AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF
MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

SEPTEMBER 23, 2008

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 the City Clerk’s office at 951.413.3001 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
Bonnie Flickinger, Council Member
Charles R. White, Council Member

Frank West, Mayor Pro Tem
Richard A. Stewart, Council Member
CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Recognizing September 17 - 23, 2008, as Constitution Week

2. APWA 2008 Project of the Year Award for the Aqueduct Bike Trail Project and 2008 Honorable Mention Award for the Community Park Soccer Field Renovation Improvements Project
AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 P.M.
SEPTEMBER 23, 2008

CALL TO ORDER (Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, 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 Lacy Sykes, Crossword Christian 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 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.
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, Redevelopment Agency 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

A1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A2. MINUTES - REGULAR MEETING OF SEPTEMBER 9, 2008
(Report of: City Clerk’s Department)

Recommendation: Approve as submitted.


Recommendation:

1. Accept the work as complete for the Tail Pipe Exhaust Addition at Five Fire Stations constructed by Air Cleaning Systems, 1966 W. Holt Avenue, Pomona, CA 91768;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial & Administrative Services Director to release the retention to Air Cleaning Systems, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A4. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF 24537 FILAREE AVENUE (APN 485-073-004) FOR THE AQUEDUCT BIKE TRAIL PROJECT FROM INDIAN STREET TO FAY AVENUE AND AUTHORIZE THE FINANCIAL & ADMINISTRATIVE SERVICES DIRECTOR TO WIRE TRANSFER...
FUNDS INTO ESCROW AND AUTHORIZE THE CITY CLERK TO CERTIFY TO THE ACCEPTANCE OF THE GRANT DEED (Report of: Public Works Department)

Recommendation:

1. Approve and execute the Agreement for Conveyance of Property for the partial acquisition of 24537 Filaree Avenue (APN 485-073-004);

2. Authorize the Financial & Administrative Services Director to wire transfer funds into escrow for the partial acquisition of 24537 Filaree Avenue (APN 485-073-004); and

3. Authorize the City Clerk to certify to the acceptance of the grant deed for the partial acquisition of 24537 Filaree Avenue (APN 485-073-004).

A5. AUTHORIZATION TO ISSUE A PURCHASE ORDER FOR PROFESSIONAL CONSULTANT SERVICES FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS; PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Authorize the issuance of a Purchase Order to VA Consulting, Inc., Inland Empire Division, 255 E. Rincon Street, Suite 323, Corona, CA 92879 in the amount of $119,394.00 ($99,495.00 proposal amount plus 20% contingency amount of $19,899.00) for the Moreno Valley Auto Mall Improvements (Account No. 897.91725); and

2. Authorize the Public Works Director/City Engineer to execute any subsequent related Change Orders to the Purchase Order with VA Consulting, Inc., up to but not to exceed Purchase Order contingency authorized amount of $19,899.00 for Moreno Valley Auto Mall Improvements.

A6. CONSIDERATION OF THE 10TH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY (Report of: Deputy City Manager)

Recommendation: Approve the 10th Amendment to the Joint Exercise of Powers Agreement and authorize the Mayor to execute the proposed document.

A7. TRACT MAP 31284 – REDUCE THE FAITHFUL PERFORMANCE

Recommendation:

1. Adopt Resolution No. 2008-107 authorizing the acceptance of the public improvements for Tract Map 31284 as complete and accepting Duncan Drive, Holden Court, and the portions of Cottonwood Avenue, Quincy Street, Crispin Drive, and Keaton Drive associated with the project into the City’s maintained street system;

   Resolution No. 2008-107
   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 31284, and Accepting Duncan Drive, Holden Court, and the Portions of Cottonwood Avenue, Quincy Street, Crispin Drive, and Keaton Drive Associated with the Project into the City’s Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received; and


   Resolution No. 2008-108
   A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of Quincy Street for Tract Map 31284
4. Instruct the City clerk to certify said resolutions and City Clerk and Land Development staff to transmit a copy of the resolutions to the County Recorder’s office for recording.

A8. PARCEL MAP 35390 – APPROVE FINAL MAP, CACTUS AVENUE, BETWEEN NASON STREET AND OLIVER STREET; DEVELOPER: PATRICIA CASTRO, MORENO VALLEY, CA 92555 (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 35390; and

2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder’s Office for recordation.


Recommendation:

1. Approve and execute the Agreement for Conveyance of Property for the partial acquisition of APN’s 291-150-004 and 291-150-005; and

2. Authorize the Financial & Administrative Services Director to wire transfer funds into escrow in the amount of $9,400 from account 897.91724 for the partial acquisition of APN’s 291-150-004 and 291-150-005.

A10. CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS), GRANT FUNDING OPPORTUNITY (Report of: Police Department)

Recommendation: Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety 2008/2009 “Click It or Ticket” seatbelt enforcement mini-grant program in the amount of $96,901.20. Staff anticipates OTS will award the grant as it has for the last several years. OTS grant funding will allow the MVPD to provide directed enforcement during two statewide campaigns, November 17-30, 2008 and May 18-31,
2009, and directed enforcement two days every month outside of the mobilization periods. This campaign will coincide with the Thanksgiving Holiday this year and the Memorial Day Holiday next year and will be related to seatbelt and child safety seat usage.

A11. REQUEST SUPPLEMENTAL APPROPRIATION TO COMPLETE CONSTRUCTION OF FIRE STATION #58; PROJECT NO. 05-43472523 (Report of: Public Works Department)

Recommendation:

1. Appropriate $185,000 in Account No. 501.82025 to support activities associated with the completion of Fire Station #58 and authorize a transfer from the General Fund Capital Reserve to fund this appropriation;

2. Approve the “Fourth Amendment to Agreement for Professional Consultant Services” with STK Architecture (STK), Inc., 2575 South Jacinto Avenue, San Jacinto, California 92583-5318 and authorize the City Manager to execute said “Fourth Amendment to Agreement for Professional Consultant Services”; and

3. Authorize a Change Order to increase the Purchase Order with STK Architecture, Inc., in the amount of $47,885 when the Fourth Amendment has been signed by all parties.

A12. AUTHORIZE INCREASE TO PURCHASE ORDER WITH VALI COOPER & ASSOCIATES, INC. FOR FIRE STATION #58; PROJECT NO. 05-43472523 (Report of: Public Works Department)

Recommendation: Authorize a Change Order to increase the Purchase Order with Vali Cooper & Associates, Inc. in the amount of $15,450 for additional inspection services to support activities associated with the completion of Fire Station #58.

A13. AUTHORIZE INCREASE TO PURCHASE ORDER WITH TOVEY/SHULTZ CONSTRUCTION FOR FIRE STATION #58; PROJECT NO. 05-43472523 (Report of: Public Works Department)

Recommendation: Authorize a Change Order to increase the Purchase Order with Tovey/Shultz Construction in the amount of $31,000 for construction costs.

A14. AGREEMENT FOR AUTOMATED LIBRARY SERVICES, 2008-2011 (Report of: Acting Library Services Manager)
**Recommendation:** Approve the Agreement for Automated Library Services between Riverside County Library System and the City of Moreno Valley, for the period of July 1, 2008, through, June 30, 2011.

A15. **2008 LEGISLATIVE UPDATE AND NOVEMBER BALLOT STATEWIDE ELECTION; A SUMMARY OF THE BALLOT MEASURES** (Report of: Assistant City Manager)

**Recommendation:** Receive and file the informational report on ballot measures and the 2008 Legislative Update.


**Recommendation:**

1. Adopt the proposed Resolution and approve and authorize execution of the Program Supplement Agreement No. 024-N for Federal-Aid Project No. RPSTPLE-5441 (042), for Sunnymead Boulevard from Frederick Street to Perris Boulevard; and

   Resolution No. 2008-109
   
   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement Agreement No. 024-N, Between the State of California, Acting by and through the Department of Transportation, and the City of Moreno Valley, for Federal-Aid Project No. RPSTPLE-5441 (042) and other Projects

2. Authorize the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 024-N for Federal-Aid Project No. RPSTPLE-5441 (042), for Sunnymead Boulevard from Frederick Street to Perris Boulevard.

A17. **RESOLUTION NO. 2008-110, APPROVING AND AUTHORIZING EXECUTION OF THE PROGRAM SUPPLEMENT AGREEMENT NO. 0F06 REV 000 TO THE ADMINISTERING AGENCY-STATE MASTER AGREEMENT FOR STATED FUNDED PROJECT NO. SR2SL-5441 (044), SAFE ROUTES TO SCHOOL PROGRAM** (Report of: Public Works Department)
Recommendation:

1. Adopt Resolution No. 2008-110, approving the Program Supplement Agreement No. 0F06 Rev. 000, to the Administering Master Agency-State Agreement for State Funded, Project No. SR2SL-5441 (044), Safe Routes to School;

Resolution No. 2008-110

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement Agreement No.0F06 Rev. 000 to Administering Agency-State Master Agreement No. SR2SL-5441 (044) for State Funded Projects between the State of California, Acting by and through the Department of Transportation, and the City of Moreno Valley, for Safe Routes to School (SR2S) Program

2. Authorize an increase of $215,820 to the Measure A State Grant Revenue budget;

3. Authorize a re-appropriation of $239,800 from School Walkway Infill, 125.82825, to Alessandro/Indian Sidewalk project, 125.82828; and

4. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 0F06 Rev. 000, to the Administering Master Agency-State Agreement for State Funded, Project No. SR2SL-5441 (044), Safe Routes to School.

A18. 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 August 20 – September 17, 2008.

A19. RESOLUTION READOPTING A CONFLICT OF INTEREST CODE
(Report of: City Clerk’s Department) (Also listed as Item B4 & C3)

Recommendation:

1. Adopt Resolution No. 2008-111, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject;
Resolution No. 2008-111

A Resolution of the City Council of the City of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission’s Standard Model Conflict of Interest Code, and Repealing All Prior Enactments on the Same Subject

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B2. MINUTES - REGULAR MEETING OF SEPTEMBER 9, 2008 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

B3. CERTIFICATION OF COMMUNITY FACILITIES DISTRICT NO. 1 ANNEXATION 2008-29 (Report of: Public Works Department)
Recommendation: Approve and adopt Resolution No. CSD 2008-21; a Resolution of Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 (“CFD No. 1” or “District”) for annexation No. 2008-29.

Resolution No. CSD 2008-21

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Result of an Election and Adding Property to Community Facilities District No. 1

B4. RESOLUTION READOPTING A CONFLICT OF INTEREST CODE (Report of: City Clerk’s Department) (Also listed as Item A19 & C3- SEE ITEM A19)
Recommendation:
1. Adopt Resolution No. CSD 2008-22, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject;
Resolution No. CSD 2008-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission’s Standard Model Conflict of Interest Code, and Repealing All Prior Enactments on the Same Subject

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C2. MINUTES - REGULAR MEETING OF SEPTEMBER 9, 2008
(Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

C3. RESOLUTION READOPTING A CONFLICT OF INTEREST CODE
(Report of: City Clerk’s Department) (Also listed as Item A19 & B4 - SEE ITEM A19)
Recommendation:
1. Adopt Resolution No. RDA 2008-13, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject;

Resolution No. RDA 2008-13

A Resolution of the Community Redevelopment Agency of the City Of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission’s Standard Model Conflict of Interest Code, and Repealing all Prior Enactments on the Same Subject

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D2. MINUTES - REGULAR MEETING OF SEPTEMBER 9, 2008
(Report of: City Clerk’s 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.

E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR 1) AYRES HOTEL BALLOTED ITEM: NPDES; 2) FAMOUS DAVE’S RESTAURANT BALLOTED ITEM: NPDES; 3) TWO-STORY OFFICE BUILDING BALLOTED ITEM; NPDES; AND 4) RITE AID PHARMACY BALLOTED ITEMS: NPDES AND CSD ZONE M (Report of: Public Works Department)

Recommendation:

1. That the Mayor and Members of the City of Moreno Valley City Council, after conducting the public hearing:
   b. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;
   c. Receive and file with the City Clerk’s office the accepted Official Tally Sheet and APN listing; and
   d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to Ayres Hotel, Famous Dave’s Restaurant, Two-Story Office Building, and Rite Aid Pharmacy.

2. Staff recommends that the President and Members of the Board of Directors of Moreno Valley CSD (CSD Board), after conducting the public hearing:
   a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballot for Rite Aid Pharmacy
– APN 478-070-025;

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tall Sheet and APN listing;

c. Receive and file with the City Clerk’s office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) annual charge for Rite Aid Pharmacy.

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

   a) Report by Mayor Pro Tem West on Riverside County Transportation Commission (RCTC)

G2. APPOINTMENT TO THE SENIOR CITIZENS’ BOARD (Report of: City Clerk’s Department)

   Recommendation: That the City Council:

   1. Appoint Delorise Anderson to the Senior Citizens’ Board with a term expiring June 20, 2011; and

   2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G3. CITY MANAGER’S REPORT (Informational Oral Presentation – not for Council action)

G4. CRIME RATE REPORT (Report of: Police Department) – ORAL PRESENTATION ONLY – NO WRITTEN MATERIAL

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE
ORDINANCES - 2ND READING AND ADOPTION - NONE
ORDINANCES - URGENCY ORDINANCES - NONE
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, OR COMMUNITY REDEVELOPMENT AGENCY

*Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency 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.

ADJOURNMENT