, REDUCING GRANT FUNDS FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of Parks and Community Services)

Recommendation:

1. Authorize the acceptance of grant money in the amended amount of \$521,366 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services;
2. Authorize the use of Child Development Center – Based Reserve Account in the amount of \$225,972 for FY 2010/2011; and
3. Adopt Resolution No. CSD 2011-03 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

Resolution No. CSD 2011-03

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter Into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2010/11

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 JANUARY 25, 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 JANUARY 25, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS - NONE

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.

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

G. REPORTS

G.1 MORENO VALLEY COLLEGE UPDATE PRESENTED BY DR. MONTE PEREZ (POWERPOINT PRESENTATION) (Informational Oral Presentation - Not for Council Action)

G.2 CONSIDER SEVERAL ALTERNATIVES RELATED TO FUNDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE B RESIDENTIAL STREET LIGHTING EXPENSES FOR THE REMAINDER OF FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Takes the desired action as outlined in one or several of the Alternatives presented in this report.

G.3 CONSIDER SEVERAL ALTERNATIVES RELATED TO FUNDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE B RESIDENTIAL STREET LIGHTING EXPENSES FOR THE REMAINDER OF FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the CSD:
Takes the desired action as outlined in one or several of the Alternatives presented in this report.

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: 2

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

Number of Cases: 2

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

ADJOURNMENT