



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**

November 12, 2013

**SPECIAL PRESENTATIONS – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.**

City Council Study Sessions

First & Third Tuesdays of each month – 6:00 p.m.

City Council Meetings

Second & Fourth Tuesdays of each month – 6:00 p.m.

City Council Closed Sessions

*Immediately following Regular City Council Meetings and
Study Sessions, unless no Closed Session Items are Scheduled*

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.

Tom Owings, Mayor

Jesse L. Molina, Mayor Pro Tem
Richard A. Stewart, Council Member

Yxstian Gutierrez, Council Member
Victoria Baca, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
November 12, 2013

CALL TO ORDER – 5:30 PM

SPECIAL PRESENTATIONS

1. Employees of the Quarter, 2nd Quarter 2013

(Facilities) Rix Skonberg, Alice Rod, Jasmin Rivera, Adam Patino, Daphne McKinney, Frank Kim, Hector Gomez and Javier Ponce) and

(Network Operations and Telecommunications) (Mike Box, Joe Lara, Nick Thouas, Robert Silva, Mark Kirks and Dave Ebarra)

2. Keep Moreno Valley Beautiful Announcement

3. Proclamation Recognizing November as Pancreatic Cancer Awareness Month

4. Business Spotlight

- a) Banig Restaurant
- b) Tutu Barre

**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 - 6:00 PM
NOVEMBER 12, 2013**

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 Paul Cunningham - Renewal Christian Fellowship](#)

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 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.

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 OCTOBER 22, 2013 \(Report of: City Clerk's Department\)](#)

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 October 16 – November 5, 2013.

A.4 [APPROVAL OF PAYMENT REGISTER FOR SEPTEMBER, 2013](#) (Report of: Financial & Management Services Department)

Recommendation:

1. Adopt Resolution No. 2013-83. A Resolution of the City Council of the City of Moreno Valley, California, approving the Payment Register for the month of September, 2013 in the amount of \$15,282,931.30.

A.5 [RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED SEPTEMBER 30, 2013](#) (Report of: Financial & Management Services Department)

Recommendation:

1. Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.6 [PA09-0012 \(PM 36162\) PHASE I – ACCEPT THE AGREEMENT AND](#)

SECURITY FOR PUBLIC IMPROVEMENTS (Report of: Public Works Department)

Recommendations:

1. Accept the Agreement and Security for Public Improvements for Moreno Knox, LLC.
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.
4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.7 A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING A LONG RANGE PROPERTY MANAGEMENT PLAN
(Report of: Community & Economic Development Department)

Recommendation:

1. That the City Council acting in their capacity as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley Adopt Resolution No. SA 2013-10. A Resolution of the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley approving the Long Range Property Management Plan; authorize the Executive Director or their designee to make modifications to the Plan; and authorize the submission of the Property Management Plan for approval by the Oversight Board and the State Department of Finance.

A.8 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH RIVERSIDE CONSTRUCTION COMPANY, INC. FOR HARDSCAPE AND LANDSCAPING FOR THE SR-60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT NO. 802 0003 70 77
(Report of: Public Works Department)

Recommendations:

1. Authorize a Change Order to increase the existing Purchase Order with Riverside Construction Company, Inc. in the amount of \$3,360,000 (\$2,800,000 contract plus \$560,000 contingency) for hardscape and landscaping on the SR-60/Nason Street Overcrossing Improvements project.

2. Authorize the Public Works Director/City Engineer to execute the Change Order to the Purchase Order for Riverside Construction Company, Inc., authorize the Public Works Director/City Engineer to approve any changes that may be requested by Caltrans or the City, and execute any Change Orders to the construction contract with Riverside Construction Company, Inc. up to, but not exceeding, the Purchase Order's total contingency amount.

- A.9 [RECOMMENDATION TO ESTABLISH THE CLASSIFICATION OF FINANCIAL RESOURCES DIVISION MANAGER IN THE FINANCIAL & MANAGEMENT SERVICES DEPARTMENT](#) (Report of: Financial & Management Services Department)

Recommendation:

1. Adopt the new position, class specification and salary range of the Financial Resources Division Manager in the Financial & Management Services Department, representing a reclassification of the Budget Officer position.

- A.10 [ADOPT RESOLUTION IN SUPPORT OF BAY-DELTA CONSERVATION PLAN](#) (Report of: City Manager Department)

Recommendation:

1. Adopt Resolution No. 2013-84. A Resolution of the City Council of the City of Moreno Valley, California, in Support of the Bay Delta Conservation Plan, Reliable Water Supplies, and Environmental Restoration.

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 OCTOBER 22, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. 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 OCTOBER 22, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. 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 OCTOBER 22, 2013 \(Report of: City Clerk's Department\)](#)

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 [PUBLIC HEARING TO ADOPT SUBSTANTIAL AMENDMENT #3 \(NEIGHBORHOOD STABILIZATION PROGRAM 3 – NSP3\) TO THE FY 2013-2014 ANNUAL ACTION PLAN AND AMENDMENT #3 TO NSP3 PROGRAM GUIDELINES](#) (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 #3 to the FY 2013-2014 Annual Action and Amendment #3 to the NSP 3 Program Guidelines.
2. Approve the proposed amendments to the NSP3 Program that redefine the Target Areas and reallocate funds between HUD-approved NSP3 eligible activities (Attachment 1).
3. Approve the Budget Appropriation Adjustment (BAA) and authorize the Chief Financial Officer to process the adjustments.
4. Authorize the City Manager to reallocate NSP3 funds between HUD-approved grant activities.

- E.2 [PUBLIC HEARING TO ADOPT SUBSTANTIAL AMENDMENTS #1 \(COMMUNITY DEVELOPMENT BLOCK GRANT - CDBG\) AND #2 \(HOME INVESTMENT PARTNERSHIP PROGRAM - HOME\) TO THE FY 2013-2014 ANNUAL ACTION PLAN](#) (Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed Substantial Amendments #1 (CDBG) and #2 (HOME) to the FY 2013-2014 Annual Action Plan.
2. Review and adopt the proposed Substantial Amendments #1 (CDBG) and #2 (HOME) to the FY 2013-2014 Annual Action Plan.
3. Approve the necessary Revenue and Expense Appropriations and authorize the Chief Financial Officer to process the adjustments.
4. Authorize the City Manager to reallocate grant funds between HUD-approved grant activities.

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

G. REPORTS

- G.1 [PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR ASSESSOR'S PARCEL NUMBERS \(APNS\) 291-192-025; AND 312-250-018, -019, AND -024 BALLOTING FOR NPDES](#) (Report of: Financial & Management Services Department)

Recommendations That the City Council:

1. Accept public comments regarding the mail ballot proceedings for APNs 291-192-025; and 312-250-018, -019, and -024 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

- G.2 [PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR ASSESSOR'S PARCEL NUMBERS \(APNS\) 291-192-025; 312-250-018, -019, AND -024; AND 316-020-002 THROUGH -005 AND 316-020-012 THROUGH -019 BALLOTING FOR CSD ZONE M](#) (Report of: Financial & Management Services Department)

Recommendations That the CSD:

1. Accept public comments regarding the mail ballot proceedings for APNs 291-192-025; 312-250-018, -019, and -024; and 316-020-002 through -005 and 316-020-012 through -019 for inclusion into and

approval of the annual charges for the CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) program.

- G.3 [SECOND AMENDMENT TO AFFORDABLE HOUSING AGREEMENT BETWEEN THE CITY OF MORENO VALLEY, MORENO VALLEY HOUSING AUTHORITY, AND MV HEMLOCK LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP](#) (Report of: Community & Economic Development Department)

Recommendations That the City Council and Housing Authority:

1. Approve the Second Amendment to the Affordable Housing Agreement, by and between the City of Moreno Valley, Moreno Valley Housing Authority, and MV Hemlock LP, a California Limited Partnership to increase the City's HOME contribution by \$700,000.

- G.4 [AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO FLATIRON ELECTRIC GROUP, INC. EMERGENCY VEHICLE PRE-EMPTION RETROFIT AT 117 SIGNALIZED INTERSECTIONS — PROJECT NO. 808 0010 70 76](#) (Report of: Public Works Department)

Recommendations That the City Council:

1. Waive any and all minor irregularities and award the contract to Flatiron Electric Group, Inc., 7911-A Pine Avenue, Chino, CA 91708, the lowest responsible bidder, for Emergency Vehicle Pre-emption Retrofit at 117 Existing Signalized Intersections.
2. Authorize the City Manager to execute a contract with Flatiron Electric Group, Inc.
3. Authorize the issuance of a Purchase Order to Flatiron Electric Group, Inc. for the amount of \$418,025 (\$363,500 bid 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 Flatiron Electric Group, Inc. up to, but not exceeding, the contingency amount of \$54,525, 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 Flatiron Electric Group, Inc., if no claims are filed against the project.

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

G.6 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

H.1.1 [ADOPTION OF 2013 CALIFORNIA BUILDING CODES, CALIFORNIA CODE OF REGULATIONS, TITLE 24, INCORPORATING THE LATEST EDITIONS OF THE MODEL CODES WITH AMENDMENTS \(Report of: Community & Economic Development Department\)](#)

Recommendations That the City Council:

1. Approve Ordinance No. 871. An Ordinance of the City Council of the City of Moreno Valley, California amending Title 8, of the City of Moreno Valley Municipal Code by repealing and replacing Chapters 8.20, 8.22, 8.23, 8.24, 8.26, 8.36 and adopting, as modified, the California Building Standards Code, California Code of Regulations, Title 24; incorporating the 2012 International Building Code, 2012 Uniform Mechanical Code, the 2012 International Residential Code, the 2012 Uniform Plumbing Code, the 2012 International Fire Code, and the 2011 National Electrical Code; and adopting other regulations relating to Building and Fire Prevention requirements.

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

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

[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 and Housing Authority will be held in 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 **SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9**

Number of Cases: 5

2 **SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**

Number of Cases: 5

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

ADJOURNMENT

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: November 6, 2013