



## **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**

**April 9, 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 Session**

*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**  
**April 9, 2013**

**CALL TO ORDER – 5:30 PM**

SPECIAL PRESENTATIONS

[1. Proclamation Recognizing April as Child Abuse Prevention Month](#)

[2. Business Spotlight](#)

a) LaQuinta Inn

b) SecurCare Storage

**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  
APRIL 9, 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 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 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  
April 9, 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 MARCH 26, 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 THE 2013/2014 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA \(CSA\) 152](#)

(Report of: Community & Economic Development Department)

**Recommendations**

1. Approve the County Service Area (CSA) 152 Budget for FY 2013/2014 in the amount of \$550,380.
2. Authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2013/2014.

#### A.5 [PA04-0108 \(TR 32515\) – OFFSITE & ONSITE IMPROVEMENTS – ACCEPT SUBSTITUTION AGREEMENTS AND SECURITIES FOR PUBLIC IMPROVEMENTS](#)

(Report of: Community & Economic Development Department)

**Recommendations**

1. Accept the substitution Agreements for Public Improvements and Securities for project PA04-0108 (TR 32515) – Offsite and Onsite Improvements.
2. Authorize the Mayor to execute the agreements.
3. Direct the City Clerk to forward the signed agreements to the County Recorder’s Office for recordation.
4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bonds and Material and Labor Bonds previously submitted by K. Hovnanian Forecast Homes Southern, Inc. a California Corporation, upon acceptance of the substitution agreement and security.
5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreements, subject to City Attorney approval, if the required improvements are not completed within said timeframe.

- A.6 [APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR ACQUISITION OF APN 473-220-072 FOR THE NORTHEAST FIRE STATION, PROJECT NO. 803 0018 70 77](#)  
(Report of: Public Works Department)

**Recommendations**

1. Approve the Agreement for Conveyance of Real Property with IL Nam Oh and Yun Kang Oh for acquisition of APN 473-220-072 for the Northeast Fire Station project.
2. Authorize the City Manager to execute the Agreement for Conveyance of Real Property and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.
3. Authorize the issuance of a Purchase Order for \$152,500 (\$146,000 for the acquisition purchase price plus \$6,500 for escrow closing fees) when the Agreement has been signed by all parties.

- A.7 [PA12-0048 \(PM 36511\) – APPROVE PARCEL MAP \(CONTINUED FROM MARCH 26, 2013, BY A 5-0 VOTE\)](#)  
(Report of: Community & Economic Development Department)

**Recommendation:**

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.

## **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 MARCH 26, 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 MARCH 26, 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 MARCH 26, 2013 \(Report of: City Clerk's Department\)](#)**

**Recommendation:**

1. 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 MANAGER'S REPORT (Informational Oral Presentation - not for Council action)
- G.2 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 [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.14.130\(A\) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO REQUIREMENTS FOR THE UNDERGROUNDING OF OVERHEAD UTILITIES \(RECEIVED FIRST READING AND INTRODUCTION ON MARCH 26, 2013, BY A 5-0 VOTE\)](#)

(Report of: Community & Economic Development Department)

### **Recommendations That the City Council:**

1. Adopt Ordinance No. 862, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.14.130(a) of Title 9 of the City of Moreno Valley Municipal Code relating to requirements for the undergrounding of overhead utilities.

Ordinance No. 862

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sub-Section 9.14.130(A) of Title 9 of the City of Moreno Valley Municipal Code Relating to Requirements for the Undergrounding of Overhead Utilities

- H.2.2 [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 2.25 TO THE CITY OF MORENO VALLEY MUNICIPAL CODE ESTABLISHING A UTILITIES COMMISSION \(RECEIVED FIRST READING AND INTRODUCTION ON MARCH 26, 2013 BY A 5-0 VOTE\) \(Report of: Public Works Department\)](#)

## **Recommendations That the City Council:**

1. Adopt Ordinance No. 863 adding Chapter 2.25 to the City of Moreno Valley Municipal Code establishing a Utilities Commission (as listed on the ordinance). (Roll call required)

Ordinance No. 863

An Ordinance of the City Council of the City of Moreno Valley, California, Adding Chapter 2.25 to the City of Moreno Valley Municipal Code Establishing a Utilities Commission

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 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 Conference Room B, 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) [Boe et al. V. City of Moreno Valley, et al.](#)  
Riverside Superior Court  
RIC 1301793

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

- a) [Boe et al. V. City of Moreno Valley, et al.](#)  
Riverside Superior Court Case  
RIC 1301793

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

5 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

- a) [City Attorney](#)

**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: April 3, 2013