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

February 24, 2009

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.

Richard A. Stewart, Mayor
Bonnie Flickinger, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
William H. Batey II, Council Member
CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter - Corporal Sean Vickers
2. Officer of the Year - Officer Sean Brown
3. Employee of the Quarter - Cathy Parada
4. National Career and Technical Education Month
5. Recognition of 2008 Volunteer of the Year – Gerald Bagley
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 PM
FEBRUARY 24, 2009

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 James G. Belle, Moreno Valley Apostolic Faith 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

A .1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A .2 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON INTERCHANGE IMPROVEMENTS PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:
1. Approve the Construction Cooperative Agreement with the State of California for the construction phase of the SR-60/Nason Street Interchange Improvements project; and

2. Authorize the Mayor to execute the Construction Cooperative Agreement with the State of California.

A .3 SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR PART 1, PHASE 2, AND PHASE 3 DESIGN OF THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027 (Report of: Public Works Department)

Recommendation:
1. Approve the “Second Amendment to Agreement for Professional Consultant Services” for Part 1, Phase 2, and Phase 3 design with AEI-CASC Engineering, Inc., 937 South Via Lata, Suite 500, Colton, California 92324 to provide Professional Consultant Services, extend the agreement from March 31, 2010 to July 31, 2011, and increase the agreement amount by the “not-to-exceed” fee of $301,149;

2. Authorize the City Manager to execute the “Second Amendment to Agreement for Professional Consultant Services” for Part 1, Phase 2, and Phase 3 with AEI-CASC Engineering, Inc;

3. Authorize an increase to the Purchase Order with AEI-CASC
Engineering, Inc., in the amount of $361,378.80 ($301,149 amount plus 20% contingency) when the Second Amendment to Agreement has been signed by all parties (Account No. 897.91727); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent Amendments to the Agreement for Professional Consultant Services with AEI-CASC Engineering, Inc., up to but not to exceed the Purchase Order contingency in the amount of $60,229.80, subject to the approval of the City Attorney.

A.4 APPROVAL OF ANNUAL STATEMENT OF INVESTMENT POLICY
(Report of: Financial & Administrative Services Department)

Recommendation:
Staff recommends that the City Council approve the Annual Statement of Investment Policy.


Recommendation:
Adopt Ordinance No. 784 authorizing an amendment to the City's CalPERS contract with the California Public Employees' Retirement System to include Section 20903, Two Years of Additional Service Credit.

Ordinance No. 784
An Ordinance of the City Council of the City of Moreno Valley, California, Authorizing an Amendment to the Contract Between the City Council of the City of Moreno Valley and the Board of Administration of the California Public Employees' Retirement System

A.6 ORDINANCE NO. 785 AMENDING THE OFFICIAL ZONING ATLAS OF SAID CITY, TO INCLUDE A CHANGE OF ZONE (PA07-0088) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL)
FOR AN APPROXIMATE 104.9 ACRE PORTION OF THE SITE, INCLUDING A CHANGE OF ZONE FOR AN 87 FOOT AREA BETWEEN PARCELS 2 AND 3 FROM BP (BUSINESS PARK) TO CC (COMMUNITY COMMERCIAL) AND CHANGE OF ZONE FOR 126 FEET OF LAND BETWEEN PARCELS 1 AND 4 FROM CC (COMMUNITY COMMERCIAL) TO LI (LIGHT INDUSTRIAL), ALL ENCOMPASSED WITHIN AN APPROXIMATELY 158 ACRE SITE (INCLUDING RELEVANT OFFSITE IMPROVEMENTS DRAINAGE) COMMERCIAL LAND USES) ON THE PROPERTY LOCATED SOUTH OF AND ADJACENT TO HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ALONG FUTURE EUCLYPEPTUS (FIR AVENUE) (RECEIVED FIRST READING AND INTRODUCTION ON FEBRUARY 10, 2009 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

Adopt Ordinance No. 785 for a Change of Zone (PA07-0088), to change the zone on approximately 104.9 acres of a 158 acre site from BP (Business Park) to LI (Light Industrial) to allow for industrial warehouse buildings greater than 50,000 square feet, subject to the findings included in resolution.

Ordinance No. 785

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Official Zoning Atlas of Said City, to Include a Change of Zone (PA07-0088) From BP (Business Park) To LI (Light Industrial) for an Approximate 104.9 Acre Portion of the Site, Including a Change of Zone for a 87 Foot Area Between Parcels 2 and 3 from BP (Business Park) To CC (Community Commercial) and Change of Zone for 126 Feet of Land Between Parcels 1 and 4 from CC (Community Commercial) To LI (Light Industrial), All Encompassed Within an Approximately 158 Acre Site (Including Relevant Offsite Improvements and Drainage) Commercial Land Uses) on the Property Located South of and Adjacent to Highway 60 Between Redlands Boulevard and Theodore Street Along Future Eucalyptus (Fir Avenue)

A.7

PA04-0058 – APPROVAL OF PROPOSED RESOLUTION SUMMARY VACATION OF A DRAINAGE DEDICATION, CONVEYED FOR PUBLIC USE BY A DECLARATION OF DEDICATION RECORDED SEPTEMBER 17, 1980 AS INSTRUMENT NO. 169556 OF OFFICIAL RECORDS OF SAID COUNTY (Report of: Public Works Department)
Recommendation:
1. Approve and adopt Resolution No. 2009-13, summarily vacating all of the drainage dedication conveyed for public use by a declaration of dedication recorded September 17, 1980 as instrument No. 169556 of official records of said county; and

Resolution No. 2009-13

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Drainage Dedication at the End of Bridal Trail Road

2. Instruct the City Clerk to certify said resolution and transmit a copy of the resolution to Land Development for further processing to the County Recorder’s office for recordation.

A .8 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 February 4-17, 2009.

A .9 CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) GRANT FUNDING OPPORTUNITY (Report of: Police Department)

Recommendation:
Staff recommends that the City Council approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety grant in the amount of $196,615.17, entitled “DUI Enforcement and Awareness Program.”

A .10 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR REALIGNMENT OF RECHE VISTA DRIVE FROM THE INTERSECTION OF PERRIS BOULEVARD AND HEACOCK STREET TO THE NORTH CITY LIMITS PROJECT NO. 01-12566722 (Report of: Public Works Department)

Recommendation:
Adopt a Mitigated Negative Declaration (MND) for the Realignment of Reche Vista Drive from the Intersection of Perris Boulevard and Heacock Street to the North City Limits, Project No. 01-12566722.
A.11 MINUTES- SPECIAL MEETING OF FEBRUARY 3, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.12 MINUTES- REGULAR MEETING OF FEBRUARY 10, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.13 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD PROJECT NO. 06-50182725 (Report of: Public Works Department)

Recommendation:
1. Waive minor irregularities of the lowest Bidder's Proposal and award the construction contract for Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard to Wheeler Paving, Inc., 8432 63rd Avenue, Riverside, CA 92509, determined as the lowest responsive and responsible bidder;

2. Authorize the City Manager to execute a construction contract with Wheeler Paving, Inc.;

3. Authorize the issuance of Purchase Orders for Wheeler Paving, Inc., in the amount of $3,491,773.80 (Base Bid $2,743,351.50 plus Additive Bid Item “A” $8,410.00, Additive Bid Item “C” $152,500.00 and Additive Bid Item “D” $5,550.00, plus 20% contingency of $581,962.30) when the contract has been signed by all parties ($391,773.80 from Account No. 501.82725 and $3,100,000.00 from 415.72927); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the construction contract with Wheeler Paving, Inc., up to but not exceeding the Purchase Orders combined contingency amount of $581,962.30, subject to the approval of the City Attorney.
RESOLUTION IN SUPPORT OF MARCH JOINT POWERS AUTHORITY’S REQUEST TO OBTAIN A RETIRED SPACE SHUTTLE ORBITER TO BE DISPLAYED AT THE MARCH FIELD AIR MUSEUM (Report of: City Manager's Office)

Recommendation:
Adopt Resolution No. 2009-17 in support of the March Joint Powers Authority's request to obtain a retired Space Shuttle Orbiter to be displayed at the March Field Air Museum.

Resolution No. 2009-17
A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Request of the March Joint Powers Authority Approving Completion of the Request for Information to Obtain a Retired Space Shuttle Orbiter to be Housed and Displayed as Part of the March Air Field Museum

CONSIDERATION OF RESOLUTION AMENDING RESOLUTION 2003-67, SUPPORTING A JOINT LAND USE STUDY TO ASSURE COMPATIBLE LAND USES NEAR MARCH RESERVE BASE AND APPOINT A REPRESENTATIVE TO THE MARCH OPERATIONS ASSURANCE TASK FORCE (Report of: City Manager's Office)

Recommendation:
Approve and adopt Resolution 2009-15, amending Resolution No. 2003-67 in support of a joint land use study to assure compatible land uses near March Air Reserve Base to protect the future aviation operations of the United States military.

Resolution No. 2009-15
A Resolution of the City Council of the City Of Moreno Valley, California, Amending Resolution No. 2003-67 in Support of a Joint Land Use Study to Assure Compatible Land Uses Near March Air Reserve Base to Protect the Future Aviation Operations of the United States Military

B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

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

Recommendation:
1. Authorize the Acceptance of One Time Grant Money in of $2,648 for (FY) 2008/2009 from the California Department of Education, Child Development Division, for the Purpose of Purchasing Instructional Materials and Supplies for the Child Development Program; and

2. Adopt Resolution No. CSD 2009-01 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of purchasing instructional materials and supplies for the child development program and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2008/2009.

Resolution No. CSD 2009-01
A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2008/09

B.3 MINUTES - REGULAR MEETING OF FEBRUARY 10, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

C CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 AUTHORIZE THE GRANT OF ROADWAY EASEMENTS FOR THE
PARTIAL ACQUISITION OF ASSESSOR PARCEL NUMBERS 291-191-001, 002, 003, 005, AND 006 FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (Report of: Public Works Department)

Recommendation:
1. Authorize the grant of roadway easements for the partial acquisition of the Community Redevelopment Agency (RDA) parcels known as Assessor Parcel Numbers (APN) 291-191-001, 002, 003, 005, and 006; and

2. Authorize the Executive Director to execute the roadway easements for the partial acquisition of the RDA parcels known as APN 291-191-001, 002, 003, 005, and 006.

C .3 MINUTES - REGULAR MEETING OF FEBRUARY 10, 2009 (Report of: City Clerk's Department)

Recommendation:
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 10, 2009 (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.

E .1 AFFORDABLE HOUSING AGREEMENT WITH HABITAT FOR HUMANITY RIVERSIDE AND PUBLIC HEARING TO CONSIDER THE TRANSFER OF TITLE OF TWO LOTS (CONTINUED FROM
Recommemtation: That the City Council and RDA

1. Conduct a joint public hearing pursuant to the California Community Redevelopment Law (California Health and Safety Code, Section 33000 et seq.) at which it will hear and consider information concerning the transfer of title of Assessor’s Parcels 292-202-044 and 045 and the Affordable Housing Agreement by and between the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley and Habitat for Humanity Riverside;

2. Adopt Resolution No. 2009-14, approving an Affordable Housing Agreement with the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and Habitat for Humanity Riverside, Inc. for the conveyance and development of land, making certain findings, and approving the use of funds; and

   Resolution No. 2009-14

   A Resolution of the City Council of the City of Moreno Valley, California, Approving an Affordable Housing Agreement with the Redevelopment Agency of the City of Moreno Valley and Habitat for Humanity Riverside, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds

3. Adopt Resolution No. RDA 2009-02, approving an Affordable Housing Agreement with the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley and Habitat for Humanity Riverside, Inc. for the conveyance and development of land, making certain findings, and approving the use of funds.

   Resolution No. RDA 2009-02

   A Resolution of the Redevelopment Agency of the City of Moreno Valley, California, Approving an Affordable Housing Agreement with the City of Moreno Valley and Habitat for Humanity Riverside, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds
F ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G REPORTS

G .1 MID YEAR BUDGET REVIEW (Report of: Financial & Administrative Services Department)

Recommendation:
1. Receive and file this report;
2. Approve recommended mid-year budget appropriation adjustments; and
3. Authorize the City Manager to make mid-year budget reductions to maintain current year expenditures within projected revenue levels and to prepare for next fiscal year's significant budgetary challenges.

G .2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY ESTABLISHING A HIRING FREEZE FOR ALL VACANT CITY POSITIONS AND ADDRESSING THE USE OF CONTRACTORS AND TEMPORARY EMPLOYEES UNDER LAYOFF CONDITIONS (Report of: City Clerk's Department)

Recommendation:
Adopt Resolution No. 2009-16 establishing a hiring freeze for all vacant city positions and addressing the use of contractors and temporary employees under layoff conditions.

Resolution No. 2009-16

A Resolution of the City Council of the City of Moreno Valley Establishing a Hiring Freeze for all Vacant City Positions and Addressing the Use of Contractors and Temporary Employees Under Layoff Conditions

G .3 CITY MANAGER'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 - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 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.
CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the 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(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

   a. Case: Moreno Valley Unified School District vs. County of Riverside
      Court: Superior Court of California County of Riverside
      Case No: RIC 502670

   b. Case: City of Moreno Valley, Community Redevelopment Agency of the City of Moreno Valley v. County of Riverside, et al.
      Court: San Diego Superior Court
      Case No: 37-2007-00082461-CU-PT-CTL

2. SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

   Number of Cases:  2

3. SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

   Number of Cases:  2

4. SECTION 54957.6 - LABOR NEGOTIATIONS
a) Agency Representative: Robert G. Gutierrez  
   Employee Organization: MVCEA

b) Agency Representative: Robert G. Gutierrez  
   Employee Organization: MVMA

c) Agency Representative: Robert G. Gutierrez  
   Employee Organization: Moreno Valley Confidential  
   Management Employees

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

ADJOURNMENT