



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**

March 11, 2014

**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.

Victoria Baca, Mayor Pro Tem
Jesse L. Molina, Council Member

Tom Owings, Mayor

Richard A. Stewart, Council Member
Yxstian Gutierrez, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 11, 2014

CALL TO ORDER – 5:30 PM

SPECIAL PRESENTATIONS

1) Proclamation Recognizing American Cancer Society - Relay for Life of Moreno Valley

2) Business Spotlight

- a) Stater Bros.
- b) Better Be Donuts

**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
MARCH 11, 2014**

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

Minister Sherman Jones - New Direction 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.

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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 FEBRUARY 25, 2014 \(Report of: City Clerk's Department\)](#)

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 February 19 – March 4, 2014.

A.4 [APPROVAL OF PAYMENT REGISTER FOR JANUARY, 2014](#) (Report of: Financial & Management Services Department)

Recommendation:

1. Adopt Resolution No. 2014-19. A Resolution of the City Council of the City of Moreno Valley, California, approving the Payment Register for the month of January, 2014 in the amount of \$13,520,401.69.

A.5 [AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT FOR THE ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD, PROJECT NO. 801 0039 70 77](#)

(Report of: Public Works Department)

Recommendations

1. Award the construction contract to All American Asphalt, P.O. Box 2229, Corona, California 92878, the lowest responsible bidder, for the

Alessandro Boulevard Median from Indian Street to Perris Boulevard.

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, for the amount of \$1,300,461.80 (\$1,182,238.00 bid amount plus 10% 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 All American Asphalt up to, but not exceeding, the 10% contingency amount of \$118,223.80, 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 All American Asphalt, if no claims are filed against the project.
6. Authorize the re-appropriation of \$150,000 from the Annual Pavement Resurfacing project (2001-70-77-80001) Measure A (Fund 2001) fund for the construction costs for the Alessandro Boulevard Median from Indian Street to Perris Boulevard (2001-70-77-80001).
7. Authorize the appropriation of \$400,000 from the unencumbered Community Development Block Grant (CDBG) (Fund 2512) fund balance for the construction costs for the Alessandro Boulevard Median from Indian Street to Perris Boulevard (2512-70-77-80001).

A.6 [THIRD AMENDMENT TO AGREEMENT WITH RBF CONSULTING FOR ALESSANDRO BOULEVARD MEDIAN FROM INDIAN STREET TO PERRIS BOULEVARD, PROJECT NO. 801 0039 70 77](#)

(Report of: Public Works Department)

Recommendations

1. Approve the Third Amendment to Agreement for Professional Consultant Services with RBF Consulting for construction support services.
2. Authorize the City Manager to execute the Third Amendment to Agreement for Professional Consultant Services with RBF Consulting.
3. Authorize an increase to the Purchase Order to RBF Consulting not to exceed the amount of \$21,525 once the Third Amendment to Agreement has been signed by all parties.

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 FEBRUARY 25, 2014 \(Report of: City Clerk's Department\)](#)

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 FEBRUARY 25, 2014 \(Report of: City Clerk's Department\)](#)

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 FEBRUARY 25, 2014 \(Report of: City Clerk's Department\)](#)

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 PUBLIC HEARING FOR AN APPEAL OF THE PLANNING COMMISSION'S DECEMBER 12, 2013, APPROVAL OF THE FIRST INLAND LOGISTICS CENTER II PROJECT PA12-0023 AND RELATED ENVIRONMENTAL IMPACT REPORT. THE PROJECT PROPOSES A 400,130 SQUARE FOOT WAREHOUSE BUILDING LOCATED ON 17.3](#)

ACRES AT THE SOUTHWEST CORNER OF PERRIS BOULEVARD AND SAN MICHELE ROAD. THE APPLICANT IS FIRST INDUSTRIAL. THE APPELLANT IS JOHNSON & SEDLACK ATTORNEYS AT LAW ON BEHALF OF RESIDENTS FOR A LIVABLE MORENO VALLEY AND SIERRA CLUB.

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a public hearing for the Environmental Impact Report (P12-064) and Plot Plan PA12-0023, and subsequent to the public hearing:
2. APPROVE Resolution No. 2014-20. A Resolution of the City Council of the City of Moreno Valley, California, CERTIFYING that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act, ADOPTING Findings and Statement of Overriding Considerations, and APPROVING a Mitigation Monitoring Program for the First Inland Logistics Center II Project generally located in the Industrial Area Specific Plan 208 on the SWC of Perris Boulevard between San Michele Road and Nandina Avenue.
3. APPROVE Resolution No. 2014-21. A Resolution of the City Council of the City of Moreno Valley, California, APPROVING Plot Plan PA12-0023 for the development of a 400,130 square foot warehouse distribution facility on 17.69 acres located on the SWC of Perris Boulevard and San Michele Road Assessor Parcel Numbers 316-200-001, 015, 019, 035 and 034.

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

G. REPORTS

- G.1 [CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES \(Informational Oral Presentation - not for Council action\)](#)
 - G.1.1 [a\) Council Member Jesse Molina report on RTA](#)
- G.2 [REDISTRICTING PRESENTATION BY NATIONAL DEMOGRAPHICS CORPORATION BY MR. JUSTIN LEVITT, VICE PRESIDENT, NDC \(Report of: City Clerk's Department\)](#)
- G.3 [MID-YEAR BUDGET REVIEW AND APPROVAL OF THE REVISED OPERATING BUDGET FOR FISCAL YEARS 2013/14 AND 2014/15 \(Report of: Financial & Management Services Department\)](#)

Recommendations That the City Council:

1. Receive and file the mid-year budget summary.
2. Adopt Resolution No. 2014-22. A Resolution approving the Revised Operating Budget for the City of Moreno Valley for FYs 2013/14 and 2014/15, pursuant to the revenue and expenditure changes presented in Exhibits A and B to the Resolution.
3. Approve the Position Control Roster. Specific positions are discussed within the staff report and listed on Attachment 4 to the staff report.
4. Direct the Chief Financial Officer to adjust the designations of certain fund balances as requested within the staff report.

Recommendations That the CSD:

1. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2014-01. A Resolution approving the Revised Operating Budget for the Moreno Valley Community Services District for FYs 2013/14 and 2014/15, pursuant to the revenue and expenditure changes presented in Exhibits A and B to the Resolution.

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. 873 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTIONS 2.25.010 AND 2.25.020 OF TITLE 2 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE COMPOSITION OF THE UTILITIES COMMISSION \(RECEIVED FIRST READING AND INTRODUCTION ON FEBRUARY 25, 2014 ON A 5-0 VOTE\) \(Report of: Public Works Department\)](#)

Recommendations That the City Council:

1. Adopt Ordinance No. 873. An Ordinance of the City Council of the City of Moreno Valley, California amending sections 2.25.010 and 2.25.020 of Title 2 of the City of Moreno Valley Municipal Code

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relating to the composition of the 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 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 SECTION 54956.9(d)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Case: *SILVER CREEK INDUSTRIES, INC. V. CITY OF MORENO VALLEY*
Court: RIVERSIDE SUPERIOR COURT
Case No: RIC 1306308

b) Case: *CITY OF MORENO VALLEY V. STI INC. TRUCKING AND MATERIALS, SURE TEC INSURANCE COMPANY*
Court: RIVERSIDE SUPERIOR COURT
Case No: RIC 1314428

c) 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
Case No: 34-2013-80001478

2 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO

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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: March 5, 2014