

**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 24, 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 West

**INVOCATION** - Pastor Steve Overton from Christian Chapel Foursquare Church

**ROLL CALL**

Council:

|                     |                |
|---------------------|----------------|
| William H. Batey II | Mayor          |
| Frank West          | Mayor Pro Tem  |
| Richard A. Stewart  | Council Member |
| Charles R. White    | Council Member |

Absent:

|                   |                |
|-------------------|----------------|
| Bonnie Flickinger | Council Member |
|-------------------|----------------|

Staff:

|                  |                                     |
|------------------|-------------------------------------|
| Jane Halstead    | City Clerk                          |
| Natasha Burdine  | 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      |
| Barry Foster     | Economic Development Director       |
| Angela Rushen    | Assistant to the City Manager       |

Steve Elam  
Chris Paxton  
Becky Guillan  
Mike McCarty

Administrative Services Director  
Human Resources Director  
Acting 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; there being none, public comments were closed.

**A. CONSENT CALENDAR - CITY COUNCIL**

A1. ORDINANCES - READING BY TITLE ONLY

**Recommendation:** Waive reading of all Ordinances.

A2. AMENDED MINUTES – REGULAR MEETING OF DECEMBER 11, 2007  
(Report of: City Clerk’s Department)

**Recommendation:** Approve as amended to change wording of Item G2 motion as follows: to waive the fee (\$5,500 maximum) and in addition the cost of powering the generator as part of sponsorship for the 6<sup>th</sup> annual Martin Luther King Jr. celebration; side to be decided.

A3. MINUTES - REGULAR MEETING OF JUNE 10, 2008 (Report of: City Clerk’s Department)

**Recommendation:** Approve as submitted.

A4. CITY COUNCIL REPORTS ON REGIONAL AND REIMBURSABLE ACTIVITIES (Report of: City Clerk’s Department)

**Recommendation:** Receive and file the Reports on Reimbursable Activities for the period of June 4-17, 2008.

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

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

A6. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL FOR STATE ROUTE 60 WEST BOUND RAMPS AND MORENO

BEACH DRIVE. PROJECT NO. 05-41779224 (Report of: Public Works Department)

**Recommendation:**

1. Ratify Contract Change Order No. 1 (Final) for the Traffic Signal for State Route 60 West Bound Ramps and Moreno Beach Drive (Project No. 05-41779224);
2. Accept the work as complete for the Traffic Signal for State Route 60 West Bound Ramps and Moreno Beach Drive, constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879-1668;
3. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;
4. Authorize the Director of Finance to release the retention to Hillcrest Contracting, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
5. Accept the improvements into the City's maintained road system.

A7. WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2008/2009 RATE ADJUSTMENT (Report of: Public Works Department)

**Recommendation:** Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2008/2009 Rate Adjustment.

A8. TRACT MAP 31284-1 – REDUCE THE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING KELTON COURT, BAXTER COURT, SOMERGATE DRIVE, PEYTON DRIVE, CLARISSA COURT, RODERICK DRIVE, TRISTAN DRIVE, AND THE PORTIONS OF COTTONWOOD AVENUE, WAR ADMIRAL STREET, SEA BISCUIT STREET, CRISPIN DRIVE, KEATON DRIVE, AND VANCE DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER - MERITAGE HOMES OF CALIFORNIA, INC., IRVINE, CA (Report of: Public Works Department)

**Recommendation:**

1. Adopt Resolution No. 2008-81 authorizing the acceptance of the public improvements for Tract Map 31284-1 as complete and accepting Kelton Court, Baxter Court, Somergate Drive, Peyton Drive, Clarissa Court, Roderick Drive, Tristan Drive, and the portions of Cottonwood Avenue, War Admiral Street, Sea Biscuit Street, Crispin Drive, Keaton Drive, and Vance Drive associated with the project into the City's maintained street system; and

Resolution No. 2008-81

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tract Map 31284-1, and Accepting the Portion of Kelton Court, Baxter Court, Somergate Drive, Peyton Drive, Clarissa Court, Roderick Drive, Tristan Drive, and the Portions of Cottonwood Avenue, War Admiral Street, Sea Biscuit Street, Crispin Drive, Keaton Drive, and Vance Drive Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.
- A9. FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE, PROJECT NO. 11-41570125 (Report of: Public Works Department)

**Recommendation:**

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with LAN Engineering Corporation, 1887 Business Center Drive, Suite 6, San Bernardino, CA 92408 due to a reduction in the scope of work for planning and environmental services for the Perris Boulevard Widening project;
2. Authorize the City Manager to execute the "First Amendment to Agreement for Professional Consultant Services" with LAN Engineering Corporation; and
3. Authorize a decrease in the Purchase Order to LAN Engineering Corporation in the amount of \$28,258.47 for the project planning and

environmental phase (Phase I - Project Approval and Environmental Document – PA&ED) when the “First Amendment to Agreement for Professional Consultant Services” has been signed by all parties.

- A10. ADOPT ORDINANCE NO. 776 DESIGNATING SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS (RECEIVED FIRST READING AND INTRODUCTION JUNE 10, 2008 ON A 5-0 VOTE) (Report of: Public Works Department)

**Recommendation:**

1. Adopt 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 with respect thereto.

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

- A11. ACCEPT AND APPROVE THE AMENDMENT TO AGREEMENT TO REIMBURSE TRANSPORTATION UNIFORM MITIGATION FEE FUNDS BETWEEN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS AND THE CITY OF MORENO VALLEY FOR PIGEON PASS ROAD/CLIMBING ROSE DRIVE TO HIDDEN SPRINGS DRIVE (NORTHERLY CITY LIMIT) - PROJECT NO. 06-41570324 (Report of: Public Works Department)

**Recommendation:**

1. Accept and approve the Amendment to Agreement to Reimburse Transportation Uniform Mitigation Fee (TUMF) Funds between Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley for Pigeon Pass Road/Climbing Rose Drive to Hidden Springs Drive (Northerly City Limit);
2. Authorize the Public Works Director/City Engineer to execute the Amendment to Transportation Uniform Mitigation Fee Program Agreement for Pigeon Pass Road/Climbing Rose Drive to Hidden Springs Drive (Northerly City Limit); and

3. Authorize the Public Works Director/City Engineer to execute future amendments to the TUMF agreement for Project No. 06-41570324.
- A12. ACCEPT AND APPROVE AMENDMENTS TO TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) REIMBURSEMENT AGREEMENTS FOR NASON/SR 60 AND MORENO BEACH ROAD/SR-60 INTERCHANGES. PROJECT NO. 07-41570024 (Report of: Public Works Department)

**Recommendation:**

1. Accept and approve the “Amendment to Transportation Uniform Mitigation Fee Program Agreement” for Nason/SR-60 Interchange and the “Amendment to Transportation Uniform Mitigation Fee Program” for Moreno Beach/SR-60 Interchange;
  2. Authorize the Public Works Director/City Engineer to execute the “Amendment to Transportation Uniform Mitigation Fee Program Agreement” for Nason/SR-60 Interchange and the “Amendment to Transportation Uniform Mitigation Fee Program” for Moreno Beach/Sr-60 Interchange; and
  3. Authorize the Public Works Director/City Engineer to execute future amendments to the TUMF agreements for Project No. 07-41570024.
- A13. PARCEL MAP 32326 - APPROVE THE AMENDED AND RESTATED COOPERATIVE AGREEMENT FOR SUNNYMEAD MASTER DRAINAGE PLAN CENTERPOINTE AND BRODIAEA AVENUE STORM DRAIN SYSTEM, BETWEEN RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE CITY OF MORENO VALLEY, AND RIDGE MORENO VALLEY, LLC, NORTH SIDE OF CACTUS AVENUE, BETWEEN FREDERICK STREET AND HEACOCK STREET, SUBDIVIDER – RIDGE MORENO VALLEY, LLC., LONG BEACH, CA. 90803 (Report of: Public Works Department)

**Recommendation:**

1. Approve the Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, and Ridge Moreno Valley, LLC for Parcel Map 32326 Sunnymead Master Drainage Plan Centerpointe and Brodiaea Avenue Storm Drain;

2. Authorize the Mayor to execute the Amended and Restated Cooperative Agreement; and
3. Direct the City Clerk to forward the signed Amended and Restated Cooperative Agreement to Riverside County Flood Control and Water Conservation District.

A14. AGREEMENT WITH RIVERSIDE TRANSIT AGENCY (RTA) FOR THE DEMONSTRATION U-PASS PROGRAM FOR THE RIVERSIDE COMMUNITY COLLEGE SYSTEM (Report of: Public Works Department)

**Recommendation:** Approve an Agreement between the City of Moreno Valley and RTA as participation in the demonstration U-Pass Program for the Riverside Community College System in the amount of \$28,075.

A15. ADOPTION OF RESOLUTION APPOINTING A NEW CITY TREASURER AND RESCINDING PRIOR APPOINTMENTS (Report of: City Manager)

**Recommendation:** Adopt Resolution No. 2008-79, appointing Steve Elam as City Treasurer effective July 1, 2008.

Resolution No. 2008-79

A Resolution of the City Council of the City of Moreno Valley, California, Appointing a New City Treasurer Effective July 1, 2008 and Rescinding Prior Appointments

A16. RESOLUTION RESCINDING AND RE-STATING RESOLUTION NO. 2007-44 REGARDING THE TRANSPORTATION UNIFORM MITIGATION FEE (Report of: Public Works Department)

**Recommendation:** Adopt Resolution No. 2008-80, approving the revised Traffic Uniform Mitigation Fee.

Resolution No. 2008-80

A Resolution of the City Council of the City of Moreno Valley, California, Amending the Transportation Uniform Mitigation Fee (TUMF) Applicable to all Developments in the City of Moreno Valley

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

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

- B2. AMENDED MINUTES – REGULAR MEETING OF DECEMBER 11, 2007  
(Report of: City Clerk’s Department)

**Recommendation:** Approve as amended.

- B3. MINUTES - REGULAR MEETING OF JUNE 10, 2008 (Report of: City Clerk’s Department)

**Recommendation:** Approve as submitted.

- B4. EXTENSION OF CONTRACT – PROJECT NO. E-1/05 – MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – TOWNGATE (Report of: Public Works Department)

**Recommendation:**

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-1/05 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 Bemus Landscape, Inc. of Santa Ana, California; and
3. Authorize the Purchasing Manager, at the start of Fiscal Year 2008/09, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:
  - a) Ninety-four thousand two hundred ninety-nine and 63/100 dollars (\$94,299.63) for twelve months of base maintenance service; and
  - b) Eight thousand four hundred fifteen and 00/100 dollars (\$8,415.00) for anticipated Additional Work per Section 5. of the Extension Agreement.

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

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

- C2. AMENDED MINUTES – REGULAR MEETING OF DECEMBER 11, 2007  
(Report of: City Clerk’s Department)

**Recommendation:** Approve as amended.

- C3. MINUTES - REGULAR MEETING OF JUNE 10, 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. AMENDED MINUTES – REGULAR MEETING OF DECEMBER 11, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as amended.

- D3. MINUTES - REGULAR MEETING JUNE 10, 2008 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

**Joint Consent Calendar Items A1-D3 approved by a 4-0-1 vote. m/West, s/Stewart, Flickinger absent.**

**E. PUBLIC HEARINGS**

- E1. PUBLIC HEARING ON FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 7 OF THE CITY OF MORENO VALLEY (Report of: Public Works Department)

Mayor Batey opened the public testimony of the public hearing concerning formation and bonded indebtedness. Public comments were received from John Grace and Gregory Alekian.

**Recommendation:**

1. That the City Council after conducting the Public Hearing:
  - a. Approve and adopt Resolution No. 2008-82: a Resolution of the City Council of the City of Moreno Valley, California, forming and establishing Community Facilities District No. 7 of the City of Moreno Valley, designating improvement areas therein and authorizing submittal of the levy of special taxes

within each improvement area of such community facilities district to the qualified electors of such improvement area;

Resolution No. 2008-82

A Resolution of the City Council of the City of Moreno Valley, California, Forming and Establishing Community Facilities District No. 7 of the City of Moreno Valley, Designating Improvement Areas Therein and Authorizing Submittal of the Levy of Special Taxes within Each Improvement Area of such Community Facilities District to the Qualified Electors of such Improvement Area

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

- b. Approve and adopt Resolution No. 2008-83: a Resolution of the City Council of the City of Moreno Valley, California, determining the necessity to incur a bonded indebtedness for each improvement area of Community Facilities District No. 7 of the City of Moreno Valley, submitting to the qualified electors of each such improvement area separate propositions to authorize the levy of a special tax within each such improvement area, to authorize such community facilities district to incur a bonded indebtedness for each such improvement area secured by the levy of such special tax within such improvement area to finance certain public facilities and to establish an appropriations limit for such community facilities district, and giving notice thereon; and

Resolution No. 2008-83

A Resolution of the City Council of the City of Moreno Valley, California, Determining the Necessity to Incur a Bonded Indebtedness for each Improvement Area of Community Facilities District No. 7 of the City of Moreno Valley, Submitting to the Qualified Electors of each such Improvement Area Separate Propositions to Authorize the Levy of a Special Tax Within each such Improvement Area, to Authorize such Community Facilities District to Incur a Bonded Indebtedness for each such Improvement Area Secured by the Levy of such Special Tax Within Such Improvement Area to Finance Certain Public Facilities and to Establish an Appropriations Limit for such Community Facilities District, and Giving Notice Thereon

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

- c. Direct staff to canvass the ballots received and report the results of the special election to the City Council.

**Approved by a 4-0-1 vote. m/Stewart, s/Batey, Flickinger absent.**

The City Clerk announced the results as follows:

The Consent and Waiver Form has been received and completed by the appropriate party to reduce the time of noticing period.

*FR/CAL Moreno Valley, LLC: Improvement Area No. 1, Zone 1*  
Proposition A – Yes  
Proposition B – Yes  
Proposition G – Yes

The Consent and Waiver Form has been received and completed by the appropriate party to reduce the time of noticing period.

*Komar Investments, LLC: Improvement Area No. 1, Zone 2*  
Proposition A – Yes  
Proposition B – Yes  
Proposition G – Yes

The Consent and Waiver Form has been received and completed by the appropriate party to reduce the time of noticing period.

*Moreno Valley DC, LLC: Improvement Area No. 1, Zone 2*  
Proposition A – Yes  
Proposition B – Yes  
Proposition G – Yes

The Consent and Waiver Form has been received and completed by the appropriate party to reduce the time of noticing period.

*First Industrial, LP: Improvement Area No. 2*  
Proposition C – Yes  
Proposition D – Yes  
Proposition G – Yes

The Consent and Waiver Form has been received and completed by the appropriate party to reduce the time of noticing period.

*FR/CAL Indian Avenue, LLC: Improvement Area No. 3*  
Proposition E – Yes  
Proposition F – Yes  
Proposition G – Yes

2. That the City Council, acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley:
  - a. Approve and adopt Resolution No. 2008-84: 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. 7 of the City of Moreno Valley, declaring the results of a special election in such community facilities district;

Resolution No. 2008-84

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. 7 of the City of Moreno Valley, Declaring the Results of a Special Election in such Community Facilities District

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

Per staff request, paragraph c (below) was moved to this location on the Agenda.

- c. Introduce Ordinance No. 777: an Ordinance of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley, authorizing the levy of a special tax in Improvement Area Nos. 1, 2, and 3 of such community facilities district (ROLL CALL REQUIRED); and

Ordinance No. 777

An Ordinance of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 7 of the City of Moreno Valley, Authorizing the Levy of a Special Tax in Improvement Area Nos. 1, 2 and 3 of such Community Facilities District

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

Mayor Batey opened public testimony on the future annexation of territory of the public hearing; there being none, public testimony was closed.

Mayor Batey closed the public hearing.

- b. Approve and adopt Resolution No. 2008-85: a Resolution of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 7 of the City of Moreno Valley, authorizing the annexation of territory in the future to Community Facilities District No. 7 of the City of Moreno Valley.

Resolution No. 2008-85

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 7 of the City of Moreno Valley, Authorizing the Annexation of Territory in the Future to Community Facilities District No. 7 of the City of Moreno Valley

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

- E2. PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS (“GANN”) LIMIT FOR THE CITY OF MORENO VALLEY FOR FY 2008-09 (Report of: Finance Department)

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

**Recommendation:**

1. Conduct a Public Hearing to receive public comments on the City’s appropriations limit for FY 2008-09; and
2. Adopt Resolution No. 2008-86, establishing the Appropriations Limit for the City of Moreno Valley for FY 2008-09.

Resolution No. 2008-86

A Resolution of the City Council of the City of Moreno Valley, California Establishing an Appropriations Limit for Fiscal Year 2008-09 and Taking Other Actions in Relation thereto

**Approved by a 4-0-1 vote. m/White, s/Stewart, Flickinger absent.**

- E3. PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS (“GANN”) LIMIT FOR THE COMMUNITY SERVICES DISTRICT FOR FY 2008-09 (Report of: Finance Department)

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

1. Conduct a Public Hearing to Receive Public Comments on the CSD Appropriations Limit for FY 2008-09; and
2. Adopt Resolution No. CSD 2008-17, Establishing an Appropriations Limit for the Community Services District for FY 2008-09.

Resolution No. CSD 2008-17

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Establishing an Appropriations Limit for Fiscal Year 2008-09 and Taking Other Actions in Relation Thereto

**Approved by a 4-0-1 vote. m/ White, s/ Batey, Flickinger absent.**

- E4. PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (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, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk’s office, on the Fiscal Year (FY) 2008/09 Riverside County property tax roll for collection; and

**Approved by a 4-0-1 vote. m/Stewart, s/West, Flickinger absent.**

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution No. 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Approved by a 4-0-1 vote. m/Stewart, s/West, Flickinger absent.

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

**G. REPORTS**

**G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES**

a) March Joint Powers Commission (MJPC)

Council Member Stewart reported on:

- The ongoing situation of one member of March Joint Powers attempting to frustrate the efforts to continue the DHL operation at March;
- \$1.3 million FAA grant received and that the motion to accept the grant passed, but with some debate.
- CEQA lawsuit filed by Friends of Riverside Hills challenging two items: 1) application made to receive Federal grants, and 2) the fact that we prepared a Joint Use Amendment to Agreement with the military to allow for the operation of general aviation airplanes. He does not expect the CEQA lawsuit to have an effect on operations due to the strength of support in the Joint Powers from cities other than Riverside.

b) Riverside County Transportation Commission (RCTC)

Mayor Pro Tem West announced the Metrolink extension to Moreno Valley and Perris will soon be open. He discussed the six-year effort to bring Metrolink to Moreno Valley and was pleased that the vision has become a reality.

**G2. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDING FOR CSD ZONE B TO INCLUDE IVY AND VALLEY VIEW LANES INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)**

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

**Recommendation:** That the Mayor and Members of the City of Moreno Valley City Council, in their respective capacities as President and Members of the Board of Directors of the Moreno Valley CSD (“Board”) conduct a

Public Meeting and accept public comments concerning a mail ballot proceeding for installation of eight (8) mast arm streetlights on existing wooden utility poles along Ivy Lane and portions of Valley View Lane and participation in the CSD Zone B (Residential Street Lighting) program and associated charge.

No action required.

- G3. PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR HAMPTON INN AND SUITES – APN 291-660-021 - BALLOTTED ITEM: NPDES COMMERCIAL/INDUSTRIAL REGULATORY RATE; AND PALM DESERT DEVELOPMENT APARTMENTS – APN 486-070-007 - BALLOTTED ITEMS: NPDES MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND CSD ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) (Report of: Public Works Department)

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

**Recommendation:**

1. Staff recommends that the Mayor and Members of the City of Moreno Valley City Council accept public comments regarding the mail ballot proceedings for:
  - a. Hampton Inn and Suites – APN 291-660-021 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate; and
  - b. Palm Desert Development Apartments – APN 486-070-007 for approval of the NPDES maximum commercial/industrial regulatory rate.

No action required.

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

2. Staff recommends that the Members of the Board of Directors of the Moreno Valley Community Services District (“CSD Board”) accept public comments regarding the mail ballot proceeding for the Palm Desert Development Apartments – APN 486-070-007 for inclusion

into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

No action required.

G4. APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Mayor Batey opened the agenda item for public comments. Public comments were received from Susan Gilchrist.

**Recommendation:** That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or
2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

**Approved by a 4-0-1 vote. m/White, s/West, Flickinger absent, to make the following appointments:**

Accessibility Appeals Board; Construction Representative  
*One term expiring June 30, 2011*  
Antonio Corona

Arts Commission  
*Three terms expiring June 30, 2011*  
Debra Higgs  
Robert E. Miller  
Suzi Zuppardo

Environmental and Historical Preservation Board  
*Two terms expiring June 30, 2011*  
Gerald Michael Budlong  
Michelle Terese Gerard

Library Commission  
*Three terms expiring June 30, 2011*  
Richard Adams  
Cathy Merkt  
Dan Reed

*One term expiring June 30, 2009*  
Steven Smelser

Parks and Recreation Commission  
*Two terms expiring June 30, 2011*  
Bill Alvarez  
Ronald D. Crothers

*One term expiring June 30, 2010*  
James C. Baker II

Recreational Trails Board  
*Two terms expiring June 30, 2011*  
Margie Breitreuz  
Gilbert Brooks

Senior Citizens Board  
*Two terms expiring June 30, 2011*  
Gwendolyn Cross  
Dale Lacquement

Traffic Safety Commission  
*Three terms expiring June 30, 2011*  
Lawrence Baird  
Mary C. Cole  
Jeff Sims

G5. ADOPTION OF FY 2008-09 BUDGET AND RELATED ITEMS (Report of:  
Finance Department)

Mayor Batey opened the agenda item for public comments. Public comments were received from Daryl Terrell.

**Recommendation:** That the City Council:

1. Adopt Resolution No. 2008-87, approving the Operating and Capital Budgets for the City of Moreno Valley for FY 2008-09, including all applicable adjustments to the City Manager's Proposed Budget pursuant to the Deficit Reduction Plan, the Schedule of Budget Adjustments, and the Revisions to Proposed Capital Improvement Plan;

Resolution No. 2008-87

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2008-09

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2008-18, approving the Operating and Capital Budgets for the Community Services District of the City of Moreno Valley for FY 2008-09, including all applicable adjustments to the City Manager's Proposed Budget pursuant to the Deficit Reduction Plan, the Schedule of Budget Adjustments, and the Revisions to Proposed Capital Improvement Plan;

Resolution No. CSD 2008-18

A Resolution of the Moreno Valley Community Services District, Adopting the Operating and Capital Budgets for Fiscal Year 2008-09

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, Adopt Resolution No. RDA 2008-10, approving the Operating and Capital Budgets for the Community Redevelopment Agency of the City of Moreno Valley for FY 2008-09, including all applicable adjustments to the City Manager's Proposed Budget pursuant to the Schedule of Budget Adjustments, and the Revisions to Proposed Capital Improvement Plan;

Resolution No. RDA 2008-10

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2008-09

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

4. Acting in its capacity as the President and Board of Directors of the Community Services District, approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000

pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the President of the Board of Directors, and the delivery of said executed note to the Treasurer of the City;

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

5. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the Chairperson and Agency Members, and the delivery of said executed note to the Treasurer of the City;

**Approved by a 4-0-1 vote. m/Stewart, s/White, Flickinger absent.**

6. Approve the FY 2008-09 Staffing Plan and Position Control Roster, which reflect the personnel allocations consistent with the adoption of the FY 2008-09 Budget;

**Approved by a 4-0-1 vote. m/ Stewart, s/ White, Flickinger absent.**

7. Adopt Resolution 2008-88, authorizing the City Manager to approve new appropriations provided there are new offsetting revenues to be recognized, and with no net budgetary impact; and

Resolution No. 2008-88

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Manager to Approve New Appropriations, Provided There are Offsetting Revenues to be Recognized, and with no Net Budgetary Impact

**Approved by a 4-0-1 vote. m/ Stewart, s/ White, Flickinger absent.**

8. Introduce Ordinance No. 778, amending Section 2.04.050 of Chapter 2.04 of Title 2 of the City of Moreno Valley Municipal Code, relating to compensation and reimbursement for City Council Members, thereby increasing the City Council Members' monthly salary from \$1,101 per month to \$1,214.

Ordinance No. 778

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 2.04.050 of Chapter 2.04 of Title 2 of the City of Moreno Valley Municipal Code, Relating to Compensation and Reimbursement for Council Members

Council reached consensus to forego a monthly salary increase due to economic conditions. Ordinance No. 778 failed and was not introduced.

G6. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

City Manager reported on:

- July 4 parade and Family Fun Fest
- Dedication of new Fire Station 58 on July 25, 2008. The new fire station will be dedicated in honor of fallen firefighter Christopher Kanton who died in the line of duty on August 6, 2005
- Dedication of the new synthetic turf soccer fields at Community Park on July 14, 2008

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL ARE AS FOLLOWS:

- 1) Daryl Terrell
  - Moreno Valley's potential to be a world class city
  - How the city was changing
  - Writing a new chapter for the City and learning from past mistakes
- 2) Pete Bleckert

Discussed issues associated with street improvements and the hazardous conditions they create for the community

- 3) Steve Stoecklon  
Asked if the City could regulate the distribution of throw-away circulars
- 4) Susan Gilchrist
  - Neighborhood designations of Moreno Valley Ranch, Sunnymead Ranch and Hidden Springs
  - The negative impact of distribution centers on the community
  - Petitions to repeal the name Rancho Belago

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

Mayor Pro Tem West

- 1) Reported on the District 3 Crime Prevention Committee meeting
- 2) Talked about General Plan changes allowing warehouse/distribution centers and the negative impact of diesel emissions on the environment
- 3) Discussed three schools planned for the south side and the School District's impression that distribution centers were going in the location planned for the school sites. He would like the General Plan to remain as is so the schools can be built in the original location planned.

Council Member White

- 1) Is in agreement with Mayor Pro Tem West regarding the General Plan and expressed concern for diesel fuel emissions from warehouse/distribution centers He said the citizens voted on the General Plan and Council should listen to what the citizens want.
- 2) Said the petition concerning Rancho Belago would be before Council soon and advised that a great deal of thought should be given to this issue

Council Member Stewart

- 1) Talked about classmates.com, a website where you can find classmates in your community
- 2) Attended the AQMD meeting, said it was a one-sided presentation, and urged people to take a look at all sides of the situation
- 3) Said the community needs to have a jobs/housing balance
- 4) Discussed a proposed corporate headquarters project and asked Council to have an open mind, analyze the facts, and take a look at the big picture because the General Plan has to be balanced

Mayor Batey

- 1) Commended City fire staff for their quick response to two fires in his neighborhood and thanked staff for their efforts in helping fire victims contact Red Cross and stabilize their situations

- 2) Said he will be unable to attend the dedication of Fire Station 58 due to professional commitments
- 3) Reminded community to stay hydrated during the July 4 parade and Family Fun Fest
- 4) Advised that he and School Board Trustee Victoria Baca will be hosting a welcome reception July 2, 2008 for the new President of Riverside Community College's Moreno Valley Campus at the Conference and Recreation Center
- 5) Adjourned meeting in memory of Daren Flickinger who passed away June 18, 2008. Chronicled Daren's life and expressed condolences to Council Member Flickinger and the family on behalf of Council, staff and the community. Asked for a moment of silence in remembrance of Daren

**CLOSED SESSION – None**

### **ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 8:21 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