

**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.  
JUNE 10, 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 Stewart

**INVOCATION** - Pastor Charles Campbell, Koinonia Evangelistic Center

**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
Kathy Savala	Senior Administrative Assistant
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
Albert Brady	Code Enforcement Manager
Barry Foster	Economic Development Director

Angela Rushen  
Steve Elam  
Chris Paxton  
Cynthia Pirtle  
Mike McCarty

Assistant to the City Manager  
Administrative Services Director  
Human Resources Director  
Director of Library Services  
Parks & Community Services Director

**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. Public comments were received from Pete Bleckert and Linda Wright on Item A11.

**A. CONSENT CALENDAR - CITY COUNCIL**

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

A2. MINUTES - REGULAR MEETING OF MAY 27, 2008 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

A3. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

**Recommendation:** Receive and file.

A4. CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

**Recommendation:** Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2008.

A5. 2008 LEGISLATIVE UPDATE (Report of: Assistant City Manager)

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

A6. AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR GRAHAM STREET CROSSING STATE ROUTE 60 AND STREET

IMPROVEMENTS BETWEEN SUNNYMEAD BOULEVARD AND HEMLOCK STREET, PHASE ONE, PART 1, PROJECT NO. 06-41683125 (Report of: Public Works Department)

**Recommendation:**

1. Approve the "Agreement for Design Professional Consultant Services" for Graham Street Crossing SR60 and Street Improvements between Sunnymead Boulevard and Hemlock Avenue, Phase One, Part 1 – Analysis of Alternatives, Preliminary Environmental Documentation and Funding Source Study only, with TY LIN International (TYLI) 3550 Vine Street, Suite 120, Riverside, CA 92507;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" for Phase One, Part 1 only, with TYLI;
3. Authorize the Finance Director to issue a Purchase Order to TYLI in the amount of \$226,242 (\$205,675 for the agreement amount for Phase One, Part 1 plus 10% contingency amount of \$20,567) from Fund 416.83125 when the agreement has been signed by all parties; and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Design Professional Consultant Services" with TYLI, up to but not to exceed the Purchase Order contingency amount authorized (\$20,567), subject to approval of City Attorney.

A7. AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR NEIGHBORHOOD PARK PROJECT NO. 10-89791723 (Report of: Public Works Department)

**Recommendation:**

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92591, to provide project management, architectural and engineering design (A&E) and construction management services;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;
3. Authorize the issuance of a Purchase Order to STK Architecture, Inc.

in the amount of \$864,578 (\$785,980 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897-91723; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreement with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of \$78,598 subject to the approval of the City Attorney.
- A8. FEE RESOLUTION FOR ANNUAL FEE ADJUSTMENT FOR MULTI-SPECIES HABITAT CONSERVATION PLAN (MSHCP) MITIGATION FEES (Report of: Community Development Department)

**Recommendation:** Adopt Resolution No. 2008-76, approving the Fee Schedule for Multi-Species Habitat Conservation Plan (MSHCP) Mitigation Fees for FY 2008-09.

Resolution No. 2008-76

A Resolution of the City Council of the City of Moreno Valley, California, Increasing the Fees for the Multi-Species Habitat Conservation Plan Mitigation Fee by the Consumer Price Index (CPI)

- A9. AGREEMENT FOR PROFESSIONAL DESIGN AND PROJECT MANAGEMENT CONSULTANT SERVICES AND CONSTRUCTION MANAGEMENT CONSULTANT SERVICES FOR IRONWOOD AVENUE FROM PERRIS BOULEVARD TO NASON STREET, PROJECT NO. 10-41572727 (Report of: Public Works Department)

**Recommendation:**

1. Approve the "Agreement for Professional Design and Project Management Consultant Services and Construction Management Consultant Services for Ironwood Avenue from Perris Boulevard to Nason Street" for Project Management and 35% Project Design Services (RFP Part 1, Phase 1) only, with Winzler & Kelly, 3531 E. Mira Loma Avenue, Anaheim, CA 92806;
2. Authorize the City Manager to execute said "Agreement for Professional Design and Project Management Consultant Services and Construction Management Consultant Services for Ironwood Avenue from Perris Boulevard to Nason Street" for Project Management and 35% Project Design Services (RFP Part 1, Phase 1) only, with Winzler & Kelly;

3. Authorize the Finance Director to issue a Purchase Order to Winzler & Kelly, in the amount of \$470,000.00 (\$390,632.00 proposal amount for Project Management and 35% Project Design Services (RFP Part 1, Phase 1) plus 20% contingency) when the Agreement has been signed by all parties (Account No. 415.72727); and
4. Authorize the City Engineer to execute any subsequent Amendments to the Agreement for Design Professional Consultant Services with Winzler & Kelly, up to but not to exceed the Purchase Order contingency amount of \$79,368.00, subject to the approval of the City Attorney.

A10. SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES INDIAN STREET AND CACTUS AVENUE INTERSECTION AND STORM DRAIN IMPROVEMENTS PROJECT, PROJECT NO. 03-12567123 (Report of: Public Works Department)

**Recommendation:**

1. Approve the Sixth Amendment to Agreement for Professional Consultant Services with Harris and Associates, 750 B Street, Suite 1800, San Diego, CA 92101 to provide design support services during construction;
2. Authorize the City Manager to execute the Sixth Amendment to Agreement for Professional Consultant Services with Harris and Associates;
3. Authorize an increase in the Purchase Order to Harris and Associates, in the amount of \$9,600 (\$8,000 proposed additional fees plus \$1,600 for a 20% contingency) when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties (Account No. 125.67425); and
4. Authorize the City Engineer to execute any subsequent related minor change orders to the Agreement for Professional Consultant Services with Harris and Associates, up to but not to exceed the Purchase Order contingency authorization, subject to the approval of the City Attorney.

A11. ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

**Recommendation:** Review proposed changes to the annual Agreements for Services with the three local Chambers of Commerce – the Moreno Valley Chamber of Commerce, the Moreno Valley Hispanic Chamber of Commerce and the Moreno Valley Black Chamber of Commerce.

A12. WARRANT REPORT – APRIL 30, 2008 (Report of: Finance Department)

**Recommendation:** Adopt Resolution No. 2008-60, approving the Warrant Report, dated April 30, 2008, in the total amount of \$23,068,201.28.

Resolution No. 2008-60

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated April 30, 2008

A13. AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR FIRE STATION #110 PROJECT NO. 10-89791722 (Report of: Public Works Department)

**Recommendation:**

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92591, to provide project management, architectural and engineering design (A&E) and construction management services;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;
3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of \$1,002,594 (proposal amount of \$911,449 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897-91722; and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of \$91,145 subject to the approval of the City Attorney.

A14. RESCINDING RESOLUTION 2008-58 AND ADOPTING RESOLUTION 2008-78 AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS FOR PA99-0002 AS COMPLETE AND ACCEPTING THE PORTION OF NEW LIGHT WAY AND IRIS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM -

NEW LIGHT M.B.C., MORENO VALLEY (Report of: Public Works Department)

**Recommendation:**

1. Rescind previous action to adopt Resolution No. 2008-58 authorizing the acceptance of the public improvements for PA99-0002 as complete and accepting the portion of Touplo Lane and Iris Avenue associated with the project into the City's maintained street system.
2. Adopt the proposed Resolution No. 2008-78 authorizing the acceptance of the public improvements for PA99-0002 as complete and accepting the portion of New Light Way and Iris Avenue associated with the project into the City's maintained street system.

Resolution No. 2008-78

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA99-0002, and Accepting the Portion of New Light Way and Iris Avenue Associated with the Project into the City's Maintained Street System

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

B1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B2. MINUTES - REGULAR MEETING OF MAY 27, 2008 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

B3. EXTENSION OF CONTRACT - PROJECT NO. D-SG1-W/05 - MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

**Recommendation:**

1. Approve the attached Amendment to the Contract Agreement for MVCSD Project D-SG1 – W/05 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with CTAI Pacific Greenscape, Murrieta, California; and
3. Authorize the Purchasing Manager, at the start of Fiscal Year 2008/09, to issue open purchase orders to CTAI Pacific Greenscape, Inc. in the amounts of:
  - a.) ONE HUNDRED EIGHT THOUSAND FIVE HUNDRED FIFTY-NINE AND 13/100 DOLLARS (\$108,559.13) for twelve months of base maintenance service; and
  - b.) TEN THOUSAND ONE HUNDRED AND 00/100 DOLLARS (\$10,100.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

**B4. EXTENSION OF CONTRACT - PROJECT NO. D-SG1-E/07 – MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION (Report of: Public Works Department)**

**Recommendation:**

1. Approve the attached Amendment to the Contract Agreement for MVCSD Project D-SG1-E/07 to extend the term of the contract for an additional one-year period;
2. Authorize the President of the MVCSD Board to execute said Amendment with TruGreen•LandCare of Riverside, California; and
3. Authorize the Purchasing Manager, at the start of Fiscal Year 2008/09, to issue open purchase orders to TruGreen•LandCare, Inc. in the amounts of:
  - a.) ONE HUNDRED SIXTY THOUSAND FOUR HUNDRED TEN AND 43/100 DOLLARS (\$160,410.43) for twelve months of base maintenance service; and
  - b.) TEN THOUSAND ONE HUNDRED FIVE AND 00/100 DOLLARS (\$10,105.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

**B5. NAMING OF CITY OF MORENO VALLEY’S FIRST DOG PARK LOCATED AT THE SOUTHEAST LEVEL OF THE MORENO VALLEY EQUESTRIAN CENTER AT 11150 REDLANDS BOULEVARD (Report of: Parks and Community Services Department)**



**Recommendation:** Adopt the name “Hound Town Dog Park” for the City’s first dog park, as recommended and submitted by the Parks and Recreation Commission.

- B6. RECOMMENDATION TO AUTHORIZE EXPENDITURES WITH CM SCHOOL SUPPLY AND OFFICE DEPOT AND TO ENTER INTO AN AGREEMENT WITH AFTERSCHOOL.COM (Report Of: Parks and Community Services Department)

**Recommendation:** That the Mayor and Members of the City Council, acting in their respective capacities as the President and Members of the Moreno Valley Community Services District:

1. Authorize the City Manager to approve the expenditures for CM School Supply for the purpose of replenishing school supplies that will be distributed to each S.T.A.R.S. site and direct the Finance Director to issue a purchase order not to exceed the amount of \$400,000;
2. Authorize the City Manger to approve the expenditures for Office Depot for the purpose of replenishing office supplies and direct the Finance Director to issue a purchase order not to exceed the amount of \$175,000; and
3. Authorize the City Manager to approve the expenditures for Afterschool.com for the purpose of purchasing customized backpacks with school supplies included and direct the Finance Director to issue a purchase order not to exceed the amount of \$200,100.

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

- C1. ORDINANCES - READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinances.
- C2. MINUTES - REGULAR MEETING OF MAY 27, 2008 (Report of: City Clerk’s Department)

**Recommendation:** Approve as submitted.

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

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

D2. MINUTES - REGULAR MEETING OF MAY 27, 2008 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

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

**E. PUBLIC HEARINGS**

E1. PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2008/09 ANNUAL RATES (Report of: Public Works Department)

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

**Recommendation:** That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and
2. Adopt "Resolution No. 2008-61, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2008-61

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

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

E2. PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2008/2009 (Report of: Public Works Department)

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

**Recommendation:** That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD) (the "Board") conduct a Public Hearing and:

1. Adopt Resolution No. CSD 2008-05 (Zone A);

Resolution No. CSD 2008-05

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2008/2009

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

2. Adopt Resolution No. CSD 2008-06 (Zone B);

Resolution No. CSD 2008-06

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2008/2009

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

3. Adopt Resolution No. CSD 2008-07 (Zone C);

Resolution No. CSD 2008-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2008/2009

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

4. Adopt Resolution No. CSD 2008-08 (Zone D);

Resolution No. CSD 2008-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2008/2009

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

5. Adopt Resolution No. CSD 2008-09 (Zone E);

Resolution No. CSD 2008-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2008/2009

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

6. Adopt Resolution No. CSD 2008-10 (Zone E-1A);

Resolution No. CSD 2008-10

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2008/2009

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

7. Adopt Resolution No. CSD 2008-11 (Zone E-3A);

Resolution No. CSD 2008-11

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During

Fiscal Year 2008/2009

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

8. Adopt Resolution No. CSD 2008-12 (Zone E-4A);

Resolution No. CSD 2008-12

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2008/2009

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

9. Adopt Resolution No. CSD 2008-13 (Zone M); and

Resolution No. CSD 2008-13

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2008/2009

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

10. Adopt Resolution No. CSD 2008-14 (Zone S);

Resolution No. CSD 2008-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2008/2009

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

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

None.

## G. REPORTS

### G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

- a) Report on Riverside Transit Agency (RTA) by Council Member Flickinger

Council Member Flickinger discussed proposed cuts for routes 17, 18 and 18a due to low ridership and advised that RTA would conduct public hearings; the dates had not yet been determined. Additionally, she mentioned that with gas prices so high, now might be a good time to check out RTA's website for alternate transportation around town.

- b) Report on March Joint Powers Commission by Council Member Stewart

Council Member Stewart discussed:

- 1) The Agency's approval of the addition of general aviation into the Joint Use Agreement which brings the added benefit of federal money and grants to March Air Reserve Base;
- 2) The Commission's inability to restrict night flights by virtue of a curfew because of FAA regulations, but that they are attempting to give preference to carriers that operate during daytime hours;
- 3) DHL's new contract with UPS;
- 4) The City of Riverside's Resolution opposing additional flights at March and his desire to keep the jobs at March; and
- 5) The possibility of airlines replacing older planes with newer planes which are more fuel efficient and quieter.

### G2. APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) ANNUAL SPECIAL TAX LEVY (Report of: Public Works Department)

**Recommendation:** That the City Council acting in the capacity as the Board of Directors of the Moreno Valley Community Services District ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1"), approve and adopt Resolution No. CSD 2008-15 accepting and approving the report for fiscal year 2008/09 regarding CFD No. 1.

Resolution No. CSD 2008-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2008/09 Regarding Community Facilities District No. 1 (Neighborhood

Park Maintenance)

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

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

- G3. APPROVAL AND ADOPTION OF SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4-MAINTENANCE (“CFD NO. 4-M”) (Report of: Public Works Department)

**Recommendation:** That the City Council, acting in its capacity as the legislative body of Moreno Valley CFD No. 4 - M (“Board”) approve and adopt Resolution No. 2008-77 accepting and approving the report for fiscal year 2008/09 regarding CFD No. 4-M.

Resolution No. 2008-77

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2008/2009 Regarding Community Facilities District No. 4-Maintenance

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/West.**

- G4. APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 (Report of: Public Works Department)

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

**Recommendation:** That the City Council, acting in its capacity as the legislative body of Moreno Valley Community Facilities District No. 5 (“Board”) approve and adopt the following:

1. Resolution No. 2008-63 accepting and approving the Annual Special Tax Report for fiscal year 2008/09 regarding Community Facilities District No. 5; and

Resolution No. 2008-63

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2008/09 Regarding Community Facilities District No. 5

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

2. Resolution No. 2008-64 approving the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

Resolution No. 2008-64

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

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

- G5. APPROVAL AND ADOPTION OF RESOLUTION NO. 2008-65 TO IMPLEMENT THE SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING) SPECIAL TAX BONDS, SERIES 2000 (Report of: Public Works Department)

**Recommendation:** That the City Council, acting in its capacity as the legislative body of Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt a Resolution to approve the Special Tax Report on file in the office of the City Treasurer and implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Special Tax Report on file in the office of the City Treasurer.

Resolution No. 2008-65

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2008/2009 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

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/Stewart.**

- G6. APPROVAL AND ADOPTION OF RESOLUTIONS NO. 2008-66 TO IMPLEMENT THE ANNUAL SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) AND NO. 2008-67 APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 53410 AND 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1 (Report of: Public Works Department)

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

**Recommendation:** That the City Council, acting in their capacity as the legislative body of Community Facilities District (CFD) No. 87-1 (Towngate), of the City of Moreno Valley ("District") approve and adopt the following:

1. Resolution No. 2008-66 approving the Special Tax Report on file in the office of the City Treasurer to implement the rate and method of apportionment of the special tax levy required to cover the 2008/2009 annual debt service of CFD No. 87-1 (Towngate); and

Resolution No. 2008-66

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2008/09 Regarding Community Facilities District No. 87-1 (Towngate)

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

2. Resolution No. 2008-67 approving the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 (Towngate).

Resolution No. 2008-67

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

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

- G7. APPROVAL AND ADOPTION OF RESOLUTIONS NO. 2008-68 TO IMPLEMENT THE ANNUAL SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 AND NO. 2008-69 APPROVING THE SUBMITTAL OF AN ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 53410 AND 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1 IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

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

**Recommendation:** That the City Council, acting in their capacity as the legislative body of Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley ("District") approve and adopt the following:

1. Resolution No. 2008-68 approving the Special Tax Report on file in the office of the City Treasurer and implementing the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 87-1 (Towngate) Improvement Area No. 1; and

Resolution No. 2008-68

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2008/2009 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1

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

2. Resolution 2008-69 approving the submittal of an Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2008-69

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 Improvement Area No. 1 of the City of Moreno Valley, Approving the

Submittal of an Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

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

- G8. CONTINUED FY 2008-09 PROPOSED BUDGET DISCUSSIONS (Report of: Finance Department)

**Recommendation:** That the City Council continue its discussion on the City Manager's FY 2008-09 Proposed Budget and provide direction to staff regarding the recommended budget reductions as contained in the Deficit Reduction Plan, or any operating or capital budget policy issues.

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

No action required.

**AGENDA ORDER**

- G12. SECOND AMENDMENT AND RESTATEMENT OF THE WASTE MANAGEMENT AGREEMENT (Report of: Public Works Department)

**Recommendation:** That the City Council approve the Second Amendment and Restatement of the Agreement between the City of Moreno Valley and Waste Management of the Inland Empire.

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

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

**AGENDA ORDER**

- G9. GENERAL MUNICIPAL ELECTION – NOVEMBER 4, 2008 RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF AN ADVISORY BALLOT MEASURE RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF THE REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of:

City Clerk's Department)

Mayor Batey opened the agenda item for public comments. Public comments were received from Pete Bleckert and Thomas Jerele, Sr.

**Recommendation:**

Staff recommends that the City Council:

1. Adopt:

Resolution No. 2008-70, calling and giving notice of the holding of a general municipal election on Tuesday, November 4, 2008 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2008-70

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 4, 2008, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

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

Resolution No. 2008-71, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 4, 2008, pursuant to §10403 of the California Elections Code;

Resolution No. 2008-71

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election with the Statewide General Election to be held on Tuesday, November 4, 2008, Pursuant to Section 10403 of the California Elections Code

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

Resolution No. 2008-72, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the

voters at an election to be held on Tuesday, November 4, 2008;

Resolution No. 2008-72

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters at an Election to be held on Tuesday, November 4, 2008

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

Resolution No. 2008-73, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 4, 2008 of an advisory ballot measure relating to changing from an appointed to an elected mayor;

Resolution No. 2008-73

A Resolution of the City Council of the City of Moreno Valley, California Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be held on Tuesday, November 4, 2008 of an Advisory Ballot Measure Relating to Changing from an Appointed to an Elected Mayor

**Failed by a 2-3 vote. m/Flickinger, s/Batey; Stewart, West and White dissenting.**

Resolution No. 2008-74, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measure relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 4, 2008;

Resolution No. 2008-74

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis Regarding the Advisory Ballot Measure Relating to Changing from an Appointed to an Elected Mayor for the General Municipal Election to be held on November 4, 2008

**No action required due to Resolution No. 2008-73 not passing.**

Resolution No. 2008-75, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections; and

Resolution No. 2008-75

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at Municipal Elections

**No action required due to Resolution No. 2008-73 not passing.**

2. Approve the Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

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

- G10. MARCH JOINT POWERS AUTHORITY – GENERAL PLAN ADVISORY COMMITTEE (Report of: Community Development Department)

**Recommendation:** That the City Council select two representatives to serve on the General Plan Advisory Committee (GPAC) for the March Joint Powers Authority (MJPA).

City Council selected Rick De Jong and Douglas Merkt to serve as representatives on GPAC, with Richard Dozier serving as an alternate.

**Approved by a 4-1 vote. m/Flickinger, s/West, Stewart dissenting.**

- G11. DISCUSSION OF LETTER FROM CITY OF RIVERSIDE REQUESTING NOTICE OF ALL CEQA PROCEEDINGS BY THE CITY OF MORENO VALLEY PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTION 21092.2 (Report of: City Attorney)

**Recommendation:** That the City Council review and discuss the letter from the City of Riverside and provide direction to the City Attorney and/or City Manager concerning any potential response.

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

Mayor requested to schedule a meeting with the City of Riverside.

No action required.

## AGENDA ORDER

### G13. OVERVIEW OF THE CITY'S UTILITY USER'S TAX EXEMPTION PROCESS (Report of: Finance Department)

**Recommendation:** that the City Council receive and file this staff report, which is in response to a May 27, 2008 City Council request for information about the utility users tax (UUT) exemption process.

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

Received and filed. No action required.

### G14. CITY MANAGER'S REPORT

City Manager announced:

- 1) Congratulated Library Director Cynthia Pirtle on her new position as Library Director with City of Newport Beach;
- 2) Advised that the Moreno Valley Police Department was holding "Operation Safe Graduation," a 24-hour, non-emergency hotline for the anonymous reporting of graduation events that may require police assistance; and
- 3) Advised the City would be sponsoring "Wake Up Moreno Valley" on June 20, 2008 and that staff would be reporting on City items of interest.

## H. LEGISLATIVE ACTIONS

### ORDINANCES - 1ST READING AND INTRODUCTION

#### H1. ORDINANCE DESIGNATING SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS (Report of: Public Works Department)

**Recommendation:**

Introduce Ordinance No. 776, amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code declaring prima facie speed limits on certain streets (as listed on the ordinance) and directing the City Traffic Engineer to take action respect thereto (Roll call required).

Ordinance No. 776

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

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

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

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

Oscar Valdepena

- 1) Thanked Council and City staff for their continued support of the Chamber of Commerce, and praised staff's efforts in assisting new businesses
- 2) Thanked staff for requiring Brandon's restaurant to keep their meeting room open for service organization meetings

Susan Gilchrist

- 1) Discussed issues related to branding of the eastern portion of the City and provided histories of neighborhoods in Riverside. She said there is no comparison between Rancho Belago and the history of Riverside neighborhoods

Pete Bleckert

- 1) Discussed issues related to the mall and Fritz Duda's business decisions

Thomas Jerele, Sr.

- 1) Complimented staff on the success of Taste of the Valley and thanked all participants who made the event a success
- 2) Said he is looking forward to the City's July 4 parade and picnic
- 3) Asked if there was a disposal program for fluorescent lights that have been used commercially
- 4) Commended Council Member Stewart for standing by Council Member White concerning an issue of respect



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

### Mayor Pro Tem West

- 1) Discussed the mean-spiritedness of new flyer distributed, phone calls friends have received concerning his stand on issues, and the fact that this is an inappropriate method of campaigning. He asked the community to judge him on his record
- 2) Announced that on June 16 at the Conference and Recreation Center, a meeting will be held where the community could raise questions concerning the impact of diesel trucks and warehouses on the community

### Council Member White

- 1) Thanked Council for their common sense approach concerning a directly-elected Mayor
- 2) Discussed points addressed in the recent flyer and the disservice the flyer does to the City

### Council Member Stewart

- 1) Discussed negative letter in The Press Enterprise concerning meeting rooms in restaurants being made available to service organizations and talked about the ways service organizations support the City
- 2) Spoke of the advantages diversified eating establishments bring to the City
- 3) Said the Taste of The Valley was a great success and enjoyed the variety of foods available
- 4) Recommended the geographic size of Rancho Belago be addressed when the item is discussed in Study Session
- 5) Said we are fortunate to have jobs coming to the City and would like to work on ways to make sure there is a jobs/housing balance

### Council Member Flickinger

- 1) Talked about the wonderful experience of participating in career day at Hendrick Ranch Elementary School
- 2) Attended the Taste of the Valley, commented on the event's success, and looks forward to next year's event
- 3) Said that the Chamber of Commerce works to bring new businesses to the City which is an advantage to the community
- 4) Asked for and received consensus from Mayor Batey to agendaize a Study Session item regarding EMWD's request that in view of the water shortage, the City consider passing the same water ordinance the County passed

### Mayor Batey

- 1) Discussed the Edgemont Elementary School's Career Day and what a success the event was
- 2) Advised that soon RCC would have a new President, and he would be hosting a

welcome reception for him

**CLOSED SESSION**

None.

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 9:16 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

Kms