



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

July 10, 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 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
July 10, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

[1. Recognition of Family FunFest 2012 Moreno Valley Idol Competition Winners](#)

[2. Presentation of 4th of July Parade Awards](#)

[3. Spotlight on Moreno Valley Business](#)

- a) Fitness 19
- b) Round Table Pizza

**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
JULY 10, 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 - Pastor Diane Gardner, Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council

AGENDA
July 10, 2012

member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, City as Successor Agency for the 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 JUNE 26, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

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

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of June 20 - July 3, 2012.

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 IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625, 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 \(Report of: Public Works Department/CPD\)](#)

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 Heacock Street to Perris Boulevard, constructed by STI Inc. Trucking and Materials, 18791 Van Buren Boulevard, Suite E, Riverside, CA 92508;

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 STI Inc. Trucking and Materials, 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 [AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS, PUNCH-LIST ITEMS, AND CALTRANS ACCEPTANCE ARE COMPLETED FOR THE SR-60/NASON INTERCHANGE, 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 IMPROVEMENTS INTO THE CITY-MAINTAINED SYSTEM – PROJECT NO. 98-25897 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements, punch-list items, and Caltrans acceptance are completed for construction of the SR-60/Nason Interchange Improvements, constructed by All American Asphalt, PO Box 2229, Corona, CA 92878;
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 All American Asphalt, 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 improvements into the City's maintained system upon acceptance of the improvements as complete.

A.6 [AUTHORIZE AWARD OF CONSTRUCTION CONTRACT TO HARDY & HARPER, INC. FOR IRIS AVENUE PAVEMENT RESURFACING - PROJECT NO. 13-22422410 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Award the construction contract to include Base Bid Schedule and Additive Bid Schedules A to D to Hardy & Harper, Inc., 1312 Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;
3. Authorize the issuance a Purchase Order to Hardy & Harper, Inc. for the amount of \$1,225,900.00 (\$1,066,000.00 Base Bid Schedule and Additive Bid Schedules amount plus 15% contingency of \$159,900.00) when the contract has been signed by all parties;
4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order's total contingency amount of \$159,900.00, subject to the approval of the City Attorney; and
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 roadway system, and release the retention to Hardy & Harper, Inc., if no claims are filed against the project.

A.7 [APPROVE RESOLUTION NO. 2012-56, AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR STATE-LOCAL PARTNERSHIP PROGRAM \(SLPP\) GRANT FUNDING AND APPROPRIATING REQUIRED MATCHING FUNDS FOR THE CACTUS AVENUE WIDENING PROJECT FROM INTERSTATE 215 EASTBOUND OFF-RAMP TO VETERANS WAY PROJECT NO. 07-41678527 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Approve Resolution No. 2012-56, authorizing the submittal of an application for the California Transportation Commission (CTC) State-Local Partnership Program (SLPP) grant for the requested amount of

\$560,000 for Cactus Avenue Widening from Interstate 215 Eastbound Off-Ramp to Veterans Way;

Resolution No. 2012-56

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Submittal of an Application for Funds to the California Transportation Commission for the State-Local Partnership Program Grant Under the Proposition 1B Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 for the Cactus Avenue Widening Project from Interstate 215 East Bound Off-Ramp to Veterans Way Project No. 07-41678527

2. Authorize the City Engineer/Public Works Director, on behalf of the City, to accept any SLPP grant funds the CTC may allocate for the Cactus Avenue Widening project; and
3. Authorize the appropriation of funds up to \$560,000 SLPP grant funding monies when and if the grant is awarded by the CTC and accepted by the City Engineer/Public Works Director on behalf of the City, and appropriate up to \$560,000 in matching funds from Development Impact Fees (DIF, Fund 201) if and when the grant application is accepted by the CTC.

A.8 [FIRST AMENDMENT TO AGREEMENT WITH FALCON ENGINEERING SERVICES INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE SR-60/MORENO BEACH PHASE 1 PROJECT – PROJECT NO. 07-41570024 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Authorize the "First Amendment to Agreement for Professional Consultant Services, Transportation Uniform Mitigation Fee (TUMF) – Zonal" (First Amendment) with Falcon Engineering Services, Inc. (Falcon), 1020 Aquino Circle, Corona, CA 92879 to provide construction management and inspection services for the SR-60/Moreno Beach Interchange Project (Phase 1) for \$767,821.56;
2. Authorize the City Manager to execute said First Amendment with Falcon;
3. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for Approval, and authorize the City Manager to access agency funds only after

Oversight Board and State Department of Finance approval;

4. Authorize a Change Order to increase Purchase Order No. 42372 with Falcon by \$767,821.56 from Account No. 797.79731.7200 once the First Amendment has been signed by all parties; and
5. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the contract with Falcon within the authorized purchase order amount subject to the approval of the City Attorney.

A.9 [LICENSE AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND AMERICAN MEDICAL RESPONSE – INLAND EMPIRE FOR THE USE OF FIRE STATION 91 \(Report of: Fire Department\)](#)

Recommendation:

1. Approve a License Agreement between the City of Moreno Valley and American Medical Response - Inland Empire for the use of Fire Station 91; and
2. Authorize the Mayor to execute the Agreement.

A.10 [APPROPRIATION OF EQUIPMENT REPLACEMENT RESERVE FUNDS FOR THE PURCHASE OF A CONFINED SPACE COMMUNICATIONS KIT \(Report of: Fire Department\)](#)

Recommendation:

Approve an appropriation of \$10,500 from Equipment Replacement Reserve Funds to 1010-40-45-30110-660399 for the replacement of a confined space communication kit.

A.11 [COMMUNITY ORIENTED POLICING SERVICES \(COPS\) FUNDING OPPORTUNITY \(Report of: Police Department\)](#)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) of the Office of Community Oriented Policing Services (COPS) grant in the amount of \$155,384, entitled “Community Policing Development Program;” and
2. Authorize the revenue and expense budgets in the Community Oriented Policing Services (COPS) Fund 2720 for the Community Policing Development Program in the amounts of \$155,384, respectively, upon approval and acceptance of the COPS grant.

A.12 [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 WIDENING OF PERRIS BOULEVARD SOUTHBOUND AT STATE ROUTE 60 WESTBOUND ON-RAMP, 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 - PROJECT NO. 08-12566627 (Report of: Public Works Department/CPD)

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 Widening of Perris Boulevard Southbound at State Route 60 Westbound On-Ramp constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92878;
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 system upon acceptance of the improvements as complete.

- A.13 ACCEPTANCE AND APPROPRIATION OF AN ADDITIONAL \$2,000,000 IN SURFACE TRANSPORTATION PROGRAM - LOCAL (STPL) FUNDS FOR THE SR-60/NASON OVERCROSSING IMPROVEMENT PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department/CPD)

Recommendation:

Accept and appropriate an additional \$2,000,000 of Surface Transportation Program – Local (STPL) funds for the SR-60/Nason Overcrossing Improvement Project.

- A.14 AUTHORIZATION OF GRANT APPLICATION SUBMITTALS FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) (Report of: Public Works Department/TED)

Recommendation:

Authorize the submittal of grant applications for the Highway Safety Improvement Program (HSIP).

A.15 [AUTHORIZATION TO AWARD CONTRACT TO ALL CITY MANAGEMENT SERVICES FOR THE ADMINISTRATION OF THE CROSSING GUARD PROGRAM \(Report of: Public Works/TED\)](#)

Recommendation:

1. Authorize the Award of a Crossing Guard Service Contract to All City Management Services to provide adult crossing guard services within the City, commencing with the start of the 2012/2013 school year in mid-August;
2. Authorize the City Manager to execute an agreement with All City Management Services;
3. Authorize the issuance of a Purchase Order to All City Management Services in the amount of \$517,258.50 for the first year of the agreement, and subsequent purchase orders as necessary to fund subsequent years of service in accordance with the terms of the agreement; and
4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with All City Management Services, subject to the approval of the City Attorney.

A.16 [AUTHORIZE THE NINTH AMENDMENT TO AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR PROFESSIONAL CONSULTANT SERVICES FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Approve the "Ninth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., for the amount of \$65,785, to provide additional professional services during close-out from the construction of the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;
2. Authorize the City Manager to execute said "Ninth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.;

3. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley, add it to the Recognized Obligation Payment Schedule, submit same to the Oversight Board for approval, and authorize the City Manager to access agency funds only after Oversight Board and State Department of Finance approval;
4. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. by \$65,785 when the Ninth Amendment has been signed by all parties; and
5. Authorize the Public Works Director/City Engineer to execute any subsequent minor related amendment(s) to the agreement with AECOM Technical Services, Inc. subject to the approval of the City Attorney.

A.17 [AUTHORIZE A PURCHASE ORDER TO JOHNSON POWER SYSTEMS FOR THE EMERGENCY OPERATIONS CENTER FAMILY CARE CENTER GENERATOR PROJECT](#)
PROJECT NO. 11-24024011 (Report of: Public Works Department/CPD)

Recommendation:

1. Authorize the issuance of a Purchase Order in the amount of \$245,670 (\$228,000 plus applicable taxes) to Johnson Power Systems, 656 E. La Cadena Drive, Riverside, CA 92502, for the purchase of the generator set and tank for the Emergency Operations Center Family Care Center;
2. Authorize the issuance of a Purchase Order in the amount of \$73,810 (\$68,500 plus applicable taxes) to Johnson Power Systems, 656 E. La Cadena Drive, Riverside, CA 92502, for the purchase of the additional tank for the existing generator at City Hall, if funding is available at the time of construction award; and
3. Authorize the appropriation of the savings in the amount of \$458,000 from the 2005 Lease Revenue Bond Fund 501 for the Public Safety Building Conversion project to the Emergency Operations Center Family Care Generator project.

A.18 [BALLISTIC GLASS UPGRADES \(Report of: Police Department\)](#)

Recommendation:

1. Approve the Ballistic Glass Upgrades of the Moreno Valley Public Safety Building's (Police Department) lobby and clerical area with a revised estimated cost of \$170,000; and

2. Authorize the use of \$100,000 from the Moreno Valley Police Department's operational savings to be used in conjunction with the previously approved \$70,000 asset forfeiture fund to complete the Ballistic Glass Upgrades.

A.19 [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 STREET IMPROVEMENTS PROJECT NO. 08-89791725, 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 \(Report of: Public Works Department/CPD\)](#)

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 Auto Mall Street Improvements Project to Sean Malek Engineering and Construction, 43905 Margarita Road, Temecula, CA 92592;
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 Sean Malek Engineering and Construction, thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project;
4. Acting as the Successor Agency, approve this action as a recognized payment obligation of the former Redevelopment Agency of the City of Moreno Valley as included on the Oversight Board approved list of projects;
5. Authorize the Public Works Director/City Engineer to accept the portion of improvements that are within the City's jurisdiction into the City's maintained system upon acceptance of the improvements as complete; and
6. Authorize the Community and Economic Development Director to

release the applicable improvements to the Moreno Valley Auto Mall Landscaping Association for maintenance.

A.20 [AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT AND PURCHASE ORDER WITH JD EDGE SOFTWARE \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

1. Authorize the City Manager to execute an agreement and purchase order with JD Edge Software for costs not-to-exceed \$250,000 (\$199,995 quoted costs plus \$50,005 (25%) contingency) to assist the City in converting Human Resource and Payroll data for incorporation into the City's new ERP system; and
2. Appropriate \$250,000 in FY 2012-13 to the Technology Services Division, Professional Services account from fund balance available from FY 2011-12 savings in the Financial & Administrative Services and Human Resources Departments to fund the contract expenditures for the ERP replacement project.

A.21 [ADOPT A RESOLUTION APPROVING THE WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE RELATED TO INVESTMENTS WITH LEHMAN BROTHERS HOLDINGS INC. IN THE AMOUNT OF \\$2,819,046.30 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2012-57, approving the write-off of \$2,819,046.30 in uncollectible Accounts Receivable related to investments in Lehman Brothers Holdings Inc.

Resolution No. 2012-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Write-Off of Uncollectible Accounts Receivable related to investments with Lehman Brothers Holdings Inc. in the amount of \$2,819,046.30

A.22 [APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND ELECTRIC RATE SCHEDULE ED – ECONOMIC DEVELOPMENT RATE FOR MORENO VALLEY UTILITY \(Report of: Public Works Department/EU\)](#)

Recommendation:

1. Approve Resolution No. 2012-58 amending Electric Rate Schedule

ED – Economic Development Rate for Moreno Valley Utility; and

Resolution No. 2012-58

A Resolution of the City Council of the City of Moreno Valley, California, to amend Electric Rate Schedule ED – Economic Development Rate and Associated Agreement for Moreno Valley Utility

2. Authorize the City Manager to execute, on behalf of the City Council, the amended Economic Development Rate Agreement for New or Expanded Load Electric Service Customer pursuant to Schedule ED - Economic Development Rate.

A.23 [CERTIFICATION OF RIVERSIDE HOUSING DEVELOPMENT CORPORATION AS A DESIGNATED COMMUNITY HOUSING DEVELOPMENT ORGANIZATION FOR FISCAL YEAR 2012-2013 \(Report of: Community & Economic Development Department\)](#)

Recommendation:

Adopt Resolution 2012-59 certifying Riverside Housing Development Corporation (RHDC) as a city-designated Community Housing Development Organization (CHDO).

Resolution No. 2012-59

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Community Housing Development Organization Under the United States Department of Housing and Urban Development Home Investment Partnership Act

A.24 [AFFORDABLE HOUSING AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND RIVERSIDE HOUSING DEVELOPMENT CORPORATION FOR 22877 ALLIES PLACE \(Report of: Community & Economic Development Department\)](#)

Recommendation:

1. Adopt Resolution No. 2012-60 and approve the Affordable Housing Agreement by and between the City of Moreno Valley and Riverside Housing Development Corporation (RHDC);

Resolution No. 2012-60

A Resolution of the City Council of the City of Moreno Valley Approving an Affordable Housing Agreement by and Between the City and Riverside Housing Development Corporation, A California

Nonprofit Public Benefit Corporation

2. Authorize funding the project from the Program Income generated by the Neighborhood Stabilization Program Grant (197.1970.4595), and approve a budget appropriation of \$209,000 for NSP Multi-Family/Rental Rehabilitation (197.19710.6848.001);
3. Authorize funding the project from HOME CHDO Reserve (Fund 176 Fund Balance), and approve a budget appropriation of \$285,075 for RHDC Allies Place Project (New Business Unit);
4. Authorize the City Manager to amend the Affordable Housing Agreement (AHA) or undertake any other actions necessary, proper or convenient to the implementation of the AHA, as long as any revisions do not materially or substantially increase the City's stated obligations or materially change the uses or development permitted on the Site; and
5. Authorize the City Manager, or his appointee, to execute the necessary documents.

- A.25 [ADOPT RESOLUTION NO. 2012-62, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND COUNCIL MEMBERS JESSE L. MOLINA AND MARCELO CO AS FIRST AND SECOND ALTERNATE DELEGATES RESPECTIVELY, TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING – SEPTEMBER 7, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Adopt Resolution No. 2012-62 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Council Members Jesse L. Molina and Marcelo Co as first and second alternate delegates respectively to the League of California Cities 2012 Annual Business Meeting.

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 26, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 [MINUTES - REGULAR MEETING OF JUNE 26, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D.2 [MINUTES - REGULAR MEETING OF JUNE 26, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

E. PUBLIC HEARINGS - NONE

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

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

G. REPORTS

G.1 [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 [REGIONAL GOODS MOVEMENT - ENVIRONMENTAL STRATEGY \(POWERPOINT PRESENTATION BY ANNIE NAM, MANAGER GOODS MOVEMENT AND TRANSPORTATION FINANCE\)](#)

G.3 [APPROVE THE LONG RANGE BUSINESS PLAN FOR THE PERIOD FY](#)

[2010 THROUGH FY 2020 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation: That the City Council:

The Finance Subcommittee recommends that the City Council approve the Long Range Business Plan (LRBP) for the period FY 2010 through FY 2020.

- G.4 [ADOPT A RESOLUTION OF THE CITY OF MORENO VALLEY DECLARING ITS OFFICIAL INTENT TO PROCEED WITH THE CALIFORNIA COMMUNITIES TOTAL ROAD IMPROVEMENT PROGRAM \(TRIP\) AND TO REIMBURSE CERTAIN EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS AND RATIFY THE RETENTION OF ORRICK HERRINGTON TO REPRESENT THE CITY IN LEGAL MATTERS RELATED TO THE TRIP FINANCING \(Report of: Financial & Administrative Services Department\)](#)

Recommendation: That the City Council:

Adopt Resolution No. 2012-61 approving a resolution declaring the official intent to proceed with the California Communities Total Road Improvement Program (TRIP) and to reimburse certain expenditures from proceeds of indebtedness and ratify the retention of Orrick Herrington (cost expected to be between \$50,000 - \$100,000) to represent the City in legal matters related to the TRIP financing and authorize the legal fees and costs to be paid from COP proceeds.

Resolution No. 2012-61

Resolution of the City of Moreno Valley, California, declaring its Official Intent to Proceed with the California Communities Total Road Improvement Program (Trip) and to Reimburse Certain Expenditures from Proceeds of Indebtedness

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

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION

- H.2.1 [ORDINANCE NO. 849 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: \(1\) ADOPTING WRCOG GOOD NEIGHBOR](#)

GUIDELINES; (2) REVISED PARKING STANDARDS FOR RESTAURANTS; (3) REDUCTION OF (CC) COMMUNITY COMMERCIAL FRONT AND STREET SIDE BUILDING SETBACKS, AND REVISIONS TO PARKING AND LANDSCAPE SETBACKS; (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS, BANNING "TOPPING" OF TREES; AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD WITH REVISED SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 26, 2012, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 849, thereby approving PA10-0030, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 849

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Adopting WRCOG Good Neighbor Guidelines; (2) Revised Parking Standards for Restaurants; (3) Reduction of (CC) Community Commercial Front and Street side Building Setbacks, and Revisions to Parking and Landscape Setbacks; (4) Provide for Parking Lot Maintenance Standards, Banning "Topping" of Trees; and (5) Amend the General Parking Design Standard with Revised Safety Features and 24 Foot Wide Drive Aisles

H.2.2 ORDINANCE NO. 850 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUBSECTION 9.12.050(F) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADDING SUBSECTION 9.12.060(O) TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 26, 2012 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

Adopt the proposed Ordinance No. 850, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding sub-section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code relating to signs in the public right-of-way.

Ordinance No. 850

An Ordinance of the City Council of the City of Moreno Valley, California, amending sub-section 9.12.050(F) of Title 9 of the City of Moreno Valley Municipal Code and adding Sub-Section 9.12.060(O) to Title 9 of the City of Moreno Valley Municipal Code Relating to Signs in the Public Right-Of-Way

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(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- a) Case: *Los Angeles Engineering v. City of Moreno Valley*
 Court: Riverside Superior Court
 Case No: RIC 524877

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

Number of Cases: 5

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

Number of Cases: 5

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

ADJOURNMENT