

**MINUTES  
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  
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 P.M.  
SEPTEMBER 11, 2007**

**CALL TO ORDER** - The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:37 p.m. by Mayor White in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was led by Council Member Stewart

**INVOCATION** - Dr. Albert Peyrefitte, House of the Lord

**ROLL CALL**

Council:

Charles R. White	Mayor
William H. Batey, II	Mayor Pro Tem
Bonnie Flickinger	Council Member
Richard A. Stewart	Council Member
Frank West	Council Member

Staff:

Alice Reed	City Clerk
Margaret Ayars	Assistant City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Robert Gutierrez	City Manager
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
Steve Elam	Administrative Services Director
Rick Hall	Police Chief
Stan Lake	Fire Chief

Prem Kumar	Deputy Public Works Director/Assistant City Engineer
Cynthia Pirtle	Director of Library Services
Mike McCarty	Parks & Community Services Director
Denese Wilson-Beilke	Human Resources Director
Barry Foster	Economic Development Director
Angela Rushen	Assistant to the City Manager

City Manager Gutierrez introduced John Clark, new Fire Chief for the City of Moreno Valley

**JOINT CONSENT CALENDARS (SECTIONS A-D) 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**

Mayor White opened the agenda items for the Consent Calendars for public comments, there being none, public comments were closed.

**A. CONSENT CALENDAR - CITY COUNCIL**

- A1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
  
- A2. FINAL MAP 30316 – EXECUTE THE GRANT DEEDS TRANSFERRING FEE-TITLE INTEREST IN LOTS “Q”, “R”, & “S” TO THE MORENO VALLEY RANCH – WEST VILLAGE HOMEOWNERS ASSOCIATION, NORTH SIDE OF IRIS AVENUE AND WEST OF NASON STREET (Report of: Public Works Department)  
  
**Recommendation:** Authorize the Mayor to execute the Grant Deeds for Lots “Q,” “R,” and “S” of Final Map 30316 transferring fee-title interest to the Moreno Valley Ranch – West Village Homeowners Association.
  
- A3. ADOPT A NEGATIVE DECLARATION (ND) FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (Report of: Public Works Department)  
  
**Recommendation:** Adopt a Negative Declaration (ND) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue.
  
- A4. APPROVE AND EXECUTE THE PURCHASE AGREEMENT FOR THE PARTIAL ACQUISITION OF APN 260-040-003 FOR THE PIGEON PASS ROAD WIDENING PROJECT FROM CLIMBING ROSE DRIVE TO THE

NORTHERN CITY LIMITS AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW (Report of: Public Works Department)

**Recommendation:**

1. Approve and execute the purchase agreement for the partial acquisition of APN 260-040-003; and
2. Authorize the Finance Director to wire transfer funds into escrow in the amount of \$17,000 for the acquisition and an additional amount of \$4,000 for escrow fees for the partial acquisition of APN 260-040-003.

- A5. NOTICE OF COMPLETION AND ACCEPTANCE OF THE PROFESSIONAL CONSULTANT SERVICES FOR ARTERIALS TRAFFIC SIGNAL COORDINATION TIMING PLANS - PROJECT NO. 06-13768125 (Report of: Public Works Department)

**Recommendation:** Accept the work as complete for Professional Consultant Services by Katz, Okitsu & Associates, Inc., 17852 E. Seventeenth Street, Suite 102, Tustin, California 92780-2142, for development and implementation of traffic signal coordination timing plans for five major arterials.

- A6. TRACT MAP 30714 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING PINTO COURT, YEARLING COURT, ARABIAN COURT, BRONCO LANE, AND THE PORTIONS OF ROJO TIERRA, AND CREMELLO WAY ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM; DEVELOPER – K. HOVNANIAN FORECAST HOMES, ONTARIO, CA 91761 (Report of: Public Works Department)

**Recommendation:**

1. Adopt Resolution No. 2007- 100 authorizing the acceptance of the public improvements for Tract Map 30714 as complete and accepting Pinto Court, Yearling Court, Arabian Court, Bronco Lane, and the portions of Rojo Tierra, and Cremello Way associated with the project into the City’s maintained street system; and

Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 30714 and accepting Pinto Court, Yearling Court, Arabian Court, Bronco Lane, and the portions of Rojo Tierra, and Cremello Way 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.

- A7. PA05-0049 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF INDIAN STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM; DEVELOPER – INDIAN STREET LLC, WALNUT, CA 91789 (Report of: Public Works Department)

**Recommendation:**

1. Adopt Resolution No. 2007-101 authorizing the acceptance of the public improvements for PA05-0049 as complete and accepting the portion of Indian Street associated with the project into the city's maintained street system; and

Resolution No. 2007-101

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA05-0049, and Accepting the Portion of Indian Street 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.

- A8. TRACT MAP 30476 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING

SADDLEBRED LANE, CHAPPARAL WAY, TACK LANE, HOLSTEIN DRIVE, HAFLINGER COURT, BLAZER COURT, AND THE PORTIONS OF VIA XAVIER AND ROJO TIERRA ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA 91761 (Report of: Public Works Department)

**Recommendation:**

- 1. Adopt Resolution No. 2007-102 authorizing the acceptance of the public improvements for Tract Map 30476 as complete and accepting Saddlebred Lane, Chapparral Way, Tack Lane, Holstein Drive, Haflinger Court, Blazer Court, and the portions of Via Xavier and Rojo Tierra associated with the project into the City's maintained street system; and

Resolution No. 2007-102

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 30476, and Accepting Saddlebred Lane, Chapparral Way, Tack Lane, Holstein Drive, Haflinger Court, Blazer Court, and the Portions of Via Xavier and Rojo Tierra 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.

A9. TRACT MAP 32018 – SINGLE FAMILY RESIDENTIAL PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), COTTONWOOD AVENUE, BETWEEN PERRIS BOULEVARD AND KITCHING STREET, DEVELOPER – YH COTTONWOOD LLC, RANCHO CUCAMONGA, CA 91730 (Report of: Public Works Department)

**Recommendation:**

- 1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 32018;
- 2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for

recording; and

3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A10. CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES" GRANT (Report of: Police Department)

**Recommendation:**

Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety (OTS) "Sobriety Checkpoint Mini-Grant Program for Local Law Enforcement Agencies" in the amount of \$110,406.24 for a twelve-month period beginning October 1, 2007, and ending September 30, 2008.

- A11. MINUTES - REGULAR MEETING OF AUGUST 28, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

- A12. 2007 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)

**Recommendation:** Receive and file the informational report.

- A13. RESOLUTION ESTABLISHING MANAGEMENT/CONFIDENTIAL BARGAINING UNIT (Report of: Human Resources Department)

**Recommendation:**

Adopt Resolution No. 2007-105 designating management/confidential employees as a separate bargaining unit in accordance with the Meyers-Milias-Brown Act.

Resolution No. 2007-105

A Resolution of the City Council of the City of Moreno Valley Designating Management/Confidential Employees as a Separate Bargaining Unit in Accordance with the Meyers-Milias-Brown Act

**B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

- B1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- B2. FINAL MAP 32715 - APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN MORENO VALLEY COMMUNITY SERVICES DISTRICT AND MORENO VALLEY HOMES, INC. (Report of: Public Works Department)

**Recommendation:**

1. Approve the Maintenance Agreement by and between the CSD and Moreno Valley Homes, Inc.;
  2. Authorize the Mayor in his capacity as President of the CSD to execute the Maintenance Agreement;
  3. Authorize the City Attorney to act on behalf of the CSD to work with Moreno Valley Homes, Inc. to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;
  4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 7 of the Maintenance Agreement;
  5. Authorize the City Manager to act on behalf of the CSD to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and
  6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.
- B3. FINAL MAPS 30316, 30318, 30319, 30320, 30320-1, 30321, 30476 AND 30714--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN MORENO VALLEY COMMUNITY SERVICES DISTRICT AND MORENO VALLEY RANCH-WEST VILLAGE HOMEOWNERS ASSOCIATION (Report of: Public Works Department)

**Recommendation:**

1. Approve the Maintenance Agreement by and between the CSD and Moreno Valley Ranch-West Village Homeowners Association;
2. Authorize the Mayor in his capacity as President of the CSD to execute

the Maintenance Agreement;

3. Authorize the City Attorney to act on behalf of the CSD to work with Moreno Valley Ranch-West Village Homeowners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;
4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 7 of the Maintenance Agreement;
5. Authorize the City Manager to act on behalf of the CSD to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and
6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

- B4. RECOMMENDATION TO APPROVE EXTENSION AGREEMENT ANNUAL MOWING CONTRACT OF PARKS AND CFD#1 DLS LANDSCAPE, INC. (Report of: Parks & Community Services Department)

**Recommendation:**

1. Approve the Extension Agreement for Annual Mowing Contract of Parks and CFD #1 to DLS Landscape, Inc., 32398 Dunlap Boulevard, Yucaipa, California 92399, in the total amount of \$187,740 (\$25,776 for CFD #1 and \$161,964 for park sites);
2. Authorize the Mayor to execute the Extension Agreement with the above-mentioned contractor; and
3. Authorize the Finance Director to issue a purchase order upon execution of the Extension Agreement to the above-mentioned contractor not to exceed the amount of \$187,740. Funds are available in CSD Zone A, account 161.76310.6261 and CFD #1 account 184.18410.6261.

- B5. MINUTES - REGULAR MEETING OF AUGUST 28, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

- B6. RECOMMENDATION TO AWARD CONTRACT FOR THE PROFESSIONAL CONSULTANT DESIGN SERVICES FOR THE PARKS, RECREATION,



AND OPEN SPACE COMPREHENSIVE PLAN (Report of: Parks & Community Services Department)

**Recommendation:**

1. Award the contract for Professional Consultant Design Services for the Parks, Recreation, and Open Space Comprehensive Plan to RGW Design Group, Inc., in the amount not to exceed \$175,000;
2. Authorize the Mayor to execute a Contract Agreement with RGW Design Group, Inc.; and
3. Authorize the Finance Director to issue a purchase order upon execution of the contract to RGW Design Group, Inc., not to exceed \$175,000.

**C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

- C1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- C2. MINUTES - REGULAR MEETING OF AUGUST 28, 2007 (Report of: City Clerk's Department)

**D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

- D1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- D2. MINUTES - REGULAR MEETING OF AUGUST 28, 2007 (Report of: City Clerk's Department)

**Joint Consent Calendar Items A2 – D2 approved by a 5-0 vote. m/Batey, s/Stewart.**

**E. PUBLIC HEARINGS**

- E1. PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING (REBALLOT) FOR A PROPOSED INCREASE IN THE COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL PARCEL CHARGE FOR TRACT 21597 (Report of: Public Works Department)

**Recommendation:**

That the City Council acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley CSD (the "CSD Board"), after conducting the public hearing to accept public comment:

President White opened the public testimony portion of the public hearing; there being none, public testimony was closed.

1. Tabulate the mail ballots for the proposed CSD Zone D parcel charge for Tract 21597;

**Approved by a 5-0 vote. m/Flickinger, s/Stewart.**

**Item continued until later in the meeting to allow for tabulation of the ballots.**

- E2. PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 31414 - BALLOTTED ITEMS: NPDES RESIDENTIAL REGULATORY RATE SCHEDULE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING); AND TENTATIVE PARCEL MAP 33361 - BALLOTTED ITEMS: NPDES COMMERCIAL/INDUSTRIAL REGULATORY RATE SCHEDULE AND CSD ZONE E-4 (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) (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 to accept public comment:

Mayor White opened the public testimony portion of the public hearing; there being none, public testimony was closed.

- a. Tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Tentative Tract 31414 and Tentative Parcel Map 33361;

**Approved by a 5-0 vote. m/Flickinger, s/Stewart.**

The City Clerk announced the results as follows:

Tentative Tract 31414 – "Yes"  
Tentative Tract 33361 – "Yes"

- 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 Assessor Parcel Number (APN) listing; and
- d. If approved, authorize and impose the NPDES maximum residential regulatory rate to Tentative Tract 31414 (and all affected phases) and the NPDES maximum commercial/industrial regulatory rate to Tentative Parcel Map 33361.

**Approved by a 5-0 vote. m/Flickinger, s/Stewart.**

- 2. That the President and Members of the Board of Directors of the Moreno Valley CSD, after conducting the public hearing to accept public comment:

President White opened the public testimony portion of the public hearing; there being none, public testimony was closed.

- a. Tabulate the CSD ballots for Tentative Tract 31414 (and all affected phases) and Tentative Parcel Map 33361;

**Approved by a 5-0 vote. m/Flickinger, s/Batey.**

The Secretary announced the results as follows:

Tentative Tract 31414 – “Yes”  
 Tentative Tract 33361 – “Yes”

- 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 CSD Zone B (Residential Street Lighting) annual parcel charge to Tentative Tract 31414 and the CSD Zone E-4 (High-Service-Level Parkway Landscape Maintenance) annual acreage charge to Tentative Parcel Map 33361.

**Approved by a 5-0 vote. m/Flickinger, s/Stewart.**

**F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - NONE**

**G. REPORTS**

- G1. FEDERAL LOBBYIST LEGISLATIVE REPORT – ORAL REPORT ONLY – NO WRITTEN MATERIAL PROVIDED (Report of: Assistant to the City Manager) – Update given by David Turch of David Turch and Associates.

**AGENDA ORDER**

- E1. PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING (REBALLOT) FOR A PROPOSED INCREASE IN THE COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL PARCEL CHARGE FOR TRACT 21597 (Report of: Public Works Department) **(CONTINUED FROM EARLIER IN THE MEETING)**

**Recommendation:**

That the City Council acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley CSD (the “CSD Board”), after conducting the public hearing to accept public comment:

The Secretary announced the results as follows:

Tract 21597: “Yes” -11; “No” - 7

2. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;
3. Receive and file with the City Clerk’s office the accepted CSD Official Tally Sheet and APN listing; and
4. If approved, authorize and impose the approved CSD Zone D annual parcel charge for Tract 21597 and reinstate the CSD Zone D landscape services to the standard service level

**Approved by a 5-0 vote. m/Flickinger, s/Stewart.**

- G2. PROPOSED TOBACCO LICENSING ORDINANCE (Report of: Assistant to the City Manager)

Mayor White opened the agenda item for public comments; there being none, public comments were closed.

**Recommendation:**

1. Introduce Ordinance No. 752, amending Title 5 of the City of Moreno Municipal Code, by adding a new Chapter 5.04, regarding the licensure of tobacco retailers;

Ordinance No. 752

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 5 of the City of Moreno Valley Municipal Code, by Adding a New Chapter 5.04 Regarding the Licensure of Tobacco Retailers

**Approved by a 5-0 vote. m/Batey, s/Flickinger.**

2. Adopt Resolution No. 2007-103, amending Resolution 2007-43 to establish fees to recover the costs associated with the tobacco retailer license;

Resolution No. 2007-103

A Resolution of the City Council of the City of Moreno Valley, California, Amending Resolution 2007-43 to Establish Fees to Recover the Costs Associated with the Tobacco Retailer License

**Approved by a 5-0 vote. m/Batey, s/Flickinger.**

3. Adopt Resolution No. 2007-104, designating the County of Riverside to perform the functions to administer, enforce, and prosecute Chapter 5.04 of the Moreno Valley Municipal Code, and authorizing the City Manager to take all actions necessary to implement said designation;

Resolution No. 2007-104

A Resolution of the City Council of the City of Moreno Valley, California, Designating the County of Riverside to Perform the Functions to Administer, Enforce, and Prosecute Chapter 5.04 of the Moreno Valley Municipal Code, and Authorizing the City Manager to Take All Actions Necessary to Implement Said Designation

**Approved by a 5-0 vote. m/Batey, s/Flickinger.**

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

Mayor White opened the agenda item for public comments; there being none, public comments were closed.

City Manager Gutierrez gave an update on the improvements being made along Lasselle Street from John F. Kennedy to Iris Avenue which is part of the City's Bikeway Improvements – should be completed by the end of September 2007. Also announced that the State of the City Luncheon is being held on September 13, 2007 at the Conference and Recreation Center beginning at 11:30 a.m.

**H. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 751 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING SECTION 11.04.015 AND AMENDING SECTIONS 11.04.020, 11.04.030, 11.04.040 AND 11.04.050 OF CHAPTER 11.04 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO NIGHTTIME CURFEW (RECEIVED FIRST READING AND INTRODUCTION ON AUGUST 28, 2007 BY A 4-0-1 VOTE, STEWART ABSENT) (Report: City Attorney's Department)

**Recommendation:** Adopt Ordinance No. 751.

Ordinance No. 751

An Ordinance of the City Council of the City of Moreno Valley, California, Adding Section 11.04.015 and Amending Sections 11.04.020, 11.04.030, 11.04.040 and 11.04.050 of Chapter 11.04 of Title 11 of the City of Moreno Valley Municipal Code Relating to Nighttime Curfew

**Approved by a 5-0 vote. m/Flickinger, s/Batey.**

ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS – NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL ARE AS FOLLOWS - **NONE**

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY**

Council Member West

- 1) Stated he has been receiving calls from citizens regarding litter problems in the City and he has personally witnessed the litter problem himself – feels the City needs an effective and comprehensive plan to eliminate the litter problem in Moreno Valley
- 2) Getting some pressure lately from developers wanting the City to change the General Plan in regard to allow for higher density housing and changing the zoning – stated the current updated General Plan has come to us after years of careful planning and study – would like to stand firm as a Council on maintaining the current General Plan – cannot allow the housing market conditions to affect our city
- 3) Would like Deputy City Manager Hartmann to provide him a copy of what he provides to Council Member West regarding the condos at Bay & Dracaea

Mayor Pro Tem Batey

- 1) Announced YouthFest is coming this weekend to Celebration Park beginning at 10 a.m.
- 2) Inquired as to the status of the expected completion date of the artificial turf at Community Park – would like update by next meeting
- 3) Gave update on the Robertson's Ready Mix move
- 4) Streaming video should be ready to go on September 25, 2007
- 5) Thanked the City Manager, staff and Council for bringing on a Federal Lobbyist – will pay off for the City
- 6) Farewell and thanks to Chief Stan Lake for many years of great service to the City
- 7) Would like an update on the possibility of using artificial turf on the reverse parkways – would like to bring it back to a Study Session

Council Member Flickinger

- 1) Agrees with Council Member West regarding the litter problem – needs to be a top priority

- 2) Thanked those residents in District 4 who voted in rebalot to keep the landscaping alive
- 3) Stated that on September 29<sup>th</sup> Nickelodeon Television will be closing down their channel and website for three hours to encourage kids to go outdoors and play

#### Council Member Stewart

- 1) Just returned from his trip to Michigan and noticed while he was there on Labor Day that almost every home was flying a United States flag – small town with lots of pride
- 2) Announced that on September 17<sup>th</sup> at 8:30 a.m. the Riverside County Board of Supervisors will be holding a public hearing for the Sheriff's selection hearing – if you want to have input or watch the process that is the day to go to the Board of Supervisors meeting – very well qualified candidates
- 3) Met with the Sunnymead Ranch Homeowners and had the Burglary Suppression Team there – after this there was a meeting regarding a potential car wash in that are – assured the residents that this use will have to go through the Public Hearing process – asked residents to contact him if they have questions/concerns regarding the car wash
- 4) Agrees with the other Council members on the litter problem
- 5) Noticed that previously the condos at Bay & Frederick were for sale and now they are for rent and lease – wants to know what is happening with that development – Deputy City Manager Hartmann will check into this and report back
- 6) Agrees with Council Member West on the density issue – commends him on bringing this forward
- 7) Thanked Fire Chief Lake for the good job he did for the City

#### Mayor White

- 1) Glad the litter issue was raised this evening – witnessed a citizen picking up litter in the middle of the intersection at Dracaea & Graham – then he noticed litter all over the fence at the school – needs to be addressed
- 2) Need to take a look at the water shortage issue – would like to have a presentation made to the Council
- 3) Good luck to Fire Chief Lake – did a fine job for our City

**CLOSED SESSION - NONE**

#### **ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:40 p.m. by unanimous informal consent.

Submitted by:



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Alice Reed, City Clerk  
Secretary, Moreno Valley Community Services District  
Secretary, Community Redevelopment Agency of the City of Moreno Valley  
Secretary, Board of Library Trustees

Approved by:

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Charles R. White, Mayor  
President, Moreno Valley Community Services District  
Chairperson, Community Redevelopment Agency of the City of Moreno Valley  
Chairperson, Board of Library Trustees

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