



## **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**

**May 28, 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

Marcelo Co, Mayor Pro Tem  
Jesse L. Molina, Council Member

Richard A. Stewart, Council Member  
Victoria Baca, Council Member

**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**May 28, 2013**

**CALL TO ORDER – 5:30 PM**

SPECIAL PRESENTATIONS

[1. Employee of the Quarter, 1st Quarter 2013](#)

Payroll/Human Resources ERP Implementation Team

Dori Lienhard, Enterprise Systems Administrator  
Kim Krueger, Applications Analyst  
Gordon MacDonald, Applications and Database Administrator  
Maggie DeMauro, Payroll Supervisor  
Sandra Contreras, Management Analyst  
Celeste Wiggins, Senior Payroll Technician  
Ednamay Stull, Senior Payroll Technician - Temp  
Bridgette Montgomery, Human Resources Analyst

[2. Moreno Valley Police Department Officer of the Quarter – Officer Victor Pierson](#)

**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  
MAY 28, 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 O. J. Philpot - Christ Community 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 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.

AGENDA  
May 28, 2013

## 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 MAY 14, 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. Approve as submitted.

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

**Recommendation:**

1. Adopt Resolution No. 2013-32, approving the Payment Register for the month of March, 2013 in the amount of \$14,720,895.22.

Resolution No. 2013-32

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Payment Register for the Month of March, 2013

#### A.5 [RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 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 [2012 ANNUAL REPORT OF THE PLANNING COMMISSION](#)  
(Report of: Community & Economic Development Department)

**Recommendations**

1. RECEIVE AND FILE the 2012 Annual Report of the Planning Commission.
2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.7 [REJECT ALL BIDS FOR THE CONSTRUCTION OF THE CITYWIDE PEDESTRIAN ENHANCEMENTS](#) PROJECT NO. 801 0040 70 77  
(Report of: Public Works Department)

**Recommendations**

1. Reject all bids opened on April 29, 2013, for the Citywide Pedestrian Enhancements Project.
2. Approve staff to re-advertise for construction bids for the Citywide Pedestrian Enhancements Project.
3. Authorize City Manager to award and execute the contract to the lowest responsible bidder, if it is within the project budget, subject to approval by the City Attorney.

A.8 [APPROVAL OF A GRANT APPLICATION SUBMITTAL FOR THE TIGER DISCRETIONARY GRANTS PROGRAM](#)  
(Report of: Public Works Department)

**Recommendation:**

1. Authorize the submission of a grant application for the TIGER Discretionary Grants Program to the U.S. Department of Transportation.

A.9 [PA12-0048 \(PM 36511\) – APPROVE PARCEL MAP](#)  
(Report of: Community & Economic Development Department)

**Recommendations**

1. Approve Parcel Map 36511.
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

- A.10 [RESOLUTION ADJUSTING DEVELOPMENT IMPACT FEES TO ADD CATEGORIES FOR MOBILE/SENIOR DEVELOPMENT AND AFFORDABLE MOBILE/SENIOR DEVELOPMENT](#)  
(Report of: Community & Economic Development Department)

**Recommendation:**

1. Approve Resolution No. 2013-33 authorizing the adjustment of the City of Moreno Valley Development Impact Fees to add categories for Mobile/Senior Development and Affordable Mobile/Senior Development.

Resolution No. 2013-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Development Impact Fee (DIF) Update Study 2012 and Adding New Categories – Mobile/Senior Development and Affordable Mobile/Senior Development – to the Table of Developments in the City of Moreno Valley Subject to DIF

- A.11 [ADOPTION OF AN ENERGY ACTION PLAN \(EAP\) AND GREENHOUSE GAS ANALYSIS THAT IS CONSISTENT WITH THE CITY'S SOUTHERN CALIFORNIA EDISON GRANT \(PA12-0027\). THE EAP FOCUSES ON ELECTRICAL ENERGY USE AND CONSERVATION](#)  
(Report of: Community & Economic Development Department)

**Recommendations**

1. RECOGNIZE that the Energy Action Plan and Greenhouse Gas Analysis (PA12-0027) will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15061 as defined by Section 15378.
2. APPROVE Resolution No. 2013-34 approving the Energy Action Plan and Greenhouse Gas Analysis (PA12-0027), based on the findings in the City Council Resolution.

Resolution No. 2013-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Energy Action Plan and Greenhouse Gas Analysis (PA12-0027) Consistent with the City's Southern California Edison Grant, and is Intended to Assist with the City's Compliance with Assembly Bill 32 and Senate Bill 375, Both State Initiatives Aimed at Reducing Greenhouse Gas Emissions in California

A.12 [AUTHORIZE A CONTRACT CHANGE ORDER TO THE CITY HALL SECOND LEVEL FLOORING REHABILITATION AGREEMENT WITH RASMUSSEN BROTHERS CONSTRUCTION, INC. TO REMODEL THE TWO SECOND LEVEL PUBLIC RESTROOMS](#)

PROJECT NO. 803 0014 30 40

(Report of: Public Works Department)

**Recommendations**

1. Authorize a change order to the Agreement with Rasmussen Brothers Construction, Inc. (RBC) for the Remodel of the City Hall Second Level Public Restrooms.
2. Authorize the City Manager to execute said change order.
3. Authorize an appropriation of \$150,000 from the Facilities Maintenance Fund (7310) to the City Hall Second Level Flooring Rehabilitation (Seismic Retrofit & Roof Restoration) project (GL: 7310-18-40-80003, Project No.: 803 0014 30 40) upon approval of the above transfer.
4. Authorize the issuance of a purchase order for \$147,289 (\$128,077 bid plus 15% contingency) with RBC when the contract change order has been signed by all parties.
5. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with RBC up to, but not to exceed the purchase order's total contingency amount of \$19,212, subject to the approval of the City Attorney.

**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 MAY 14, 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 MAY 14, 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 MAY 14, 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 [A SPECIFIC PLAN AMENDMENT \(P12-117\) TO ADD EMERGENCY SHELTERS TO THE MORENO VALLEY INDUSTRIAL AREA SPECIFIC PLAN \(SP 208\) AND A MUNICIPAL CODE AMENDMENT \(PA12-0028\) TO ADD THE FOLLOWING REGULATIONS: EMERGENCY SHELTERS, FARM WORKER HOUSING, SINGLE ROOM OCCUPANCY UNITS \(SRO\) AND MINOR TECHNICAL CLEAN UPS TO THE MUNICIPAL CODE. THE AMENDMENT TO THE MORENO VALLEY INDUSTRIAL AREA SPECIFIC PLAN \(SP 208\) AND TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE WILL PROVIDE CONSISTENCY WITH THE CITY'S CERTIFIED HOUSING ELEMENT.](#)

(Report of: Community & Economic Development Department)

**Recommendations That the City Council:**

1. RECOGNIZE that P12-117 (Specific Plan Amendment) and PA12-0028 (Municipal Code Amendment), qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.
2. INTRODUCE Ordinance No. 868 approving Specific Plan Amendment (P12-117) to add emergency shelters as a permitted use based on the findings in the Ordinance.

Ordinance No. 868



An Ordinance of the City Council of the City of Moreno Valley, California, Approving P12-117 (Specific Plan Amendment) Amending Chapter III of the Moreno Valley Industrial Area Plan (SP 208) to Include Emergency Shelters as a Permitted Use in the Industrial Support Areas

3. INTRODUCE Ordinance No. 869 approving a Municipal Code Amendment (PA12-0028) amending various sections of Title 9 of the City of Moreno Valley Municipal Code based on the findings in the Ordinance.

Ordinance No. 869

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Municipal Code Amendment (PA12-0028) Amending Title 9 of the City of Moreno Valley Municipal Code By Adding the Following Regulations: Emergency Shelters, Farm Worker Housing, Single Room Occupancy Units (SRO), Reasonable Accommodation Procedures and Amending the Municipal Code to Include Minor Technical Clean Ups

## **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 Council Member Jesse L. Molina on Riverside Transit Agency (RTA)

- G.2 [REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM \(NPDES\) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2013/2014 ANNUAL RATES](#)

(Report of: Community & Economic Development Department)

#### **Recommendation that the City Council:**

1. That the City Council hold a public meeting to accept public comments regarding the “NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development” proposed Fiscal Year 2013/2014 annual

rates.

G.3 [MONTHLY REPORT: MORENO VALLEY ANIMAL SHELTER ADOPTION RATE](#)

(Report of: Administrative Services Department)

**Recommendations That the City Council:**

1. Receive and file the Monthly Report: Moreno Valley Animal Shelter Adoption Rate for the period of April 1, 2013 to April 30, 2013.

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

G.5 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

H.2.1 [ORDINANCE NO. 867 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA12-0029 \(ZONE CHANGE\) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 43.52 ACRES FROM RESIDENTIAL 10 \(R10\), RESIDENTIAL SINGLE FAMILY \(RS10\), AND RESIDENTIAL 15 \(R15\) TO RESIDENTIAL 5 \(R5\) FOR ASSESSORS PARCEL NUMBERS 478-100-034, 478-090-007, 478-090-036, 478-100-010, 478-100-009 \(RECEIVED FIRST READING AND INTRODUCTION ON MAY 14, 2013 BY A 5-0 VOTE\) \(Report of: Community & Economic Development Department\)](#)

**Recommendations That the City Council:**

1. Adopt Ordinance No. 867 approving PA12-0029 Change of Zone from Residential 10 (R10), Residential Single Family 10 (RS10), Residential 15 (R15) to Residential 5 (R5).

Ordinance No. 867

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA12-0029 (Zone Change) to Change the Land Use District for Approximately 43.52 Acres from Residential 10 (R10), Residential Single Family(RS10), And Residential 15 (R15) to Residential 5 (R5) for Assessors Parcel Numbers 478-100-034, 478-090-007, 478-090-036, 478-100-010, 478-100-009

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 Conference Room C, First 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(d)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- a) Case: *City of Moreno Valley V. Chen*  
Court: Riverside Superior Court  
Case No: RIC 1213875
- b) Case: *City of Moreno Valley V. Chado & Chado*  
Court: Riverside Superior Court  
Case No: RIC 1213878
- c) Case: *City of Moreno Valley V. Equitable Properties*  
Court: Riverside Superior Court  
Case No: RIC 1213880
- d) Case: *City of Moreno Valley V. McGinness*  
Court: Riverside Superior Court  
Case No: RIC 1213882
- e) Case: *City of Moreno Valley V. Matosantos, Chiang, Angulo, March Joint Powers Authority, Successor Agency to the March Joint Powers Redevelopment Agency*  
Court: Sacramento Superior Court

Case No: 34-2013-80001478

f) Case: *Leslie Compton V. City of Moreno Valley, et al.*  
Court: Riverside Superior Court  
Case No: MCC 1300074

2 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO  
PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9

Number of Cases: 5

3 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: 5/22/2013