

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

**REGULAR MEETING – 6:30 P.M.
JANUARY 13, 2009**

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 Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Pro Tem Flickinger

INVOCATION - City Attorney Robert Herrick

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Council Member
Bonnie Flickinger	Mayor Pro Tem
Robin N. Hastings	Council Member
Jesse L. Molina	Council Member

Staff:

Jane Halstead	City Clerk
Julienne Clay	Administrative Assistant
Steve Elam	Financial & Administrative Services Director
Robert Herrick	City Attorney
Robert Gutierrez	City Manager
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
John Anderson	Police Chief
John Clark	Fire Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Community Development Director
Barry Foster	Economic Development Director
Chris Paxton	Human Resources Director

Becky Guillan
Mike McCarty

Library Services Division Manager
Parks & Community Services Director

Financial & Administrative Services Director Steve Elam introduced Budget Officer Cynthia Fortune.

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 Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Items A11 and A13).

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - FIRST READING BY TITLE ONLY

Waived reading of all Ordinance Introductions and read by title only.

A .2 MINUTES - REGULAR MEETING OF DECEMBER 9, 2008 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

A .3 MINUTES – SPECIAL MEETING OF JANUARY 6, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

A .4 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 December 3, 2008 – January 6, 2009.

A .5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE IRONWOOD AVENUE SIDEWALK/WALKWAY IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625-1 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Ironwood Avenue Sidewalk/Walkway Improvements from Heacock Street to Perris Boulevard constructed by Grand Pacific Contractors, Inc. (Grand Pacific), 680 North Cota Street, Corona, CA 92880;
2. 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;
3. Authorize the Financial & Administrative Services Director to release the retention to Grand Pacific thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
4. Accept the improvements into the City's maintained system.

A .6 AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES TO PROVIDE PROGRAMMING, CONCEPTUAL DESIGN, INCREMENTAL GROWTH PLAN AND RECONFIGURATION FOR THE PUBLIC SAFETY BUILDING PROJECT NO. 07-50182327 (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Design Professional Consultant Services" with Roesling Nakamura Terada Architects, Inc. (RNT), 363 5th Avenue, Suite 202, San Diego, CA 92101, to provide programming, conceptual design, incremental growth plan and reconfiguration for the Public Safety Building;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with RNT;

3. Authorize the issuance of a Purchase Order to RNT in the amount of \$934,711 (\$849,737 proposal amount plus 10% contingency) when the Agreement has been signed by all parties (Account No. 501.82327); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the Agreement with RNT up to, but not to exceed, the 10% contingency amount of \$84,974, subject to the approval of the City Attorney.

A .7 NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT GRAHAM STREET AND BAY AVENUE PROJECT NO. 08-12566626 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Traffic Signal and Street Improvements at Graham Street and Bay Avenue constructed by DBX, Inc. (DBX), 42066 Avenida Alvarado, Suite C, Temecula, CA 92590;
2. 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;
3. Authorize the Financial & Administrative Services Director to release the retention to DBX thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
4. Accept the improvements into the City's maintained system.

- A .8 ADOPT THE RESOLUTION TO DECLINE THE OFFER OF DEDICATION FOR ROADWAY PURPOSES, IF THE OFFER EXISTS, EXCLUDING ANY EASEMENTS, FOR THE UNIMPROVED PORTION OF STERLING STREET FROM WILLIAMS AVENUE TO GIFFORD AVENUE, AND STODDARD STREET FROM ALESSANDRO BOULEVARD TO WILLIAMS AVENUE AND FROM WILLIAMS AVENUE TO GIFFORD AVENUE PROJECT NO. 02-12185520 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2009-01, Declining the Offer of Dedication for Roadway Purposes, if the offer exists, excluding any easements, for the unimproved portion of Sterling Street from Williams Avenue to Gifford Avenue, and Stoddard Street from Alessandro Boulevard to Williams Avenue and from Williams Avenue to Gifford Avenue; and
2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

- A .9 NOTICE OF COMPLETION AND ACCEPTANCE OF THE CONSTRUCTION FOR THE MORENO VALLEY COMMUNITY SOCCER FIELD RENOVATIONS PROJECT NO. 06-46165325 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Moreno Valley Community Park Soccer Field Renovations (Project No. 06-46165325) constructed by Los Angeles Engineering, Inc.(LAEI), 633 N. Barranca Avenue, Covina, CA 91723;
2. 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;

3. Authorize the Financial & Administrative Services Director to release the retention to LAEI thirty five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
 4. Accept the improvements into the City's maintained park system.
- A .10 ORDINANCE NO. 783 APPROVING A SPECIFIC PLAN AMENDMENT (P08-089) TO CHANGE THE LAND USE FROM COMMUNITY COMMERCIAL (CC) TO VILLAGE OFFICE/RESIDENTIAL (VOR) WITHIN THE VILLAGE SPECIFIC PLAN (SP 204) BASED ON THE FINDINGS IN THE ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 9, 2008 ON A 5-0 VOTE (REPORT OF: COMMUNITY DEVELOPMENT DEPARTMENT)

Recommendation:

Adopt Ordinance No. 783.

Ordinance No. 783

An Ordinance of the City Council of the City Council of the City of Moreno Valley, California, Approving P0-089 (Specific Plan Amendment) to Change the Land Use District from Community Commercial (CC) to Village Office/Residential (VOR) within the Village Specific Plan (SP 204) for Four Parcels Located at 12411, 12425, 12437 and 12449 Loraine Terrace

- A .11 APPROVAL OF CHECK REGISTER FOR NOVEMBER, 2008 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2009-02, approving the Check Register for the month of November, 2008 in the amount of \$19,171,094.96.

Resolution No. 2009-02

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of November, 2008

- A .12 ANNUAL REPORT ON DEVELOPMENT IMPACT FEES (Report of: Financial & Administrative Services Department)

Recommendation:

1. Approve and accept the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006; and
2. Approve the finding that staff has demonstrated a continuing need to hold unexpended Development Impact Fees.

A .13 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED SEPTEMBER 30, 2008 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - FIRST READING BY TITLE ONLY

Waived reading of all Ordinance Introductions and read by title only.

B .2 MINUTES - REGULAR MEETING OF DECEMBER 9, 2008 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

B .3 MINUTES – SPECIAL MEETING OF JANUARY 6, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - FIRST READING BY TITLE ONLY

Waived reading of all Ordinance Introductions and read by title only.

C .2 MINUTES - REGULAR MEETING OF DECEMBER 9, 2008 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

C .3 MINUTES – SPECIAL MEETING OF JANUARY 6, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.

D .2 MINUTES - REGULAR MEETING OF DECEMBER 9, 2008 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

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

E. PUBLIC HEARINGS

E .1 FY 2009-2010 CDBG AND HOME PROGRAM OBJECTIVES AND POLICIES (Report of: Economic Development Department)

Recommendation that the City Council

1. Conduct a public hearing to allow for public comment on the needs of low- to moderate- income residents in the community, including the CDBG Target Areas; and
2. Approve the proposed CDBG and HOME Program Objectives and Policies for the 2009-2010 Program Year.

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

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

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

None

G. REPORTS

**G .1 REPORT ON NEW MUNICIPAL DEPARTING LOAD CHARGES
(Report of: Public Works Department)**

Recommendation:

No action recommended. Report is for City Council's information.

Mayor Stewart opened the agenda item for public comments, which were received from Vincent Haydel (representing So Cal Edison), Deanna Reeder, Pete Bleckert, Mary Drury (representing So Ca Edison), Donni Borchard and Raul Wilson.

No action required.

**G .2 REPRIORITIZATION OF CAPITAL PROJECTS TO BE FUNDED BY
THE 2007 RDA BONDS (Continued from December 16, 2008) (Report
of: Economic Development Department)**

Recommendation that the City Council

Consider and evaluate the reprioritization of capital projects to be funded by the 2007 RDA Bond Issuance.

Mayor Stewart opened the agenda item for public comments, which were received from Pete Bleckert.

Approved as listed on page # 3 on the staff report. Approved by a 5-0 vote (voted as City Council). m/Hastings, s/Molina.

Approved as listed on page # 3 on the staff report. Approved by a 5-0 vote (voted as RDA). m/Hastings, s/Molina.

G .3 2009 COUNCIL COMMITTEE PARTICIPATION APPOINTMENTS
(Report of: City Clerk's Department)

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

Recommendation that the City Council

1. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's representative on the March Joint Powers Commission (MJPC); and

Approved by a 4-0-1 vote. m/Stewart, Batey abstained.

2. Appoint Mayor Richard A. Stewart to serve as the City of Moreno Valley's representative on the March Joint Powers Commission (MJPC); and

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

3. Appoint Council Member Robin N. Hastings to serve as the City of Moreno Valley's alternate representative on the March Joint Powers Commission (MJPC); and

Approved by a 4-0-1 vote. m/Stewart, s/Molina, Hastings abstained.

4. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's representative on the Riverside County Habitat Conservation Agency (RCHCA); and

Approved by a 4-0-1 vote. m/Stewart, s/Molina, Batey abstained.

5. Appoint Council Member Robin N. Hastings to serve as the City of Moreno Valley's alternate representative on the Riverside County Habitat Conservation Agency (RCHCA); and

Approved by a 4-0-1 vote. m/Stewart, s/Molina, Hasting abstained.

6. Appoint Council Member Jesse L. Molina to serve as the City of Moreno Valley's representative on the Riverside County Transportation Commission (RCTC); and

Approved by a 4-0-1 vote. m/Stewart, s/Hastings, Molina abstained.

7. Appoint Mayor Pro Tem Bonnie Flickinger to serve as the City of Moreno Valley's alternate representative on the Riverside County Transportation Commission (RCTC); and

Approved by a 4-0-1 vote. m/Stewart, s/Hastings, Flickinger abstained.

8. Appoint Mayor Pro Tem Bonnie Flickinger to serve as the City of Moreno Valley's representative on the Riverside Transit Agency (RTA); and

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

9. Appoint Council Member Jesse L. Molina to serve as the City of Moreno Valley's alternate representative on the Riverside Transit Agency (RTA); and

Approved by a 4-0-1 vote. m/Stewart, s/Flickinger, Molina abstained.

10. Appoint Council Member Robin N. Hastings to serve as the City of Moreno Valley's representative on the Western Riverside Council of Governments (WRCOG); and

Approved by a 4-0-1 vote. m/Stewart, s/Molina, Hasting abstained.

11. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's alternate representative on the Western Riverside Council of Governments (WRCOG); and

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

12. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's representative on the Western Riverside County Regional Conservation Authority (RCA); and

Approved by a 4-0-1 vote. m/Stewart, s/Molina, Batey abstained.

13. Appoint Mayor Pro Tem Bonnie Flickinger to serve as the City of Moreno Valley's alternate representative on the Western Riverside County Regional Conservation Authority (RCA); and

Approved by a 4-0-1 vote. m/Stewart, s/Molina, Flickinger abstained.

14. Approve the appointments to the remaining various committees and regional bodies, as noted on the 2009 Council Committee Participation list.

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

Mayor Stewart made the motion, seconded by Council Member Hastings to appoint Mayor Pro Tem Flickinger as alternate to the Parks and Recreation Commission. Approved by a 5-0 vote.

- G .4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager reported as follows:

- 1) Over several months, Moreno Valley SuperCuts on Eucalyptus Avenue collected donations from customers on behalf of the Moreno Valley Animal Shelter. Supercuts offers customers a \$2 discount on haircuts for the contributions

- 2) Reported on a collaboration between the Fire Department (Engine and Truck 91) and a doctor from the Moreno Valley Community Hospital to remove a steel washer from a finger of a 3-year old child
- 3) The Friends of the Library purchased two computer stations for the children room with preloaded software featuring educational games and stories
- 4) The Trail Seekers donated goods worth over \$460 and labor to the Moreno Valley Equestrian Center

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:

Stephen Crews

- 1) Highland Fairview project

Deanna Reader

- 1) Fair meetings and democratic processes (Fairview project)

Gordon Tucker

- 1) Warehouse jobs

Ken Gilbert

- 1) Skate parks

Mike Rios

- 1) The Planning Commission hearing of January 8, 2009 on Highland Fairview development

Adolf Kruger

- 1) Crime and issues with Police Department

Donni Borchard

- 1) Zoning change on the east side of Moreno Valley

Jim Koch

- 1) Proposed warehouses on the east side

Raul Wilson

- 1) Doesn't want to pay taxes on horse trails he doesn't use
- 2) Proposed warehouses on the east side; need of jobs

Liboada Murillo

- 1) Interpreter for Spanish speakers
- 2) Conflict of schedules of City Council's and School Board's meetings

Margie Breitreuz

- 1) The proposed warehouse on the east side

Sue Gilchrist

- 1) Proposed warehouses on the east side

Daryl Terrell

- 1) Economic stimulus plan; need more high paying jobs

Laura Merrill

- 1) Zoning change on the east side (Fairview warehouse project)

Pete Bleckert

- 1) A recycler for asphalt
- 2) Asked how much the City has lost with the investments firms

Martin Gutierrez

- 1) Highland Fairview project

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

Council Member Molina

- 1) Stated that for now he will be the interpreter for Spanish speaking residents during the Council meetings

Council Member Hastings

- 1) Requested to agendize a resolution in support for the regional detention center at Whitewater location
- 2) Kudos to Engine 91; very creative response to save child's finger

- 3) Requested the widening of the Moreno Beach Drive bridge be moved up
- 4) One portion of Freeway 60 from Freeway 215 to Freeway 10 has not been improved – need better surface roads and at least another lane in each direction; requested to bring this issue forward to RCTC

Council Member Flickinger

- 1) Thanked Jesse Molina for offering to be the Spanish interpreter
- 2) Moving forward with improvements to the target neighborhood near Filaree and Perris; a neighborhood meeting regarding building a new park in this area will be held on January 14
- 3) Gave an update on the red light cameras pilot project; stated that the first annual report that will include data on traffic collisions before and after the installation of the cameras is due to the City Council in April this year and the City Council will re-evaluate the program
- 4) Gave an update on the activities of the Arts Commission and past and future programs the citizens can enjoy (upcoming: display of arts by local artists in the Moreno Valley mall through January, Rancho Belago Wind Symphony concert on February 26, and a live presentation “Remarkable First Ladies of the 20th Century” at Shepherd of the Valley Lutheran Church on February 8)

Mayor Stewart

- 1) Responded to complaints about the Planning Commission hearing held on January 8 – stated that Planning Commission chairperson followed the proper order of business and the City Council doesn’t have authority to change the rules governing Planning Commission order of business
- 2) Everyone should try to get along in the languages that are being used
- 3) The Equestrian Center was built with the efforts and labor of the volunteers and a \$50,000 state grant. A variety of services are provided to meet the different needs and interests of the community
- 4) Seconded a resolution in support of the regional detention center

Council Member Batey - no comments

CLOSED SESSION

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

Mayor Stewart opened the agenda item for public comments, which were received from Deanna Reeder.

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:51 p.m. by unanimous informal consent.

Submitted by:

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:

Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

Enl/JC