



**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**MORENO VALLEY COMMUNITY SERVICES DISTRICT**  
**COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF**  
**MORENO VALLEY**  
**BOARD OF LIBRARY TRUSTEES**

**October 13, 2009**

**REGULAR MEETING – 6:30 P.M.**

**City Council Closed Session**

First Tuesday of each month – 6:00 p.m.

**City Council Study Sessions**

Third Tuesday of each month – 6:00 p.m.

**City Council Meetings**

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

Bonnie Flickinger, Mayor Pro Tem  
Jesse L. Molina, Council Member

Richard A. Stewart, Mayor

Robin N. Hastings, Council Member  
William H. Batey II, Council Member

**AGENDA  
JOINT MEETING OF THE  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO  
VALLEY AND THE BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING - 6:30 PM  
OCTOBER 13, 2009**

**CALL TO ORDER**

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

**PLEDGE OF ALLEGIANCE**

**INVOCATION** - Pastor Rowland Nwosu, Imani Praise Fellowship

**ROLL CALL**

**INTRODUCTIONS**

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment

Agency or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

## **A. CONSENT CALENDAR-CITY COUNCIL**

### **A.1 ORDINANCES - READING BY TITLE ONLY**

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

### **A.2 PA04-0058 - APARTMENT COMPLEX - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF PERRIS BOULEVARD AND EUCALYPTUS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: PERRIS ISLE LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, MERCED, CA 95348 (Report of: Public Works Department)**

**Recommendation:**

1. Adopt Resolution No. 2009-98 authorizing the acceptance of the public improvements within PA04-0058 as complete and accepting the portion of Perris Boulevard and Eucalyptus Avenue associated with the project into the City's maintained street system; and

**Resolution No. 2009-98**

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements As Complete Within PA04-0058, and Accepting the Portion of Perris Boulevard and Eucalyptus Avenue 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.

### **A.3 APPROVE UTILITY AGREEMENT WITH SOUTHERN CALIFORNIA EDISON (SCE) FOR THE SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)**

**Recommendation:**

1. Authorize the City Manager to execute "Utility Agreement No. 08-UT-

21012" with Southern California Edison to relocate utilities for the SR-60/Nason Street Interchange Improvements project;

2. Authorize the issuance of a Purchase Order to SCE for \$200,000.00 for the SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and
3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the Utility Agreement with SCE, subject to the approval of the City Attorney.

A.4 TRACT 32834 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: BEAZER HOMES HOLDINGS CORP., BREA, CA 92821 (Report of: Public Works Department)

**Recommendation:**

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and
2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

A.5 ADOPTION OF RESOLUTION AMENDING CONTINUITY OF GOVERNMENT RESOLUTION 2007-96 (Report of: Human Resources Department)

**Recommendation:**

Adopt Resolution No. 2009-99, amending Continuity of Government Resolution 2007-96.

Resolution No. 2009-99

A Resolution of the City Council of the City of Moreno Valley, California, Amending Continuity of Government Resolution 2007-96, Establishing Continuity of Government for Council Members

A.6 MINUTES - REGULAR MEETING OF SEPTEMBER 22, 2009 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

- A.7 FIRST AMENDMENT OT THE AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE (Report of: Police Department)

**Recommendation:**

Adopt the First Amendment to the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

- A.8 ACCEPTANCE OF \$10,000 DONATION TO THE ANIMAL SERVICES DIVISION (Report of: Financial & Administrative Services Department)

**Recommendation:**

Accept a monetary donation in the amount of \$10,000 made to the City's Animal Services Division.

- A.9 RESOLUTION IN SUPPORT OF HR 2788 DESIGNATING A DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL AT THE MARCH FIELD AIR MUSEUM (Report of: City Manager's Office)

**Recommendation:**

Adopt Resolution No. 2009-100 in support of House Resolution (H.R.) 2788 designating a Distinguished Flying Cross National Memorial at the March Field Air Museum.

Resolution No. 2009-100

A Resolution of the City Council of the City of Moreno Valley in Support of H.R. 2788 in the United States House of Representatives.

- A.10 LEASE AGREEMENT WITH AMERICAN MEDICAL RESPONSE FOR FIRE STATION USE (Report of : Fire Department)

**Recommendation:**

Approve the lease agreement with American Medical Response for use of Fire Station 91, College Park.

- A.11 REORGANIZATION OF SENIOR COMMUNITY CENTER BUDGETED POSITIONS (ITEM ALSO LISTED AS ITEM B.2) (Report of: Parks and Community Services Department)

**Recommendation:**

1. Authorize the appropriation of funding to include the addition of two part time career Recreation Leader positions to the City employee

roster for the Senior Community Center; and

2. Deletion of one full time Senior Customer Services Assistant (0410) from the City employee roster for the Senior Community Center.

A.12 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 September 16 – October 6, 2009.

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

B.1 ORDINANCES - READING BY TITLE ONLY

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

B.2 REORGANIZATION OF SENIOR COMMUNITY CENTER BUDGETED POSITIONS (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

**Recommendation:**

1. Authorize the appropriation of funding to include the addition of two part time career Recreation Leader positions to the City employee roster for the Senior Community Center; and
2. Deletion of one full time Senior Customer Services Assistant (0410) from the City employee roster for the Senior Community Center.

B.3 MINUTES - REGULAR MEETING OF SEPTEMBER 22, 2009 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

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

C.1 ORDINANCES - READING BY TITLE ONLY

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

C.2 MINUTES - REGULAR MEETING OF SEPTEMBER 22, 2009 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

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

**D.1 ORDINANCES - READING BY TITLE ONLY**

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

**D.2 MINUTES - REGULAR MEETING OF SEPTEMBER 22, 2009 (Report of: City Clerk's Department)**

**Recommendation:**

Approve as submitted.

**E. PUBLIC HEARINGS - NONE**

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

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

**G. REPORTS**

**G.1 RIVERSIDE COUNTY PUBLIC HEALTH H1N1 UPDATE (ORAL PRESENTATION BY DR. ERIC FRYKMAN, RIVERSIDE COUNTY HEALTH OFFICER)**

**G.2 WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ENERGY EFFICIENCY AND WATER CONSERVATION PROGRAM (ORAL PRESENTATION BY RICK BISHOP, EXECUTIVE DIRECTOR)**

**G.3 APPOINTMENTS TO THE ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD AND THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)**

**Recommendation: That the City Council:**

1. Review the ballots for appointments to the Environmental and Historical Preservation Board and the Recreational Trails Board (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.

- G.4 A RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH (Report of: Financial & Administrative Services Department)

**Recommendation: That the City Council:**

Adopt Resolution No. 2009-101 approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the seller's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith.

Resolution No. 2009-101

A Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith

- G.5 SPORTS FIELDS UPDATE (Report of: Parks and Community Services Department)

**Recommendation: That the City Council:**

Review and discuss the sports fields issue and direct staff accordingly.

- G.6 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

- G.7 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

**H. LEGISLATIVE ACTIONS**

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

- H.1 .1 ORDINANCE AMENDING CHAPTER 2.12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING MODIFICATIONS TO THE TITLE OF THE FINANCE DEPARTMENT



AND FINANCE DIRECTOR (Report of: City Clerk's Department)

**Recommendation: That the City Council:**

Introduce Ordinance No. 801, amending Chapter 2.12 of the City of Moreno Valley Municipal Code regarding modifications to the title of the Finance Department and Finance Director. (Roll call required)

Ordinance No. 801

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 2.12 of the City of Moreno Valley Municipal Code Regarding Modifications to the Title of the Finance Department and Finance Director

H.2 ORDINANCES - 2ND READING AND ADOPTION

- H.2 .1 ORDINANCE NO. 796 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 8 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 8.12, FLOOD DAMAGE PREVENTION AND IMPLEMENTATION OF NATIONAL FLOOD INSURANCE PROGRAM (NFIP) (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 22, 2009 ON A 4-0-1 VOTE, MAYOR STEWART ABSENT) Report of: Public Works Department)

**Recommendation: That the City Council:**

Adopt Ordinance No. 796, amending Title 8 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 8.12, Flood Damage Prevention and Implementation of National Flood Insurance Program (NFIP).

Ordinance No. 796

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 8 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 8.12, Flood Damage Prevention and Implementation of National Flood Insurance Program (NFIP)

- H.2 .2 ORDINANCE NO. 797 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING THE ADDITION OF THE NEW ZONING DISTRICT RESIDENTIAL 30 (R30), SEPARATING SINGLE-FAMILY

DEVELOPMENT STANDARDS FROM MULTIPLE-FAMILY DEVELOPMENT STANDARDS, DEFINING MINIMUM DENSITY STANDARDS AND DELETION OF REPETITIVE DEVELOPMENT GUIDELINES (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 22, 2009 ON A 4-0-1 VOTE, MAYOR STEWART ABSENT) (Report of: Community Development Department)

**Recommendation: That the City Council:**

Adopt Ordinance No. 797 thereby approving PA08-0099, for creating the Residential 30 (R30) zoning district and amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 797

An Ordinance of the City Council of the City of Moreno Valley, California, amending Title 9 of the City of Moreno Valley Municipal Code Regarding the addition of the New Zoning District Residential 30 (R30), separating Single-Family Development Standards from Multiple-Family Development Standards, Defining Minimum Density Standards and deletion of repetitive Development Guidelines

- H.2 .3 ORDINANCE NO. 798 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA09-0007 (CHANGE OF ZONE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 1.62 ACRES LOCATED AT 21652 COTTONWOOD (ASSESSOR PARCEL NUMBER 263-160-027) FROM THE BUSINESS PARK (BP) LAND USE DISTRICT TO THE RESIDENTIAL 15 (R15). (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 22, 2009 ON A 4-0-1 VOTE, MAYOR STEWART ABSENT) (Report of: Community Development Department)

**Recommendation: That the City Council:**

Adopt Ordinance No. 798 approving a Zone Change (PA09-0007) from Business Park (BP) to Residential 15 (R15), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the Ordinance as Exhibit A

Ordinance No. 798

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA09-0007 (Change of Zone) to change the Land Use District for approximately 1.62 acres located at 21652 Cottonwood (Assessor Parcel Number 263-160-027) from the Business Park (BP) Land Use District to the

Residential 15 (R15)

- H.2 .4 ORDINANCE NO. 799 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A CITY-WIDE RECOVERY ZONE (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 22, 2009 ON A 4-0-1 VOTE, MAYOR STEWART ABSENT) (Report of: Economic Development Department)

**Recommendation: That the City Council:**

Adopt Ordinance No. 799 relating to the designation of a city-wide Recovery Zone for the City of Moreno Valley.

Ordinance No. 799

An Ordinance of the City Council of the City of Moreno Valley, California, Designating a City-Wide Recovery Zone

- H.2 .5 ORDINANCE NO. 800 - 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 (FIRST READING AND INTRODUCTION SEPTEMBER 22, 2009 (ON A 4-0-1 VOTE, MAYOR STEWART ABSENT) (Report of: Public Works Department)

**Recommendation: That the City Council:**

Adopt Ordinance No. 800 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

Ordinance No. 800

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

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

**PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE**

## **JURISDICTION OF THE CITY COUNCIL**

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

## **CLOSED SESSION**

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

### **• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

#### **1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION**

Number of Cases: 2

#### **2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**

Number of Cases: 2

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

## **ADJOURNMENT**