

**MINUTES  
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**

**REGULAR MEETING – 6:30 PM  
July 12, 2011**

**CALL TO ORDER**

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Richard A. Stewart

**INVOCATION - Pastor Diane Gardner**

**ROLL CALL**

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member (via conference call)

Staff:

Jane Halstead	City Clerk
Julienne Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

**JOINT CONSENT CALENDARS (SECTIONS A-D) 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**

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A23) and Deanna Reeder (Items A5, A17, A18, and A19).

**A. CONSENT CALENDAR-CITY COUNCIL**

A.1 ORDINANCES - READING BY TITLE ONLY

**Recommendation:** Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF JUNE 28, 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 June 22 - July 5, 2011.

A.4 [AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM \(ALSO LISTED AS AGENDA ITEM C.3\) \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction

Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Riverside Construction Company, Inc., 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.5 [APPROVE AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION CONSULTANT SERVICES WITH TRANSTECH ENGINEERS, INC. FOR STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET AND ALONG NASON STREET BETWEEN CACTUS AVENUE AND IRIS AVENUE \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Approve the Agreement for Professional Construction Management and Construction Inspection Consultant Services with Transtech Engineers, Inc. (Transtech) 413 MacKay Drive, San Bernardino, CA 92408, for Street Improvements along Cactus Avenue between Lasselle Street and Nason Street and along Nason Street between Cactus Avenue and Iris Avenue;
2. Authorize the City Manager to execute a contract with Transtech;
3. Authorize the issuance a Purchase Order to Transtech in the amount of \$999,200 (\$868,870 for the agreement plus the 15% contingency amount of \$130,330) when the Agreement has been signed by all parties; and
4. Authorize the City Engineer to execute any subsequent amendments to the Agreement with Transtech, up to but not to exceed the Purchase Order contingency, subject to the approval of the City Attorney.

A.6 [P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129. DEVELOPER - WESTERN](#)

PACIFIC HOUSING, INC. IRVINE, CA 92606 (Report of: Public Works Department)

**Recommendation:**

1. Approve Tract Map No. 35760; and
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.7 AUTHORIZATION TO AWARD AGREEMENT FOR CENTRAL TRAFFIC CONTROL SOFTWARE SERVICES IN SUPPORT OF THE TRANSPORTATION MANAGEMENT CENTER (PROJECT NO. 10-13768129) (Report of Public Works Department)

**Recommendation:**

1. Approve the agreement with Kimley-Horn and Associates, Inc., 7878 N. 16th Street, Phoenix, Arizona 85020, to provide a central traffic control software system;
2. Authorize the City Manager to execute said Agreement with Kimley-Horn and Associates, Inc.;
3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, Inc., in the amount of \$315,000; and
4. Authorize the Public Works Director to execute any subsequent amendments related to this agreement.

A.8 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR LOS ANGELES ENGINEERING, INC. V. CITY OF MORENO VALLEY RIVERSIDE SUPERIOR COURT CASE RIC 524877 (Report of: Public Works Department)

**Recommendation:**

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 36928 to Gibbs, Giden, Locher, Turner & Senet, LLP by the amount of \$100,000 for a total not-to-exceed amount of \$196,000 (Account No. 461.65325.7500);
2. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to \$196,000 for legal services for Los Angeles Engineering, Inc. v. City of Moreno Valley Riverside Superior Court Case RIC 524877; and
3. Authorize an appropriation of \$100,000 from the unencumbered fund

balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

- A.9 [TRACT MAP 32707 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION, TEMECULA, CA 92590 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Adopt Resolution No. 2011-72 authorizing the acceptance of the public improvements within Tract Map 32707 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system; and

Resolution No. 2011-72

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32707 and Accepting the Portion of Lasselle Street Associated with the Project Into the City's Maintained Street 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.10 [AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when determined that all contract requirements and punch-list items are completed for the 2011 Citywide Bridge Maintenance Program, constructed by Beador Construction Company, Inc. (Beador), 26320 Lester Circle, Corona CA 92883;

2. Direct the City Clerk to record the Notice of Completion within ten (10) alendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Beador Construction Company, Inc., 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.11 [AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION \(ALSO LISTED AS AGENDA ITEM C.4\) \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;
3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company 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. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

A.12 FIRST AMENDMENT TO AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

**Recommendation:**

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Overland, Pacific and Cutler, Inc. (OPC) to provide Professional Consultant Right of Way Services for various projects of the Capital Projects Division;
2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with OPC; and
3. Authorize an increase to the purchase order to OPC, in the amount of \$85,000 when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.13 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Riverside Construction Company, Inc., 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.14 [AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON SUNNYMEAD RANCH PARKWAY AT VILLAGE ROAD \(EAST\) INTERSECTION PROJECT NO. 10-41779229, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AND AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the traffic signal improvements on Sunnymead Ranch Parkway at Village Road (east), constructed by SoCal Engineers, Inc., 17595 Harvard, Suite C2160, Irvine, CA 92614;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 SoCal Engineers, Inc., 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.15 [AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS](#)



FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Contracting, Inc. 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.16 RESCIND RESOLUTION NO. 2005-30 AND RE-DESIGNATE AND AUTHORIZE SIGNATURE AUTHORITIES TO EXECUTE APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING FINANCIAL ASSISTANCE UNDER SECTION 404 OF PUBLIC LAW 93-288, AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ACT OF 1988. (Report of: Fire Department)

**Recommendation:**

Adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

Resolution No. 2011-73

A Resolution Of The City Council Of The City Of Moreno Valley, California, Rescinding Resolution No. 2005-30, And Re-Designate And Authorize Certain City Officials To Execute Applications And Documents For Purposes Of Obtaining Financial Assistance Under Section 404 Of Public Law 93-288, As Amended By The Robert T. Stafford Disaster Relief And Emergency Act Of 1988

A.17 [FIRST AMENDMENT TO AGREEMENT FOR ON-CALL PROJECT MANAGEMENT SERVICES WITH VAS ASSOCIATES, INC. \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Approve the “First Amendment to Agreement for On-Call Project Management Services” with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide temporary professional project management services for budgeted Capital Improvement Plan (CIP) projects on an as-needed basis;
2. Authorize the City Manager to execute said “First Amendment to Agreement for On-Call Project Management Services” with VAS; and
3. Authorize a purchase order to VAS in the amount of \$312,000 when “First Amendment to Agreement for On-Call Project Management Services” has been signed by all parties.

A.18 [AGREEMENT FOR PROFESSIONAL CONSULTANT ADMINISTRATIVE SERVICES WITH DMC DESIGN GROUP, INC. \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Approve the “Agreement for Professional Consultant Administrative Services” with DMC Design Group, Inc. (DMC), 170 N. Maple Street, Corona, CA 92880-1703, to provide Professional Consultant Administrative Services for budgeted Capital Improvement Plan (CIP) projects;
2. Authorize the City Manager to execute said “Agreement for Professional Consultant Administrative Services” with DMC; and
3. Authorize a purchase order to DMC in the amount of \$139,000 when said “Agreement for Professional Consultant Administrative Services” has been signed by all parties.

A.19 [FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC. \(Report of:](#)

[Public Works Department](#)

**Recommendation:**

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services budgeted Capital Improvement Plan (CIP) projects;
2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with SA; and
3. Authorize a Change Order to increase the Purchase Order to SA in the amount of \$185,000 when "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

- A.20 [RESOLUTION DECLARING THE REAL PROPERTY AS EXCESS AND SETTING A PUBLIC HEARING AUTHORIZING SALE FOR REMAINDER OF PARCEL APN 475-272-054 \(PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD\) \(Report of: Public Works Department\)](#)

**Recommendation:**

Approve and adopt Resolution No. 2011-74 to declare the real property, APN 475-272-054, as excess, set a public hearing to identify any issues with the sale of the remainder parcel, and authorize staff to solicit offers for the purchase of said real property.

Resolution No. 2011-74

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Convenience Require the Sale of a Remainder Parcel Excess to Public Use

- A.21 [APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY ELECTRIC UTILITY \(Report of: Public Works Department\)](#)

**Recommendation:**

Approve Resolution No. 2011-75 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2011-75

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

- A.22 [APPROVE THREE-YEAR AGREEMENT WITH CANON BUSINESS SOLUTIONS TO EXTEND THE CURRENT COPIER CONTRACT \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation:**

Approve the three-year agreement to extend the current contract with Canon Business Solutions in the total base amount of \$261,828, representing a 23.75% price decrease or total savings of \$81,540, as being in the best interest of the City.

- A.23 [STAFF ASSIGNMENTS IN SUPPORT OF COUNCIL MEMBER PARTICIPATION WITH REGIONAL AGENCIES \(Report of: City Manager's Office\)](#)

**Recommendation:**

Approve the proposed staff assignments in support of Council Member participation with regional agencies.

- A.24 [AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 PAVEMENT RESURFACING PROJECT NO. 11-12556330, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Pavement Resurfacing Project, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Hardy & Harper, Inc. 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.25 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 LOCAL STREET PAVEMENT RESURFACING – PHASE 1 PROJECT NO. 11-22679728, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (Report of: Public Works Department)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the 2011 Local Street Pavement Resurfacing – Phase, which was constructed by Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Hardy & Harper, Inc. 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.26 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD, DEVELOPER: CITY OF MORENO VALLEY, MORENO VALLEY, CA 92552 (Report of: Public Works Department)

**Recommendation:**

1. Authorize the City Manager to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and

2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

A.27 [PA07-0090 – EUCALYPTUS STREET IMPROVEMENTS - AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; 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. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and
2. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/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.28 [PA07-0090 – EUCALYPTUS WATER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; 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. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and

2. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/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.29 [PA07-0090 – EUCALYPTUS RECYCLED WATER – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY’S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALUPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City’s maintained street system once the remaining public improvements are completed and punch-list items have been addressed; and
2. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/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.30 [PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY’S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; 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. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City’s maintained street system once the

remaining public improvements are completed and punch-list items have been addressed; and

2. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/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.31 [PA07-0090 – LINE F STORM DRAIN IMPROVEMENTS – REQUEST TO RATIFY THE PARTIAL REDUCTION TO THE IMPROVEMENT SECURITY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN PROPER CLEARANCES ARE RECEIVED; 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. Ratify the partial reduction to the public improvement security provided by the City Engineer on March 3, 2011 for the Line F Storm Drain Improvements for PA07-0090;
2. Authorize the Public Works Director/City Engineer to accept the work as complete once the proper clearances are provided by Riverside County Flood Control and Water Conservation District; and
3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, 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.

**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 JUNE 28, 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 JUNE 28, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**  
Approve as submitted.

#### C.3 [AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM \(ALSO LISTED AS AGENDA ITEM A.4\) \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Riverside Construction Company, Inc., 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.4 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE AUTO MALL FREEWAY PYLON SIGN PROJECT, PROJECT NO. 08-89791725, DIRECT THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TO RELEASE THE SIGN TO THE MORENO VALLEY DEALERS ADVERTISING ASSOCIATION (ALSO LISTED AS AGENDA ITEM A.11) (Report of: Public Works Department)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Auto Mall Freeway Pylon Sign Project which was constructed by San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;
3. Authorize the Financial & Administrative Services Director to release the retention to San Pedro Sign Company 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. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

C.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME,

AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for construction of the Ironwood Avenue improvements from Day Street to Barclay Drive, constructed by Riverside Construction Company, Inc., 4225 Garner Road, Riverside, CA 92501;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Riverside Construction Company, Inc., 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

C.6 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED ROADWAY SYSTEM (ALSO LISTED AS AGENDA ITEM A.15) (Report of: Public Works Department)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro

Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Contracting, Inc. 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

C.7 [AUTHORIZE FIRST AMENDMENT TO PROJECT SPECIFIC AGREEMENT AND AUTHORIZE CHANGE ORDER TO THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the First Amendment to the Project Agreement on behalf of the Community Redevelopment Agency; and
2. Authorize a Change Order to increase Purchase Order No. 37386 for VA Consulting, Inc., in the amount of \$25,000 for additional professional consultant design services, bid design support services, and construction support services (Account No. 897.91725).

**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 JUNE 28, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**

Approve as submitted.

**Motion to Approve by m/Council Member William H. Batey II,  
s/Council Member Jesse L. Molina  
Approved by a vote of 5-0.**

## **E. PUBLIC HEARINGS**

- E.1 [A DEVELOPMENT AGREEMENT \(PA10-0029\) FOR ROCKCLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 \(RESIDENTIAL 15\) AND OS \(OPEN SPACE\) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES \(Continued from March 22, 2011 and May 24, 2011\) \(Report of: Community & Economic Development Department\)](#)

### **Recommendation:**

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

**Motion to Continue to October 11, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II  
Approved by a vote of 5-0.**

- E.2 [PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M \(Report of: Public Works Department\)](#)

Mayor and President Richard A. Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.

**Recommendation: That the City Council:**

After conducting the individual Public Hearings and accepting public testimony:

- a: Direct the City Clerk to tabulate the national Pollutant Discharge Elimination System (NPDES) ballots for First Industrial;

**Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 5-0.**

10 – “yes” 0 – “no”, 0 – “invalid”

- b: Verify and accept the result of the mail ballot proceeding 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

**Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 5-0.**

- d: If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Assessors Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 5-0.**

President Richard A. Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.

**Recommendation: That the CSD:**

That the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD (“CSD Board”), after conduction the Public Hearing and accepting public testimony:

- a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD

Zone M ballot for First Industrial;

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 5-0.**

8,490.43 – “Yes”, 0 – “no”, 0 – “invalid”

- b. Verify and accept the result of the mail ballot proceeding 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) charge to APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 5-0.**

- E.3 [A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE \(PA08-0098\) FROM BUSINESS PARK \(BP\) TO LIGHT INDUSTRIAL \(LI\) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN \(PA08-0097\) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 \(PA09-0022\) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC. \(Report of: Community & Economic Development Department\)](#)

**Recommendation: That the City Council:**

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

Resolution No. 2011-76

A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

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)



4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

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

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

**Motion to Continue to August 23, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II**  
**Approved by a vote of 5-0.**

- E.4 [A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK](#)

SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

**Recommendation: That the City Council:**

1. Conduct a public hearing on the proposed lighting standards. Should the City Council choose not to adopt the new standards, no action is required. Should the City Council choose to adopt the new standards, the following actions are required:

RECOGNIZE that the proposed amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061 of the CEQA Guidelines; and

2. INTRODUCE Ordinance No. 831 approving revisions to Title 9, Chapter 9.08, Section 9.08.100, "Lighting", Section 9.08.190, "Street Lighting", Chapter 9.16 Article IV "Applications for Hillside Development", Section 9.16.235 "Hillside Design Guidelines", Article VI, Applications for Lighting, Section 9.16.280 "General Requirements", and Chapter 9.15 Section 9.15.030, "Definitions" relating to dark sky provisions for general on-site, athletic field/park and street lighting citywide.

Ordinance No. 831

An Ordinance of the City Council of the City of Moreno Valley, California Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI Applications for Lighting and Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030 "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

Bring back to a Study session after the implementation of the new Federal law, incorporate any changes in the use of LED or solar and include a review of the impact, if any, of the Federal law.

**Motion to Approve to continue to March 2012 Study Session by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 5-0.**

**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)

An audit is being conducted. The contract management of the residential area of Green Acres was dismissed, and now there is in-house management. The first part of the agreement with March Health Care is being looked at for approval. There is no specific timeline for the dedication of a fire station or a funding mechanism for funding of fire fighters. A fire station will be built. There is no decision on when and where it will be located. The developer needs to pick a site before all the land is dedicated away. A fire protection district might be formed.

G.2 APPROVAL OF CONCESSIONAIRE AGREEMENT WITH PACIFICA UNIVERSITY, INC., FOR THE COTTONWOOD GOLF CENTER (Report of: Parks and Community Services)

President Stewart opened the agenda item for public comments, which were received from Rick Madott, Mick Rood, Kenny Bell, L. T. Duffy, and Tom Jerele, Sr.

**Recommendation: That the City Council:**

Acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, approve a long-term Concessionaire Agreement between the Moreno Valley Community Services District and Pacifica University, Inc., to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility.

**Motion to Approve as amended between the Moreno Valley Community Services District and Pacifica University, Inc. to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 5-0.**

G.3 "BEST PLACE TO DO BUSINESS" ACTION STEPS (Report of: Community & Economic Development Department)

**Recommendation: That the City Council:**

Approve the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

Mayor Stewart opened the agenda item for public comments, which were received

from Tom Jerele, Sr.

**Motion to Approve by m/Council Member William H. Batey II, s/Council Member Marcelo Co**  
**Approved by a vote of 5-0.**

- G.4 [APPOINTMENT OF CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE PURPOSE OF REESTABLISHING JULY 4TH EVENTS FOR 2012 \(Report of: City Manager's Office\)](#)

**Recommendation: That the City Council:**

Appoint an Ad Hoc Subcommittee for the temporary purpose of reestablishing July 4th events for 2012.

Mayor Stewart opened the agenda item for public comments, which were received from Debra Craig, Pete Bleckert, Deanna Reeder, and Tom Jerele, Sr.

**Motion to Approve appointment of Council Member Hastings and Mayor Pro Tem Molina to serve as City Council Ad Hoc Subcommittee by m/Mayor Richard A. Stewart, s/Council Member Marcelo Co**  
**Approved by a vote of 5-0.**

**AGENDA ORDER**

**PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

Deanna Reeder

1. August 2 National Night Out
2. Main Street Has Talent

Pete Bleckert

1. Chamber of Commerce

Susan Gilchrist

1. Sound Study

Tom Jerele, Jr.

1. 4<sup>th</sup> of July Committee
2. Joint Task Force Meetings

Jose Chavez

1. Fireworks

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,**

## COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

### Council Member Robin N. Hastings

1. Main Street Has Talent is located by Bob's Big Boy at Stoneridge. There are a variety of events to celebrate our young people and to provide a place for them to keep safe in the city. National Night Out will be held there.
2. Attended a Grab and Go event at the ABC Market on the corner of Perris and Alessandro. It is a partnership with the Department of Public Health, and they are putting fruits and vegetables in small convenience markets. Juvenile Diabetes is on the rise. The largest at risk group is our African American community, and they constitute 60% of obesity in the state.
3. In Washington, DC promoting the AB811 Energy Efficiency Program for Moreno Valley. The entire funding model was approved by the Court, and contractors will be trained starting August 2. Applications will be available in August. There is a link at [WRCOG.ca.gov](http://WRCOG.ca.gov) that will provide information, applications, what the program is about, and what is going to be available. There is \$325M available that was bonded for Western Riverside County. It's the largest program of its type in the United States.

### Council Member Marcelo Co

1. Will try very hard to provide the July 4 event. Please ask the business people to participate. They will be more likely to promote their business. Apologize for not having the event, but there weren't any funds. The committee will have a big task to make sure the next one is twice as good as the ones in the past. Everyone is asked to participate. Your help is needed.

### Council Member William H. Batey II

1. On August 2 everyone is encouraged to get to know their neighbors and find out who lives in their neighborhood. That's what National Night Out is about. If you know who your neighbors are, you know who does and doesn't belong in your neighborhood. There are three groups getting together in District 5 that evening.

### Mayor Pro Tem Jesse L. Molina

1. There will be a Prayer Walk for Hearts for Victims on Friday, July 15, at 5:00 p.m. at Stoneridge on Main Street at Bob's Big Boy in honor of Norma Lopez. (Mayor Pro Tem Molina speaks in Spanish.) Somebody out there knows something, and anyone with information, please go to the police. No one will rest until it is solved.

2. On July 1 the new city of Jurupa Valley held its first council meeting.
3. Still recuperating.

Mayor Richard A. Stewart

1. Impressed with the Golf Course Committee and the way they operated.
2. The Police Department received an Office Traffic Safety grant for approximately \$190,000.
3. Through the California Law Enforcement Challenge, the Traffic Division took First Place in Traffic Safety.
4. The International Association of Chiefs of Police notified the Police Department they received First Place at the national level in a category dealing with Traffic Safety.

**AGENDA ORDER**

- G.5 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

None

**H. LEGISLATIVE ACTIONS**

Meeting Resumed

- 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

None

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 9:42 p.m. by unanimous informal consent.

**CLOSED SESSION**

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA  
UNDER THE JURISDICTION OF THE CITY COUNCIL

- a) Agency Representative: Henry T. Garcia  
Employee Organization: MVCEA
- b) Agency Representative: Henry T. Garcia  
Employee Organization: MVMA
- c) Agency Representative: Henry T. Garcia  
Employee Organization: Moreno Valley Confidential  
Management Employees

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

None

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 10:02 p.m. by unanimous informal consent.

Submitted by:

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Jane Halstead, City Clerk, CMC  
Secretary, Moreno Valley Community Services District  
Secretary, Community Redevelopment Agency of the City of Moreno Valley  
Secretary, Board of Library Trustees

Approved by:

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Richard Stewart, Mayor  
President, Moreno Valley Community Services District  
Chairperson, Community Redevelopment Agency of the City of Moreno Valley  
Chairperson, Board of Library Trustees