



**REVISED 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**  
**BOARD OF LIBRARY TRUSTEES**  
**MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION**  
**(MVPFFC)**  
**MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)**  
**MORENO VALLEY INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)**

**January 25, 2011**

**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.*

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\***  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
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**MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION**  
**(MVPFFC)**  
**MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)**  
**MORENO VALLEY INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)**

**REGULAR MEETING - 6:30 PM**  
**JANUARY 25, 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 11, 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 5-18, 2011.

### **A.4 [APPROVAL OF CHECK REGISTER FOR NOVEMBER, 2010 \(Report of: Financial & Administrative Services Department\)](#)**

**Recommendation:**

Adopt Resolution No. 2011-09, approving the Check Register for the month of November, 2010 in the amount of \$9,130,109.64.

Resolution No. 2011-09

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of November, 2010

### **A.5 [NOTICE OF COMPLETION AND ACCEPTANCE FOR KITCHING STREET IMPROVEMENTS FROM CACTUS AVENUE TO ALESSANDRO BOULEVARD - PROJECT NO. 07-50182425 \(Report of: Public Works Department\)](#)**

**Recommendation:**

1. Accept the work as complete for the Kitching Street Improvements

from Cactus Avenue to Alessandro Boulevard constructed by Hillcrest Contracting, Inc. (Hillcrest), 1467 Circle City Drive, Corona, CA 92878-1898;

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 Hillcrest, 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 road system.

A.6 [UPDATED STATE AND FEDERAL LEGISLATIVE ADVOCACY PRIORITIES FOR 2011 \(Report of: City Manager's Office\)](#)

**Recommendation:**

Review and adopt the proposed State and Federal Legislative Advocacy Priorities for 2011.

A.7 [APPROVE AGREEMENT FOR INDEPENDENT AUDIT SERVICES FOR A PERIOD OF 3 YEARS WITH 2 OPTION YEARS \(Report of: Financial & Administrative Services Department\)](#)

**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.8 [ADOPTION OF RESOLUTION OF THE CITY OF MORENO VALLEY AUTHORIZING THE AMENDING AND RESTATING OF A 1997 PROJECT LEASE AGREEMENT AND APPROVING RELATED DOCUMENTS AND ACTIONS \(CONTINUED FROM JANUARY 11, 2011\) \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation:**

1. Adopt Resolution No. 2011-01 authorizing the amending and restating of the 1997 Project Lease Agreement and approving related documents and actions;

Resolution No. 2011-01

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Refinancing of a 1997 Project Lease, Approving a Site Lease (Fire Station 65) with the Moreno Valley Community Services District, a Site Lease (City Hall Annex and Fire Station 65) and a Lease Agreement with the Moreno Valley Public Financing Authority and Approving Related Documents and Actions

2. Authorize the City Manager to approve an agreement for financial advisor services, in an amount not to exceed \$30,000, with Fieldman and Rolapp & Associates to serve as financial advisor for the recommended private placement debt issue; and
3. Authorize the City Manager to approve an agreement for bond counsel services, in amount not to exceed \$30,000, with Best Best & Krieger to serve as bond counsel for the recommended private placement debt issue.

**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 11, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**

Approve as submitted.

\*B.3 [ADOPTION OF RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT APPROVING A SITE LEASE \(FIRE STATION 65\) WITH THE CITY OF MORENO VALLEY \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation:**

Adopt Resolution No. CSD 2011-02 approving a Site Lease Agreement (Fire Station 65) with the City of Moreno Valley.

Resolution No. CSD 2011-02

A Resolution of the Board of Directors of the Moreno Valley Community Services District Approving a Site Lease (Fire Station 65) with the City of Moreno Valley

**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 11, 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 11, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**  
Approve as submitted.

**ADJOURNMENT OF THE CITY COUNCIL MEETING TO THE ANNUAL/REGULAR MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)**

**ANNUAL/REGULAR MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS ON ANY SUBJECT ON THE AGENDA UNDER THE JURISDICTION OF THE CORPORATION**

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.

**SPECIAL ORDER OF BUSINESS**

- 1 There are no reports or issues before the corporation.

**ADJOURNMENT OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC) TO THE ANNUAL/REGULAR MEETING OF THE**

**MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)**

**ANNUAL/REGULAR MEETING OF THE MORENO VALLEY PUBLIC  
FINANCING AUTHORITY (MVPFA)**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS ON ANY SUBJECT ON THE AGENDA UNDER THE  
JURISDICTION OF THE AUTHORITY**

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.

**SPECIAL ORDER OF BUSINESS**

- 1 [MINUTES - SPECIAL MEETING OF JANUARY 11, 2011 \(Report of: City Clerk's Department\)](#)

**Recommendation:**

Approve as submitted.

- \*2 [ADOPTION OF RESOLUTION OF THE BOARD OF DIRECTORS OF MORENO VALLEY PUBLIC FINANCING AUTHORITY \(MVPFA\) AUTHORIZING THE REFINANCING OF 1997 LEASE REVENUE BONDS AND APPROVING RELATED DOCUMENTS AND ACTIONS \(CONTINUED FROM JANUARY 11, 2011\) \(Report of: Financial & Administration Services Department\)](#)

**Recommendation:**

The Finance Subcommittee recommends that the Board of Directors of the Moreno Valley Public Financing Authority adopt Resolution No. MVPFA 2011-01 authorizing the refinancing of 1997 Lease Revenue Bonds and approving related documents and actions.

Resolution No. MVPFA 2011-01

A Resolution of the Board of Directors of the Moreno Valley Public Financing Authority Authorizing the Refinancing of 1997 Lease Revenue Bonds, Approving a Site Lease (City Hall Annex and Fire Station 65) and a Lease Agreement with the City of Moreno Valley, and Approving Related Documents and Actions

**ADJOURNMENT OF THE ANNUAL/REGULAR MEETING OF THE MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA) TO THE ANNUAL REGULAR MEETING OF THE MORENO VALLEY INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)**

**ANNUAL/REGULAR MEETING OF THE MORENO VALLEY INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS ON ANY SUBJECT ON THE AGENDA UNDER THE JURISDICTION OF THE AUTHORITY**

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.

**SPECIAL ORDER OF BUSINESS**

- 1 There are no reports or issues before the authority.

**ADJOURNMENT OF THE MORENO VALLEY INDUSTRIAL DEVELOPMENT AUTHORITY (IDA) TO 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**

**RECONVENE JOINT 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**

**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 [CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES \(Informational Oral Presentation - not for Council action\)](#)

- a. Report by Mayor Pro Tem Jesse L. Molina on Riverside Transit Agency (RTA)
- b. Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

G.2 [ANNUAL REPORT OF BOARDS AND COMMISSIONS \(Informational Oral Presentation\) \(Report of: City Clerk's Department\)](#)

\*G.3 [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND HENRY T. GARCIA FOR THE POSITION OF CITY MANAGER \(Report of: Human Resources Department\)](#)

**Recommendation: That the City Council:**

1. Adopt Resolution No. 2011-10, approving an Employment Agreement Between the City of Moreno Valley and Henry T. Garcia for the Position of City Manager; and

Resolution No. 2011-10

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Employment Agreement Between the City of Moreno Valley and Henry T. Garcia for the Position of City Manager

2. Take action to approve the Employment Agreement between the City of Moreno Valley and Henry T. Garcia for the position of City Manager.

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

H.2 .1 [ORDINANCE NO. 822, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING](#)

TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND INTRODUCTION JANUARY 11, 2011 ON A 4-1 VOTE, HASTINGS OPPOSED) (Report of: Community Development Department)

**Recommendation: That the City Council:**

Adopt Ordinance No. 822 as amended, amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service, of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 822

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code By Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley And Adding Thereto a New Chapter 12.14 Entitled Police And City of Moreno Valley Rotational Tow Service

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(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- a Case: *Arch Insurance Company v. City of Moreno Valley, Safeguard Insurance Company*  
Court: Riverside Superior Court  
Case No: RIC 513196

#### 2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

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

Number of Cases: 2

#### 4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

- a) City Manager

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

**ADJOURNMENT**

**\*Revision to Agenda**