



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 AND
BOARD OF LIBRARY TRUSTEES

May 8, 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
May 8, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing May 2012 as Mental Health Month
2. Proclamation Recognizing National Public Works Week
3. Officer of the Quarter - Officer Victor Magana
4. Officer of the Year Investigator Duke Viveros
5. "Spotlight on Moreno Valley Business"
 - a) Harkins Theatre - Moreno Valley 16
 - b) Aerotek

**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 BOARD OF LIBRARY TRUSTEES**

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

**REGULAR MEETING - 6:30 PM
MAY 8, 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 Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Gwen Cotton - Spiritual Assembly of the Bahá'is of Moreno Valley

ROLL CALL

INTRODUCTIONS

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

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

AGENDA
May 8, 2012

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 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 APRIL 24, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

A.3 [AUTHORIZE A PURCHASE ORDER TO G/M BUSINESS INTERIORS, INC. FOR THE MORENO VALLEY POLICE DEPARTMENT TRAFFIC DIVISION OFFICE RENOVATION - PROJECT NO. 11-50182328 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Authorize the issuance of a Purchase Order for the amount of \$148,522.65 (\$141,450.14 base estimate plus 5% contingency), to G/M Business Interiors, Inc., 1099 West La Cadena Drive, Riverside, CA 92501, for furniture, partitions, and installation for the Moreno Valley Police Department Traffic Division Office Renovation; and
2. Authorize the Public Works Director/City Engineer to execute any subsequent change orders up to, but not exceeding, the Purchase Order contingency of \$7,072.51.

A.4 [APPROVE THE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION GEOTECHNICAL SERVICES WITH C.H.J. INCORPORATED AND APPROVE THE AGREEMENT FOR PROFESSIONAL CONSULTANT CONSTRUCTION SURVEY SERVICES WITH HUNSAKER & ASSOCIATES FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE - PROJECT NO. 11-41570125 \(Report of: Public Works](#)

Department/CPD)

Recommendation:

1. Approve the Agreement for Professional Consultant Construction Geotechnical Services with C.H.J. Incorporated (C.H.J.), 1355 E. Cooley Drive, Colton, CA 92324, for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project;
2. Authorize the City Manager to execute the Agreement for Professional Consultant Construction Geotechnical Services with C.H.J.;
3. Authorize the issuance of a Purchase Order to C.H.J. in the amount of \$108,716 when the Agreement has been signed by all parties;
4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with C.H.J., within the Purchase Order amount, subject to the approval of the City Attorney;
5. Approve the Agreement for Professional Consultant Construction Survey Services with Hunsaker & Associates (H&A), 2900 Adams Street, Suite A-15, Riverside, CA 92504 for the Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue project;
6. Authorize the City Manager to execute the Agreement for Professional Consultant Construction Survey Services with H&A;
7. Authorize the issuance of a Purchase Order to H&A in the amount of \$128,741 when the Agreement has been signed by all parties; and
8. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreement with H&A, within the Purchase Order amount, subject to the approval of the City Attorney.

A.5 [AUTHORIZE AWARD OF CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT FOR THE DRACAEA AVENUE IMPROVEMENTS FROM PERRIS BOULEVARD TO PATRICIA STREET – PROJECT NO. 12-28574152 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Waive any and all minor irregularities and award the construction contract for the Dracaea Avenue Improvements (from Perris Boulevard to Patricia Street) to All American Asphalt, 400 E. 6th Street, Corona, CA 92878, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with All American Asphalt;
3. Authorize the issuance of a Purchase Order to All American Asphalt in the amount of \$549,298.75 (\$439,439.00 base bid amount plus 25% contingency) 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 All American Asphalt, up to but not to exceed the Purchase Order's total contingency amount of \$109,859.75, 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 All American Asphalt, if no claims are filed against the project.

A.6 [PA08-0072 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PORTIONS OF CORPORATE STREET, FREDERICK STREET AND RESOURCE WAY LOCATED AT THE NORTHWEST CORNER OF CACTUS AVENUE AND FREDERICK STREET. DEVELOPER: US REAL ESTATE LIMITED PARTNERSHIP, SAN ANTONIO, TX 78230. \(Report of: Community & Economic Development\)](#)

Recommendation:

1. Adopt the Resolution No. 2012-27, summarily vacating portions of Corporate Street, Frederick Street and Resource Way; and

Resolution No. 2012-27

A Resolution of the City Council of the City of Moreno Valley, California Ordering the Summary Vacation of Portions of Corporate Street, Frederick Street and Resource Way

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.7 [TRANSPORTATION MANAGEMENT CENTER: APPROPRIATION OF ADDITIONAL FUNDS TO COMPLETE PROJECT \(Report of: Public Works/TED\)](#)

Recommendation:

1. Authorize the transfer of \$121,000 from the Traffic Signals

Development Impact Fees (DIF) Fund (Fund 202) to the DIF Traffic Signal Capital Project Fund (Fund 417); and

2.

Authorize the appropriation of \$121,000 from DIF Traffic Signal Capital Project Fund balance to Account 417.79528 (Transportation Management Center) upon approval of transfer above.

A.8 [RESOLUTION TO RATIFY THE APPLICATION FOR THE 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE \\$69,724.00 ALLOCATION TO THE CITY \(Report of: Community and Economic Development Department\)](#)

Recommendation:

1. Approve Resolution No. 2012-28 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the \$69,724 allocated to the City; and

Resolution No. 2012-28

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the \$69,724 Allocation

2. Authorize revenue and expenditure budget appropriation of \$69,724 to account new.new.various (2012-DJ-BX-XXXX JAG GRANT FUND).

A.9 [APPROVE THE FOURTH AMENDMENT TO AGREEMENT WITH PROACTIVE ENGINEERING CONSULTANTS, INC. FOR ADDITIONAL DESIGN SUPPORT SERVICES FOR STAGE I CACTUS AVENUE WIDENING FROM INTERSTATE 215 EASTBOUND OFF-RAMP TO VETERANS WAY AND STAGE II CACTUS AVENUE WIDENING FROM VETERANS WAY TO HEACOCK STREET PROJECT NOS. 07-41678527 AND 07-41683328 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Approve the Fourth Amendment to Agreement for Professional Consultant Services for additional design support services in the amount of \$60,000 with ProActive Engineering Consultants, Inc. (ProActive), 1875 California Avenue, Corona, CA 92881 for Stage I Cactus Avenue Widening from Interstate 215 Eastbound Off-Ramp to Veterans Way and Stage II Cactus Avenue Widening from Veterans Way to Heacock Street;

2. Authorize the City Manager to execute said Fourth Amendment to Agreement for Professional Consultant Services with ProActive;
3. Authorize the issuance of Purchase Orders with ProActive in the amount of \$35,000 each (\$30,000 plus \$5,000 contingency) once the Fourth Amendment has been signed by all parties. (Account Nos. 416.78527.7200 and 416.83328.7200); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the contract with ProActive within the authorized purchase order amounts subject to the approval of the City Attorney.

A.10 [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 April 18 – May 1, 2012

A.11 [APPROVE AMENDMENT TO RESOLUTION 2012-18, GENERAL PLAN AND SPECIFIC PLAN 208 AMENDMENT, TO INCLUDE REFERENCE MAPS \(Report of: Public Works Department/TED\)](#)

Recommendation:

That the City Council amend City Resolution No. 2012-18 to include exhibits depicting the modified Circulation Plan of the General Plan and modified Circulation Exhibit of Specific Plan 208.

Resolution No. 2012-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment and Specific Plan 208 Amendment (PA12-0001) to Modify the City Circulation Plan and Circulation Exhibit, Respectively

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 APRIL 24, 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 APRIL 24, 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 APRIL 24, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:
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 [PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME INVESTMENT PARTNERSHIP \(HOME\) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2012/13 \(Report of: Community & Economic Development Department\)](#)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to allow the public an opportunity to comment on the proposed 2012/13 Annual Action Plan;
2. Approve the Annual Action Plan (2012/13) as an application to the US Department of Housing and Urban Development for funding under the

federal CDBG and HOME programs;

3. Approve the revenue and expense budget appropriations for CDBG Entitlement funds in the amount of \$2,372,387 respectively for the 2012/13 CDBG program activities;
4. Approve the revenue and expense budget appropriations for HOME Entitlement funds respectively in the amount of \$1,520,203 for the 2012/13 HOME program activities;
5. Approve the budget reappropriation of \$1,000,000 for Hemlock Family Apartment (176.76129.7200) budgeted in 2011/12 but was not spent; and
6. Authorize the City Manager to execute the 2012/13 grant agreements, sub-recipient agreements, and any and all documents necessary to obtain the allocation of the federal entitlement funds.

E.2 [A PUBLIC HEARING REGARDING THE EXPANSION OF THE GENERAL PLAN AMENDMENT \(PA12-0010\), CHANGE OF ZONE \(PA12-0012\) AND SPECIFIC PLAN \(PA12-0013\) APPLICATIONS FOR THE WORLD LOGISTICS CENTER PROJECT TO INCLUDE PROPERTIES NOT OWNED BY OR PARTICIPATING WITH THE PROJECT APPLICANT, HIGHLAND FAIRVIEW PROPERTIES. \(REPORT OF: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT\) \(THIS ITEM IS OFF CALENDAR AND WILL BE RE-NOTICED FOR A PUBLIC HEARING AT A LATER DATE\)](#)

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)

b) Report by Council Member Jesse L. Molina on Riverside Transit Agency (RTA)

G.2 [JULY 4TH UPDATE \(ORAL PRESENTATION\) \(Report of: Parks and Community Services Department\)](#)

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for

Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

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

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, 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 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 of the City of Moreno Valley or 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: *Application Of Southern California Edison Company To Establish Marginal Costs, Allocate Revenues, Design Rates, and Implement Additional Dynamic Pricing Rates*

Case No: Application (A.) 11-06-007

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

4 SECTION 54957.6 - LABOR NEGOTIATIONS

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

ADJOURNMENT