

**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.  
JANUARY 8, 2008**

**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 6:30 p.m. by Mayor Batey in the Council Chamber located at 14177 Frederick Street.

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

**INVOCATION** - Retired Pastor Dorsey Cloud - Assembly of God, 100 Year-Old Resident of Moreno Valley

**ROLL CALL**

Council:

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

Staff:

Jane Halstead	City Clerk
Margie 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
Rick Hall	Police Chief
John Clark	Fire Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Community Development Director
Barry Foster	Economic Development Director

Steve Elam	Administrative Services Director
Denese Wilson-Beilke	Human Resources Director
Cynthia Pirtle	Director of Library Services
Mike McCarty	Parks & Community Services Director
Angela Rushen	Assistant to the City Manager

**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 Batey 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. MINUTES - REGULAR MEETING OF DECEMBER 11, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

- A3. WARRANT REPORT (Report of: Finance Department)

**Recommendation:** Adopt Resolution No. 2008-01, approving the Warrant Report, dated October 2007, in the total amount of \$13,011,313.46.

Resolution No. 2008-01

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated October 31, 2007

- A4. APPROVAL OF RESOLUTION AUTHORIZING STAFF TO DEVELOP REIMBURSEMENT AGREEMENTS FOR MORENO VALLEY ELECTRIC UTILITY FOR ELECTRIC DISTRIBUTION INFRASTRUCTURE (Report of: Public Works Department)

**Recommendation:** Adopt Resolution No. 2008-02 authorizing staff to develop Reimbursement Agreements for Moreno Valley Electric Utility for Electric Distribution Infrastructure on a "case by case" basis, and rescinding Resolution 2004-85.

Resolution No. 2008-02

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Staff to Develop Reimbursement Agreements for Moreno Valley Electric Utility Concerning Electric Distribution Infrastructure

- A5. PARCEL MAP 23244 – LOT 15 – EXECUTE THE ABUTTER’S RIGHT OF ACCESS RELINQUISHMENT TO THE OWNER OR OWNERS OF RECORD, WEST SIDE OF MORENO BEACH DRIVE NEAR AUTO MALL DRIVE, DEVELOPER – BROADSTONE AT VALLEY VIEW, LLC, PHOENIX, AZ (Report of: Public Works Department)

**Recommendation:**

1. Authorize the Mayor to execute the Abutter’s Right of Access Relinquishment to the owner or owners of record of the real property for Parcel Map 23244; and
2. Direct the City Clerk to forward the signed Abutter’s Right of Access Relinquishment to the County Recorder’s Office for recordation.

- A6. AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR KITCHING STREET IMPROVEMENTS FROM GENTIAN AVENUE TO ALESSANDRO BOULEVARD - PROJECT NO. 07-50182425 (Report of: Public Works Department)

**Recommendation:**

1. Approve the Agreement for Design Professional Consultant Services with Proactive Engineering Consultants, Inc. (Proactive), 1875 California Avenue, Corona, CA 92881 to provide design/project management and construction management services for Kitching Street Improvements project;
2. Authorize the City Manager to execute said Agreement for Design Professional Consultant Services with Proactive;
3. Authorize the issuance of a Purchase Order to Proactive, in the amount of \$1,111,000 (\$1,010,000) for the agreement plus the 10% contingency amount of \$101,000) from Account 501.82425, when the agreement has been signed by all parties; and

4. Authorize the City Engineer to execute any subsequent related minor amendments to the Agreement for Design Professional Consultant Services with Proactive, up to but not exceeding the Purchase Order contingency authorization, subject to approval of City Attorney.

A7. 2010 DECENNIAL LOCAL UPDATE OF CENSUS DATA (LUCA) PROGRAM (Report of: Administrative Services Department)

**Recommendation:** Authorize the Mayor to sign the Registration Form authorizing the City's participation in the 2010 Decennial Local Update of Census Addresses (LUCA) program at the highest participation level.

A8. ORDINANCE NO. 762 APPROVING PROJECT 1 ZONE CHANGE (PA06-0113) FROM COMMUNITY COMMERCIAL (CC) TO R15 FOR 19.47 NET ACRES LOCATED NEAR THE SOUTHEAST CORNER OF ALESSANDRO AND PERRIS BOULEVARDS, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE AS ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 11, 2007 BY A 5-0 VOTE) (Report of: Community Development Department)

**Recommendation:** Adopt Ordinance No. 762.

Ordinance No. 762

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA06-0113 (Zone Change) to Change the Land Use from Community Commercial to R15 for the 19.47-Net Acres Located within Assessor's Parcel Numbers 484-020-006, 018 & 020

A9. ORDINANCE NO. 764 APPROVING PROJECT 3 ZONE CHANGE (PA07-0018) FROM COMMUNITY COMMERCIAL TO RESIDENTIAL 20 FOR 12.11 NET ACRES LOCATED ON THE SOUTH SIDE OF BOX SPRINGS ROAD, EAST OF CLARK STREET (EXTENDED), BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE AS ATTACHED TO THE ORDINANCE AS EXHIBIT (RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 11, 2007 BY A 5-0 VOTE) (Report of: Community Development Department)

**Recommendation:** Adopt Ordinance No. 764.

Ordinance No. 764

An Ordinance of the City Council of the City Of Moreno Valley, California, approving PA07-0018 (Zone Change) to Change the Land Use District for Approximately 12 Acres Consisting of Assessor Parcel Numbers 291-050-003, 004, 012, and 013 from the Community Commercial Use Land Use District to the Residential 20 Land Use District

- A10. 2008 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)

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

- A11. 2008 COUNCIL COMMITTEE PARTICIPATION APPOINTMENTS (Report of: City Clerk's Department)

**Recommendation:** Approve appointments to the various committees and regional bodies as recommended in the 2008 Council Committee Participation list submitted by Mayor William H. Batey, II.

- A12. 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 November 21, 2007 – January 1, 2008.

**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. MINUTES - REGULAR MEETING OF DECEMBER 11, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

- B3. FINAL MAP 32018 – APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN MORENO VALLEY COMMUNITY SERVICES DISTRICT AND AUTUMN GLEN 4 HOMEOWNERS ASSOCIATION (Report of: Public Works Department)

**Recommendation:**

1. Approve the Maintenance Agreement by and between the CSD and Autumn Glen 4 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 Autumn Glen 4 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.

**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 DECEMBER 11, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

**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 DECEMBER 11, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

**Joint Consent Calendar Items A1-D2 approved by a 5-0 vote. m/White, s/West.**

**E. PUBLIC HEARINGS**

- E1. PUBLIC HEARING ON THE ANNEXATION OF ASSESSOR PARCEL NUMBER (APN) 297-170-005 TO COMMUNITY FACILITIES DISTRICT NO. 4 – INFRASTRUCTURE (Report of: Public Works Department)

**City Clerk announced: The Consent and Waiver form has been received and completed by the appropriate party to reduce the time of the noticing period.**

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

**Recommendation:** That the City Council, acting in its capacity as the legislative body of Community Facilities District (CFD) No. 4-Infrastructure, after conducting the Public Hearing:

- a. Approve and adopt Resolution No. 2008-03; a Resolution of the City Council of the City of Moreno Valley, California, Acting in its Capacity as the Legislative Body of Community Facilities District No. 4-Infrastructure, Making Certain Determinations and Authorizing Submittal of the Levy of Special Taxes to the Qualified Electors of Certain Territory Proposed to be Annexed to such Community Facilities District;

Resolution No. 2008-03

A Resolution of the City Council of the City of Moreno Valley, California, Acting in its Capacity as the Legislative Body of Community Facilities District No. 4-Infrastructure, Making Certain Determinations and Authorizing Submittal of the Levy of Special Taxes to the Qualified Electors of Certain Territory Proposed to be Annexed to Such Community Facilities District

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

- b. Direct staff to canvass the ballot received and report the result of the special election to the City Council;

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

City Clerk announced that one ballot was received, and the qualified elector voted in favor of the levy of special taxes within the area to be annexed. The ballot measure is therefore approved.

- c. Approve and adopt Resolution No. 2008-04; a Resolution of the City Council of the City of Moreno Valley, California, Declaring the Results of a Special Election in Territory to be Annexed to Community Facilities District No. 4-Infrastructure and Declaring the Annexation of such Territory to such District; and

Resolution No. 2008-04

A Resolution of the City Council of the City of Moreno Valley, California, Declaring the Results of a Special Election in Territory to be Annexed to Community Facilities District No. 4-Infrastructure and Declaring the Annexation of Such Territory to Such District

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

- d. Introduce Ordinance No. 765; an Ordinance of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 4-Infrastructure of the City of Moreno Valley, Authorizing the Levy of a Special Tax in Territory Annexed to Such Community Facilities District (Roll Call Required)

Ordinance No. 765

An Ordinance of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 4-Infrastructure of the City of Moreno Valley, Authorizing the Levy of a Special Tax in Territory Annexed to Such Community Facilities District

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

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

**G. REPORTS**

**AGENDA ORDER**

- G3. PROPOSED ACTIONS RELATIVE TO ANNUAL DEVELOPMENT IMPACT FEES INCREASE SCHEDULED FOR JANUARY 16, 2008 (Report of: Finance Department)



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

**Recommendation:** That the City Council take any of the following actions:

1. Take no action at this time and allow the residential, commercial, industrial and non-class A office development impact fees to increase on January 16, 2008 as previously authorized by Resolution No. 2007-43, adopted on April 24, 2007; or

**Not adopted.**

2. Adopt Resolution No. 2008-05, temporarily delaying the collection of residential development impact fees until certificate of occupancy, and temporarily suspending the increase in residential development impact fees as scheduled for January 16, 2008, until such time as the City Council adopts new fees based on staff's recommendations pursuant to the new 2007 development impact fee nexus study update; and/or

Resolution No. 2008-05

A Resolution of the City Council of the City of Moreno Valley, California, Temporarily Delaying the Collection of Residential Development Impact Fees until Certificate of Occupancy, and Temporarily Suspending the Residential Development Impact Fee Increase Scheduled for January 16, 2008, as Previously Approved by City Council in Adopting the Fee Resolution, No. 2007-43 on April 24, 2007

**Adopted Resolution NO. 2008-05 by a 5-0 vote. m/White, s/Stewart.**

3. Adopt Resolution No. 2008-06, temporarily suspending the increase in commercial, industrial, and non-class An office development impact fees as scheduled for January 16, 2008, until such time as the City Council adopts new fees based on staff's recommendations pursuant to the new 2007 development impact fee nexus study update.

Resolution No. 2008-06

A Resolution of the City Council of the City of Moreno Valley, California, Temporarily Suspending the Third and Final Phase-In of the Commercial, Industrial, and Non-Class A Office Development Impact Fee Increase Scheduled for January 16, 2008, Relative to the 2005 Impact Fee Nexus Study Update, and as Previously Approved by City Council in Adopting

the Fee Resolution, No. 2007-43 on April 24, 2007

**Adopted Resolution No. 2008-06 by a 5-0 vote. m/White, s/West.**

**AGENDA ORDER**

- G1. APPROVAL OF FY 2006-07 FINAL BUDGET ADJUSTMENTS (Report of: Finance Department)

**Recommendation:** That the City Council approve the FY 2006-07 final budget adjustments as presented in the staff report as a result of the year-end closing process and completion of the Comprehensive Annual Financial Report for the Year Ended June 30, 2007 (CAFR).

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

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

- G2. ORDINANCE AMENDING TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO LOT LINE ADJUSTMENTS (Report of: Economic Development Department)

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

**Recommendation:** That the City Council introduce Ordinance No. 766 amending Section 9.14.150 A.1. of the Moreno Valley Municipal Code, relating to Lot Line Adjustments. Under Section 15061 of the CEQA Guidelines, this action is categorically exempt from review under the California Environmental Quality Act in that there is no possibility of significant impact on the environment from the adoption of the ordinance.

Ordinance No. 766

An Ordinance of the City Council of the City of Moreno Valley, Amending Section 9.14.150 A.1 of the Moreno Valley Municipal Code Relating to Lot Line Adjustments

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

- G4. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

City Manager announced the following:

1. Moreno Valley's second quarter of 2007 sales tax receipts slipped by 3.9%, or approximately \$128,000 as compared to second quarter of 2006. Thirteen of the 24 cities in the Riverside County experienced the decrease. While there was a downturn, spending remains higher than receipts reported in the same period for 2005, which was a time of significant growth of sales
2. Emergency preparedness exercise for City staff has been scheduled for March 12. It will be a full scale drill. All Council members are invited to participate
3. Sponsorship packets and information on how to purchase tickets for the upcoming Comedy Night benefiting a new main library will be available very soon. Comedy Night is scheduled for March 15 at the Conference and Recreation Center

#### **H. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS – NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL - None

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

##### Council Member White

- 1) Requested to consider changing the name of Sunnymead Park to Fred Sculock Sunnymead Park to recognize contributions of Fred Sculock. Fred Sculock was a founder of the Moreno Valley Youth Foundation and master of the Moreno Valley Masonic Lodge. He was very youth oriented and did many things for the City. The request was seconded by Council Member Stewart

Council Member Stewart

- 1) Announced that we did pretty well in the horrible rain; asked Public Works to assess the streets
- 2) A restaurant with a free meeting room is closing. Inquired about availability of free meeting rooms for community groups (nonprofit and non-commercial); asked to bring this issue to a study session
- 3) Asked to be kept informed about the situation of Moreno Valley Community Hospital – is concerned about the Community Hospital being taken off the market

Council Member Flickinger

- 1) Moreno Valley Community Hospital is an excellent hospital; is pleased with the treatment her husband received there
- 2) Re sales tax – reminded everybody that sales tax pays for City's services; asked to shop in Moreno Valley
- 3) This morning, had the opportunity to tour a very special operation at the college campus - temporary trailers were set up by the Federal Center for Disease Control to collect data regarding the health conditions of Americans. The Riverside County was chosen as one of the 15 counties in the U.S.A., and Moreno Valley was chosen within the county. Is very pleased with this decision

Mayor Pro Tem West - None

Mayor Batey

- 1) Wished a happy New Year to everyone; is looking forward to challenges in 2008
- 2) January is the beginning of the after school reading program contest; kids read over 7000 books last year between January and April; they done a tremendous job; is looking forward for the kids to surpass the number of books read this year

**CLOSED SESSION**

None

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:26 p.m. by unanimous informal consent.

Submitted by:

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Jane Halstead, City Clerk, CMC

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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William H. Batey, II, 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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