



REVISED AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

December 11, 2012

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 951.413.3705 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.

William H. Batey II, Mayor Pro Tem
Jesse L. Molina, Council Member

Richard A. Stewart, Mayor

Robin N. Hastings, Council Member
Marcelo Co, Council Member

***REVISED AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
December 11, 2012**

CALL TO ORDER

SPECIAL PRESENTATIONS

- [1. A Child's Place and THINK Together Holiday Singers](#)
- [2. Recycling All-Star Awards Presented by Waste Management –
The Lasselle Place, O'Brien Family, and Blow Family](#)
- [3. Employee of the Quarter Recognition, 3rd Quarter 2012](#)
Public Works' Maintenance & Operations Division
- [4. Business Spotlight](#)
 - a) McDonald's Restaurant
 - b) Chicago Pasta House

***REVISED AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES**

***THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD
MEETINGS***

**REGULAR MEETING - 6:30 PM
DECEMBER 11, 2012**

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority 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

[- Deacon Richard Heames, St. Patrick Catholic Church](#)

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

AGENDA
December 11, 2012

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 [RESOLUTION NO. 2012-96 CERTIFYING GENERAL MUNICIPAL ELECTION RESULTS](#)

(Report of: City Clerk Department)

Recommendation:

1. Adopt Resolution No. 2012-96 reciting the facts of the General Municipal Election held November 6, 2012, declaring the results and such other matters as provided by law.

Resolution No. 2012-96

A Resolution of the City Council of the City of Moreno Valley, California, Reciting the Facts of the General Municipal Election held November 6, 2012, Declaring the Results and such Other Matters as Provided by Law

2 [SWEARING-IN OF COUNCIL MEMBERS ELECT](#)

3 [CITY COUNCIL REORGANIZATION – MAYOR AND MAYOR PRO TEM](#)

(Report of: City Clerk Department)

Recommendations That the City Council:

1. Conduct the reorganization of the City Council by selecting two Council Members to serve one-year terms respectively as Mayor and Mayor Pro Tem.

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 City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority 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 NOVEMBER 27, 2012 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. Approve as submitted.

A.3 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk's Department\)](#)

Recommendation:

1. Receive and file the Reports on Reimbursable Activities for the period of November 21 – December 4, 2012.

A.4 [AWARD CONSTRUCTION CONTRACT TO SEQUEL CONTRACTORS, INC. FOR THE ALESSANDRO BOULEVARD IMPROVEMENTS AT INDIAN STREET, PROJECT NO. 801 0041 70 77-2002](#)

(Report of: Public Works Department)

Recommendations:

1. Award the construction contract to Sequel Contractors, Inc., 13546 Imperial Hwy., Santa Fe Springs, CA 90670, to the lowest responsible bidder, for the construction of Alessandro Boulevard Improvements at Indian Street.
2. Authorize the City Manager to execute the Agreement with Sequel Contractors, Inc.
3. Authorize the issuance of a Purchase Order to Sequel Contractors, Inc. for \$309,608.18 (\$269,224.50 base bid amount plus 15% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Sequel Contractors, Inc. up to, but not to exceed, the contingency amount of \$40,383.68, subject to the approval of the City Attorney.
5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to Sequel Contractors, Inc., if no claims are filed against the project.

A.5 [AWARD CONSTRUCTION CONTRACT TO C & C GRADING & PAVING, INC. FOR THE STREET IMPROVEMENT PROGRAM, KENTLAND LANE](#)

SOUTH OF EUCALYPTUS AVENUE, WILSON PLACE AND KENNY DRIVE, PROJECT NO. 801 0011 70 77

(Report of: Public Works Department)

Recommendations:

1. Award the construction contract for \$243,613.96 to C & C Grading & Paving, Inc., P.O. Box 251, Temecula, CA 92593, the lowest responsible bidder, for construction of the Street Improvement Program, Kentland Lane south of Eucalyptus Avenue, Wilson Place and Kenny Drive.
2. Authorize the City Manager to execute the Agreement with C & C Grading & Paving, Inc.
3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for \$292,336.75 (\$243,613.96 bid plus 20% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with C & C Grading & Paving, Inc. up to, but not exceeding, the contingency amount of \$48,722.79, subject to the approval of the City Attorney.
5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system, and release the retention to C & C Grading & Paving, Inc., if no claims are filed against the project.

A.6 MORENO VALLEY RANCH SPECIFIC PLAN 193 – EXONERATE FAITHFUL PERFORMANCE BOND AND MATERIAL & LABOR BOND FOR LANDSCAPE AND IRRIGATION IMPROVEMENTS FOR PLANNING AREA 32 (TRACT 32144), IRIS AVENUE FRONTAGE AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE LANDSCAPE AND IRRIGATION IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

(Report of: Community & Economic Development Department)

Recommendations:

1. Adopt the Resolution No. 2012-97 authorizing the acceptance of the landscape and irrigation improvements within Planning Area 32 (Tract 32144), Iris Avenue Frontage as complete and accepting the portion of Iris Avenue associated with the project into the City's maintained street system.

Resolution No. 2012-97

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Landscape and Irrigation Improvements as Complete Within Planning Area 32 (Tract 32144), Iris Avenue Frontage and Accepting the Portion of Iris Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to exonerate the Faithful Performance Bond in the amount of \$142,710 and exonerate the Material & Labor Bond in the amount of \$71,355 for landscape and irrigation improvements.

A.7 [RECEIVE THE ANNUAL REPORT ON DEVELOPMENT IMPACT FEES FOR FISCAL YEAR 2011-12](#)

(Report of: Financial & Administrative Services Department)

Recommendations:

1. Approve and accept the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006.
2. Approve the finding that staff has demonstrated a continuing need to hold unexpended Development Impact Fees.

A.8 [NOTICE OF COMPLETION AND ACCEPTANCE OF THE MORRISON PARK FIRE STATION \(FIRE STATION NO. 99\), PROJECT NO. 803 0013 70 77 \(FORMERLY 11-43472527\)](#)

(Report of: Public Works Department)

Recommendations:

1. Accept the work as complete for construction of the Morrison Park Fire Station (Fire Station 107), constructed by Silver Creek Industries, 195 East Morgan Street, Perris, CA 92571.
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 Silver Creek Industries thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.
4. Accept the improvements into the City's maintained building system.

- A.9 [PA04-0104, TM 32625 - ACCEPT TRANSPORTATION UNIFORM MITIGATION FEE \(TUMF\) REIMBURSEMENT AGREEMENT #T06-002. MERITAGE HOMES OF CALIFORNIA, INC. CORONA, CA 92879](#)
(Report of: Community & Economic Development Department)

Recommendations:

1. Accept the Transportation Uniform Mitigation Fee (TUMF) Reimbursement Agreement for PA04-0104, TM 32625 for qualifying public improvements on Redlands Boulevard.
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.

- A.10 [APPROVE RESOLUTION 2012-98 DIRECTING MORENO VALLEY UTILITY TO USE THE ALLOWANCE REVENUE FROM THE CALIFORNIA CAP-AND-TRADE PROGRAM AUCTION SOLELY TO BENEFIT ITS RETAIL ELECTRICITY CUSTOMERS](#)
(Report of: Public Works Department)

Recommendation:

1. Approve Resolution No. 2012-98 directing Moreno Valley Utility to use the allowance revenue from the California Cap-and-Trade Program auction solely to benefit its retail electricity customers.

Resolution No. 2012-98

A Resolution of the City Council of the City of Moreno Valley, California, Directing Moreno Vallley Utility to use the Allowance Revenue from the California Cap-and-Trade Program Auction Solely to Benefit Retail Electricity Customers

- A.11 [AUTHORIZATION TO ISSUE PURCHASE ORDER TO SOUTHERN CALIFORNIA EDISON \(SCE\) FOR ENGINEERING OF THE SCE RULE 20B UNDERGROUNDING FOR THE NASON STREET FROM CACTUS AVENUE TO FIR AVENUE IMPROVEMENT PROJECT](#)
PROJECT NO. 801 0001 70 77
(Report of: Public Works Department)

Recommendations:

1. Authorize the issuance of a Purchase Order to SCE in the amount of \$144,000 (\$120,000 plus 20% contingency) from Account No. 2000-70-77-80001.
2. Authorize a deposit payment to SCE in an amount up to \$144,000 for

the engineering of the proposed Rule 20B Undergrounding of SCE facilities for the Nason Street from Cactus Avenue to Fir Avenue Improvements.

- A.12 [APPROVE RESOLUTION 2012-99 ADOPTING A RESOURCE ADEQUACY PROGRAM FOR MORENO VALLEY UTILITY](#)
(Report of: Public Works Department)

Recommendation:

1. Approve Resolution No. 2012-99 adopting a Resource Adequacy Program for Moreno Valley Utility.

Resolution No. 2012-99

A Resolution of the City Council of the City of Moreno Valley, California, Adopting a Resource Adequacy Program for Moreno Valley Utility

- A.13 [RESOLUTIONS OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE AMENDED SECOND AND THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULES FOR THE PERIODS OF JULY 1, 2012 TO DECEMBER 31, 2012 AND JANUARY 1, 2013 TO JUNE 30, 2013 RESPECTIVELY](#)
(Report of: Community & Economic Development Department)

Recommendation That the City Council as Successor Agency:

1. Adopt Resolution No. SA 2012-100 approving an amended Second Recognized Obligation Payment Schedule ("ROPS 2"), for the periods of July 1, 2012 to December 31, 2012.

Resolution No. SA 2012-100

A Resolution of the City Council of the City of Moreno Valley, California Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley Approving a Recognized Obligation Payment Schedule (ROPS 2)

2. Adopt Resolution No. SA 2012-101 approving an amended Third Recognized Obligation Payment Schedule ("ROPS 3"), for the periods of January 1, 2013 to June 30, 2013.

Resolution No. SA 2012-101

A Resolution of the City Council of the City of Moreno Valley Serving

as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, California Approving a Recognized Obligation Payment Schedule (ROPS 3)

3. Authorize the Executive Director or his designee to make modifications to the Schedule.
4. Authorize the transmittal of the ROPS 2 and ROPS 3 to the Oversight Board for review and approval.

A.14 [RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING INDEPENDENT ACCOUNTANT'S REPORT OF THE DUE DILIGENCE REVIEW OF ALL FUNDS AND ACCOUNTS OTHER THAN THE LOW AND MODERATE INCOME HOUSING FUND PURSUANT TO SECTIONS 34179.5 AND 34179.6 OF THE DISSOLUTION ACT](#)

(Report of: Community & Economic Development Department)

Recommendation That the City Council as Successor Agency:

1. Adopt Resolution No. SA 2012-102 approving the Independent Accountant's Report of the Due Diligence Review of the Non-Housing Assets Conducted Pursuant to Section 34179.5 for the Non-Housing Funds.

Resolution No. SA 2012-102

A Resolution of the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley Approving the Independent Accountant's Report Re the Due Diligence Review as to all Funds and Accounts Other than the Low and Moderate Income Housing Fund Conducted Pursuant to Section 34179.5 and Authorizing Staff to Transmit the Report to the Oversight Board and to the County Auditor-Controller, State Controller's Office, and Department of Finance Pursuant to Section 34179.6 of the Dissolution Act

2. Authorize staff to transmit the Report to the Oversight Board and to the County Auditor-Controller (CAC), State Controller's Office (SCO), and Department of Finance (DOF) Pursuant to Section 34179.6 of the Dissolution Act.

A.15 [SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND \(SLESF\) EXPENDITURE PLAN FOR FY 2012-13](#)

(Report of: Financial & Administrative Services Department)

Recommendations:

1. Approve the Supplemental Law Enforcement Services Fund (SLESF) Expenditure Plan for FY 2012-13.
2. Approve an increase of \$115,970 to the SLESF Grant Fund FY 2012-13 revenue budget (account 2410-60-69-76012-486000) to reflect the total FY 2012-13 allocation of \$315,970.
3. Approve an increase of \$115,970 to the SLESF Grant Fund FY 2012-13 expenditure budget (account 2410-60-69-76012-620320) to reflect the FY 2012-13 planned expenditure of \$315,970.

A.16 [RESOLUTION ADJUSTING DEVELOPMENT IMPACT FEES TO ADD A CATEGORY FOR HIGH CUBE INDUSTRIAL DEVELOPMENT](#)
(Report of: Community & Economic Development Department)

Recommendation:

1. Approve Resolution No. 2012-103 authorizing the adjustment of the City of Moreno Valley Development Impact Fees to add a category Commercial & Industrial High Cube Development.

Resolution No. 2012-103

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Development Impact Fee (DIF) Update Study 2012 and Adding a New Category - Industrial High Cube – to the Table of Developments in the City of Moreno Valley Subject to DIF

A.17 [READOPTING CONFLICT OF INTEREST CODE](#)
(Report of: City Clerk Department)

Recommendations:

1. The City Council adopt Resolution No. 2012-104, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject.

Resolution No. 2012-104

A Resolution of the City Council of the City of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, and Repealing all Prior Enactments on the Same Subject

2. City Council serving as Successor Agency for the Community

Redevelopment Agency of the City of Moreno Valley adopt Resolution No. SA 2012-105, adopting a Conflict of Interest Code.

Resolution No. SA 2012-105

A Resolution of the City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, and Repealing all Prior Enactments on the Same Subject

3. The City Council, as the code reviewing body for the Oversight Board of Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley approve the Conflict of Interest Code adopted by Resolution No. OB 2012-03 (Attachment 5 to the staff 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 NOVEMBER 27, 2012 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. Approve as submitted.

B.3 [READOPTING CONFLICT OF INTEREST CODE](#) (Report of: City Clerk Department)

Recommendations

1. The City Council, acting in its capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD), adopt Resolution No. CSD 2012-22, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repeal all prior enactments on the same subject.

Resolution No. CSD 2012-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code and Repealing all Prior Enactments on the Same Subject

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

- C.2 [MINUTES - REGULAR MEETING OF NOVEMBER 27, 2012 \(Report of: City Clerk's Department\)](#)

Recommendations

1. Approve as submitted.

- C.3 [READOPTING CONFLICT OF INTEREST CODE](#)
(Report of: City Clerk Department)

Recommendations

1. The City Council, acting in its capacity as Members of the Moreno Valley Housing Authority, adopt Resolution No. HA 2012-07, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject.

Resolution No. HA 2012-07

A Resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, Adopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, and Repealing all Prior Enactments on the Same Subject

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 NOVEMBER 27, 2012 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 [ADOPTION OF FY 2013-2014 CDBG AND HOME PROGRAM OBJECTIVES AND POLICIES](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a Public Hearing to allow for the community to comment on the needs of low-and-moderate income residents in Moreno Valley, including the CDBG Target Areas.
2. Approve the proposed CDBG and HOME Program Objectives and Policies for the 2013-2014 Program Year.

E.2 [A PUBLIC HEARING FOR THE RPT CENTERPOINTE WEST PROJECT AND RELATED ENVIRONMENTAL IMPACT REPORT. PA12-0019 PROPOSES EITHER A 164,720 SQUARE FOOT \(SF\) WAREHOUSE BUILDING OR AN ENCLOSED TRUCK STORAGE YARD ON 7.6 ACRES AT THE NORTHEAST CORNER OF CACTUS AVE. AND FREDERICK ST. PA12-0020 PROPOSES ADDING 507,720 SF TO AN EXISTING 779,016 SF WAREHOUSE BUILDING ON 18.6 ACRE AT THE NORTHWEST CORNER OF CACTUS AVE. AND GRAHAM ST. PA12-0021 PROPOSES A 607,920 SF WAREHOUSE BUILDING ON 30 ACRES AT THE NORTHWEST CORNER OF GRAHAM ST. AND BRODIAEA AVE. THE PROJECT WILL REQUIRE THE VACATION OF EXISTING JOY STREET. PA12-0022 PROPOSES A ZONE CHANGE FROM BUSINESS PARK - MIXED USE \(BPX\) TO LIGHT INDUSTRIAL \(LI\) FOR 7.6 ACRES AT THE NORTHEAST CORNER OF CACTUS AVENUE AND FREDERICK STREET. THE APPLICANT IS RIDGE MORENO VALLEY, LLC.](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a public hearing for Environmental Impact Report (P12-057), Zone Change application PA12-0022, Plot Plan PA12-0019, Plot Plan PA12-0020, and Plot Plan PA12-0021, and subsequent to the public hearing:
2. APPROVE Resolution No. 2012-106 CERTIFYING that the Environmental Impact Report (EIR) for the RPT Centerpointe West Project has been completed in compliance with the California Environmental Quality Act, ADOPTING Findings and Statement of Overriding Considerations, and APPROVING a Mitigation Monitoring Program.

Resolution No. 2012-106

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P12-057), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the RPT Centerpointe West Project, Generally Located at or Near the Northeast Corner of Frederick Street and Cactus Avenue on Assessor's Parcel Numbers 297-170-027, -064, -065, -067, -075, -076, & -08.

3. INTRODUCE Ordinance No. 857 APPROVING Zone Change application PA12-0022 for 7.6 acres from Business Park Mixed-Use (BPX) to Light Industrial (LI) as shown on Exhibit A of the staff report.

Ordinance No. 857

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA12-0022 to Change the Zone From Business Park Mixed-Use to Light Industrial for a 7.6 Acre Site Located at the Northeast Corner of Frederick Street and Cactus Avenue (Assessor's Parcel Number 297-170-027)

4. APPROVE Resolution No. 2012-107 APPROVING Plot Plan PA12-0019, Plot Plan PA12-0020, and Plot Plan PA12-0021), subject to the conditions of approval included as Exhibits A, B and C of the staff report.

Resolution No. 2012-107

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA12-0019 for a 164,720 SF Warehouse or an Enclosed Truck Storage Yard, Plot Plan PA12-0020 for a 507,720 SF Addition to an Existing 779,016 SF Warehouse for a Total of 1,286,736 SF, and Plot Plan PA12-0021 for a 607,920 SF Warehouse for the RPT Centerpointe West Project.

E.3 [PUBLIC HEARING TO ADOPT SUBSTANTIAL AMENDMENT #1 TO THE FY 2012-2013 CDBG ANNUAL ACTION PLAN, AMENDMENT #2 TO THE NEIGHBORHOOD STABILIZATION PROGRAM 3 \(NSP3\)](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a Public Hearing to allow the public an opportunity to comment on the proposed Substantial Amendment #1 to 2012-13 CDBG Annual Action, Substantial Amendment #2, to the NSP 3 Program.

2. Approve the proposed amendments to the NSP3 Program that redefine the Target Areas, clarify the eligible activities within each Target Area, and reallocate funds between HUD-approved NSP3 eligible activities.
3. Approve the re-appropriations and authorize the Financial & Administrative Services Director to process the adjustments.
4. Authorize the City Manager to reallocate NSP3 funds between HUD-approved grant activities.

E.4 [PUBLIC HEARING TO ADOPT SUBSTANTIAL AMENDMENT #2 TO THE FY 2012-2013 CDBG ANNUAL ACTION PLAN, AMENDMENT #2 TO THE NEIGHBORHOOD STABILIZATION PROGRAM 1 \(NSP1\)](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed Substantial Amendment #1 to the FY 2012-2013 Annual Action Plan, Substantial Amendment #2 to the Neighborhood Stabilization Program 1 (NSP1).
2. Review and adopt the proposed Substantial Amendment #1 to the FY 2012-2013 Annual Action Plan, Substantial Amendment #2 to the Neighborhood Stabilization Program 1 (NSP1).
3. Approve the Revenue and Expense Appropriations in the amount of \$3,515,740 and authorize the Financial & Administrative Services Director to process the adjustments.
4. Authorize the City Manager to reallocate grant funds between HUD-approved NSP1 grant activities.

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 Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 [DISSOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 4- INFRASTRUCTURE OF THE CITY OF MORENO VALLEY](#)

(Report of: Public Works Department)

Recommendations That the City Council:

1. Acting as the legislative body of Community Facilities District No. 4-Infrastructure of the City of Moreno Valley introduce Ordinance No. 856 ordering the dissolution of CFD No. 4-Infrastructure and the recordation of an amendment to the Notice of Special Tax Lien and repeal of Ordinance 821.

Ordinance No. 856

An Ordinance of the City Council of the City of Moreno Valley, California, Dissolving Community Facilities District No. 4-Infrastructure of the City of Moreno Valley and Ordering the Recordation of an Amendment to the Notice of Special Tax Lien Related to such District and Repealing Ordinance No. 821

G.3 [APPOINTMENT TO THE PARKS AND RECREATION COMMISSION \(TEENAGE MEMBER\)](#)

(Report of: City Clerk Department)

Recommendations That the City Council:

1. Appoint Patrick Samones to the Parks and Recreation Commission as a teenage member for a term expiring November 25, 2015, or until high school graduation, whichever comes first.
2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.4 [APPOINTMENT TO THE ARTS COMMISSION](#)

(Report of: City Clerk Department)

Recommendations That the City Council:

1. Appoint one member to the Arts Commission with a term expiring June 30, 2014.
2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.5 [ECONOMIC DEVELOPMENT-RETAIL ANCHOR REUSE INCENTIVE PROGRAM](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Approve establishing a new Economic Development-Retail Anchor Reuse Incentive Program to help assist with the reuse of vacant

anchor retail buildings in Moreno Valley.

G.6 [REPORT OF FISCAL YEAR 2011-12 YEAR END AND FISCAL YEAR 2012-13 FIRST QUARTER STATUS; APPROVAL OF FISCAL YEAR 2011-12 CARRYOVERS AND FISCAL YEAR 2012-13 BUDGET ADJUSTMENT RECOMMENDATIONS](#)

(Report of: Financial & Administrative Services Department)

Recommendations That the City Council:

1. Receive and file this report on the status of the financial results for Fiscal Year (FY) 2011-12 and the first quarter ended September 30, 2012 for FY 2012-13.
2. Adopt Resolution No. 2012-108, approving the following: Recommended budget amendments presented in Exhibit A, P1-P3 to be appropriated and included in the FY 2012-13 Approved Budget. The recommended appropriation changes total \$270,000 for the General Fund, \$564,000 for non-General Funds and \$834,000 in total for all funds. Operating carryover expenditures from the FY 2011-12 approved budget presented in Exhibit A, P1-P3 that are recommended to be re-appropriated to be completed as a component of the FY 2012-13 Approved Budget. The recommended appropriation changes total \$458,283 for the General Fund, \$2,100,005 for non-General Funds and \$2,558,288 in total for all funds. Capital Improvement Program (CIP) carryover expenditures from the FY 2011-12 approved budget presented in Exhibit B, P1-P2 that are recommended to be re-appropriated to be completed as a component of the FY 2012-13 Approved Budget. The recommended appropriation changes total \$9,962,247.

Resolution No. 2012-108

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Revised Operating Budget for Fiscal Year 2012/13

3. Approve the designation of \$101,000 of General Fund fund balance as designated for Outside Legal Services. These funds represent savings in the FY 2011-12 Legal Services Budget and provide a contingency in years when outside legal services may be needed beyond the anticipated budget.
4. Approve the position control changes summarized on page 10 of this report.

Recommendation That the City Council as Successor Agency:

AGENDA
December 11, 2012

1. Adopt Resolution No. SA 2012-109, approving the Capital Improvement Program (CIP) carryover expenditures from the FY 2011-12 approved budget presented in Exhibit B, P4 that are recommended to be re-appropriated to be completed as a component of the FY 2012-13 Approved Budget. The recommended appropriation changes total \$3,084,094.

Resolution No. SA 2012-109

A Resolution of the City Council of the City of Moreno Valley Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting the Revised Operating Budget for Fiscal Year 2012/13

Recommendations That the CSD:

1. Adopt Resolution No. CSD 2012-23, approving the following: Operating carryover expenditures from the FY 2011-12 approved budget presented in Exhibit A, P4 that are recommended to be re-appropriated to be completed as a component of the FY 2012-13 Approved Budget. The recommended appropriation changes total \$110,000. Capital Improvement Program (CIP) carryover expenditures from the FY 2011-12 approved budget presented in Exhibit B, page 3 that are recommended to be re-appropriated to be completed as a component of the FY 2012-13 Approved Budget. The recommended appropriation changes total \$5,000.

Resolution No. CSD 2012-23

A Resolution of the Moreno Valley Community Services District, Adopting the Revised Operating Budget for Fiscal Year 2012/13

G.7 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

G.8 CITY ATTORNEY'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, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency/Housing Authority 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, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

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

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

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

Number of Cases: 5

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

Number of Cases: 5

*3 SECTION 54957 - PUBLIC EMPLOYMENT

[a. Public Employee Annual Performance Evaluation - City Attorney](#)

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

ADJOURNMENT

***Denotes Revision to the Agenda**

CERTIFICATION

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, certify that the City Council Agenda was posted in the following places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Jane Halstead, CMC,
City Clerk

Date Posted: December 6, 2012