

**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.
MARCH 24, 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 6:32 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 Stewart

INVOCATION - Pastor Arnold L. Espinoza, Praise Chapel Christian Fellowship

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:

Margie Ayars	Assistant City Clerk
Ewa Lopez	Deputy City Clerk
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

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

A. CONSENT CALENDAR - CITY COUNCIL

AGENDA ORDER

- A .12 RESOLUTION SUPPORTING THE NAME OF THE RIVERSIDE COMMUNITY COLLEGE – MORENO VALLEY CAMPUS UPON OBTAINING COLLEGE STATUS AS MORENO VALLEY COLLEGE (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2009-25, supporting the name of the Riverside Community College – Moreno Valley Campus upon obtaining college status as Moreno Valley College.

Resolution No. 2009-25

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Name of the Riverside Community College - Moreno Valley Campus upon Obtaining College Status as Moreno Valley College

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

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A19).

AGENDA ORDER

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

A .2 FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH RLZ ENGINEERING (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with RLZ Engineering (RLZ), PO Box 623, Corona, CA 92881, to provide Professional Consultant Services and increase the agreement amount by the "not to exceed" fee of \$275,000;
2. Authorize the City Manager to execute said "First Amendment to Agreement for Professional Consultant Services" with RLZ; and
3. Authorize a Purchase Order to RLZ in the amount of \$275,000 when "First Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 226.79728).

A .3 FINAL MAP 33256--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN CITY OF MORENO VALLEY AND BEECHWOOD 100 HOMEOWNERS ASSOCIATION (Report of: Public Works Department)

Recommendation:

1. Approve the Maintenance Agreement by and between the City of Moreno Valley (City) and Beechwood 100 Homeowners Association
2. Authorize the Mayor to execute the Maintenance Agreement;
3. Authorize the City Attorney to work with Beechwood 100 Homeowners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;
4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 7 of the Maintenance Agreement;

5. Authorize the City Manager to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and
6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

A .4 APPROVAL OF THE 2009/2010 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2009/2010 in the amount of \$538,848; and
2. Authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2009/2010.

A .5 RESOLUTION PERTAINING TO INITIATING PROCEEDINGS FOR ATTACHMENT TO THE CITY OF MORENO VALLEY AND THE COMMUNITY SERVICES DISTRICT AND DETACHMENT FROM CITY OF RIVERSIDE CONSISTING OF A TOTAL OF NO MORE THAN 17.32 ACRES WITHIN THE EXISTING RIGHT-OF-WAY OF DAY STREET AND STATE HIGHWAY 60 LOCATED BOTH NORTH AND SOUTH OF STATE HIGHWAY 60 AND GENERALLY EAST OF DAY STREET (Report of: Community Development Department)

Recommendation:

1. RECOGNIZE that the project qualifies as exempt under Section 15061 b.3 of the California Environmental Quality Act (CEQA) in that the proposed activity does not have the potential for causing a significant effect on the environment; and

2. ADOPT Resolution No. 2009-19, requesting that the Local Agency Formation Commission initiate proceedings for the attachments, as identified in Exhibit A.

Resolution No. 2009-19

A Resolution of the City Council of the City of Moreno Valley, California Requesting the Riverside Local Agency Formation Commission to Initiate Proceedings for Sphere of Influence Amendments Consisting of Additions to the City of Moreno Valley and Moreno Valley Community Services District and Removal from the City of Riverside, and Reorganization (Located in the Vicinity of Day Street at State Highway 60) to Include Detachments from the City of Riverside and Concurrent Annexations to the City of Moreno Valley and the Moreno Valley Community Services District

- A .6 CUP 3060, PLOT PLAN 1635 - INDUSTRIAL - AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS (ASSOCIATED WITH STREET IMPROVEMENT PLANS FOR PA04-0159 PM 32961) NORTHWEST CORNER OF PERRIS BOULEVARD AND GROVE VIEW ROAD - DEVELOPER: WASTE MANAGEMENT COLLECTION, MORENO VALLEY, CA. 92551 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements;
2. Authorize the Mayor to execute the Agreement;
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A .7 RESOLUTION ADOPTING MORENO VALLEY EMERGENCY OPERATIONS PLAN (Report of: Human Resources)

Recommendation:

Adopt Resolution No. 2009-20, adopting the Moreno Valley Emergency Operations Plan.

Resolution No. 2009-20

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Emergency Operations Plan

- A .8 PA02-0013 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF CACTUS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM - DEVELOPER - WALTER EMBREE DBA EMBREE CONSTRUCTION, WALNUT CREEK, CA. 94596 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2009-23 authorizing the acceptance of the public improvements for PA02-0013 as complete and accepting the portion of Cactus Avenue associated with the project into the City’s maintained street system; and

Resolution No. 2009-23

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA02-0013, and Accepting the Portion of Cactus 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 .9 TRACT MAP 31326 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING SYDNEY AVENUE, HOBART CIRCLE, BRISBANE COURT, FIELD STREET, CANBERRA WAY AND THE PORTION OF BAY AVENUE, DARWIN DRIVE AND MORRISON STREET ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM - DEVELOPER: WESTERN PACIFIC HOUSING, INC., CORONA, CA. 92880 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2009-24 authorizing the acceptance of the public improvements for Tract Map 31326 as complete and accepting Sydney Avenue, Hobart Circle, Brisbane Court, Field Street, Canberra Way and the portion of Bay Avenue, Darwin Drive and Morrison Street associated with the project into the City’s maintained street system; and

Resolution No. 2009-24

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 31326, and Accepting Sydney Avenue, Hobart Circle, Brisbane Court, Field Street, Canberra Way and the Portion of Bay Avenue, Darwin Drive and Morrison Street 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 .10 LEGISLATIVE UPDATE (Report of: City Manager's Office)

Recommendation:

Receive and file this informational report.

A .11 APPROVE PROJECT RECOMMENDATIONS FOR PROPOSITION 1B - TRANSPORTATION BOND PROGRAM FUNDING (Report of: Public Works Department)

Recommendation:

1. Approve project recommendations for Proposition 1B funding;
2. Authorize the City Engineer to submit the Proposition 1B Project Accountability Plan to the State Department of Finance in order for the City to receive the designated Proposition 1B funds; and
3. Authorize the appropriation of the Proposition 1B funds in the Capital Improvement Plan budget and create the necessary project accounts when monies are received from the State.

A .13 RESOLUTION NO. 2009-26 AND CSD RESOLUTION NO. 2009-03 TO AMEND THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS AND CSD RESOLUTION NO. 2009-04 TO AMEND COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE C (ARTERIAL STREET LIGHTING) POLICY (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2009-26 amending Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings; and

Resolution No. 2009-26

A Resolution of the City Council of the City of Moreno Valley, California, to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

- A .15 ADOPT A MITIGATED NEGATIVE DECLARATION FOR IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625-2 AND INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS/IRONWOOD AVENUE IMPROVEMENTS (SOUTH SIDE) FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard, and the Indian Detention Basin Drainage Improvements/Ironwood Avenue Improvements (south side) from Heacock Street to Nita Drive.

- A .16 MINUTES - REGULAR MEETING OF MARCH 10, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

- A .17 CONSIDERATION OF AMENDMENT NO. 3 TO THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE WESTERN RIVERSIDE REGIONAL CONSERVATION AUTHORITY (Report of: City Manager's Office)

Recommendation:

Approve Amendment No. 3 to the Joint Exercise of Powers Agreement and authorize the Mayor to execute the proposed document.

- A .18 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 March 4-17, 2009.

- A .19 RESOLUTION TO ADOPT THE CITY'S "WHERE DREAMS SOAR" LOGO AS THE OFFICIAL LOGO OF THE CITY OF MORENO VALLEY (Report of: City Manager's Office)

Recommendation:

Approve Resolution No. 2009-22 adopting the City's "Where Dreams Soar" logo as the official logo of the City of Moreno Valley.

Resolution No. 2009-22

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the City's "Where Dreams Soar" Logo as the Official Logo of the City of Moreno Valley

- A .20 AUTHORIZATION TO ISSUE A PURCHASE ORDER FOR PROFESSIONAL CONSULTANT SURVEY SERVICES FOR THE LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS PROJECT NO. 06-50182725 (Report of: Public Works Department)

Recommendation:

1. Authorize the issuance of a Purchase Order to PSOMAS, in the amount of \$122,070 (\$101,725 proposal amount plus 20% contingency amount of \$20,345) for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements (Account No. 501.82725); and
2. Authorize the Public Works Director/City Engineer to execute any subsequent related Change Orders to the Purchase Order with PSOMAS up to but not to exceed Purchase Order contingency authorized amount of \$20,345 for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements.

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 RESOLUTION PERTAINING TO INITIATING PROCEEDINGS FOR ATTACHMENT TO THE CITY OF MORENO VALLEY AND THE COMMUNITY SERVICES DISTRICT AND DETACHMENT FROM CITY OF RIVERSIDE CONSISTING OF A TOTAL OF NO MORE THAN 17.32 ACRES WITHIN THE EXISTING RIGHT-OF-WAY OF DAY STREET AND STATE HIGHWAY 60 LOCATED BOTH NORTH AND SOUTH OF STATE HIGHWAY 60 AND GENERALLY EAST OF DAY STREET (Report of: Community Development Department)

Recommendation:

Acting in the capacity as the Members of the Moreno Valley Community Services District, ADOPT Resolution CSD No. 2009-02, requesting that the Local Agency Formation Commission initiate proceedings for the expansion of the Community Services District in conjunction with the identified attachments as identified in Exhibit B.

Resolution No. CSD 2009-02

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to Request the Riverside Local Agency Formation Commission to Initiate Proceedings for Sphere of Influence Amendments (Additions and Removals) to Moreno Valley Community Services District, and Reorganization (Located in the Vicinity of Day Street at State Highway 60) to Include Detachments from the City of Riverside and Concurrent Annexations to the Moreno Valley Community Services District and Detachment from Moreno Valley Community Services District and Concurrent Annexation to the City of Riverside

- B .3 RESOLUTION NO. 2009-26 AND CSD RESOLUTION NO. 2009-03 TO AMEND THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS AND CSD RESOLUTION NO. 2009-04 TO AMEND COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE C (ARTERIAL STREET LIGHTING) POLICY (Report of: Public Works Department)

Recommendation:

1. Approve and adopt:

a) Resolution No. CSD 2009-03 amending Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings; and

Resolution CSD No. 2009-03

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California, to Adopt an Amended Policy for Community Services District Zone B (Residential Street Lighting) and Zone C (Arterial Street Lighting) to Provide Program Guidelines and Funding Requirements

b) Resolution No. CSD 2009-04 amending General Management Policy #2.34, Community Services District Zone B (Residential Street Lighting) and Zone C (Arterial Street Lighting) Policy.

Resolution CSD No. 2009-04

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California, to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

B .4 MINUTES - REGULAR MEETING OF MARCH 10, 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 MARCH 10, 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 MARCH 10, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

Joint Consent Calendar Items A1- D2 approved by a 5-0 vote except Item A12 and Item A14, which were pulled for separate discussion/action. m/Flickinger, s/Batey.

AGENDA ORDER

G .3 APPOINTMENTS TO THE PLANNING COMMISSION (Report of: City Clerk)

Recommendation: That the City Council:

1. Appoint four (4) members for terms expiring March 31, 2013
2. If the appointments are not made, authorize the City Clerk to re-notice the positions as vacant.

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

Approved by a 5-0 vote to appoint Ray Baker, Richard Dozier, Michael Geller and George Salas to the Planning Commission with a term expiring March 31, 2013. m/Batey, s/Hastings.

AGENDA ORDER

E. PUBLIC HEARINGS

E .1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 - BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:

1. Staff recommends that the Mayor and Members of the City of Moreno Valley City Council, after conducting the public hearing and accepting public testimony:
 - a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for identified properties within Tentative Parcel Map (TPM) 35629;
 - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached Assessor Parcel Number (APN) listing;
 - c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
 - d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the identified properties within TPM 35629; and

2. Staff recommends that the President and Members of the Board of Directors of the Moreno Valley CSD (CSD Board), after conducting the public hearing and accepting public testimony:
 - a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for identified properties within TPM 35629;
 - b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and attached APN listing;
 - c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
 - d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to the identified properties within TPM 35629.

**Motion to continue the item to May 26, 2009 City Council Meeting.
Approved by a 5-0 vote. m/Batey, s/Flickinger.**

- E .2 A COMPREHENSIVE UPDATE TO THE MORENO VALLEY MUNICIPAL CODE 9.17 (LANDSCAPE REQUIREMENTS) AND THE LANDSCAPE STANDARDS. THE UPDATE CONSIDERS THE OVERALL VISUAL APPEAL AS WELL AS REDUCED WATER USAGE TO ENSURE COMPLIANCE WITH STATE OF CALIFORNIA WATER EFFICIENCY REGULATIONS. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that PA09-0002 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

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

2. Introduce Ordinance No. 786 approving PA09-0002, amending Section 9.17 of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 786

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 Section 9.17, Landscape Requirements and the Landscape Standards

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

- E .3 FY 2009/10 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROPOSED PROJECTS (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2009/10; and
2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2009/10 Annual Action Plan.

Mayor Stewart opened the agenda item for public comments, which were received from Deborah Sutton (representing CASA, court appointed special advocates), Pastor Zabrina Mitchell (representing Moreno Valley Community Education Center), Elder Phil C. Griggs (representing Moreno Valley Community Education Center), Judy Nieburger (representing Friends of the Moreno Valley Senior Center and Community Assistance Program) and Pete Bleckert.

Accepted the recommended selection of funding.

**RECESS;
RECONVENED**

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

- A .14 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES AND ELECTRIC SERVICE RULES, FEES, AND CHARGES FOR THE MORENO VALLEY UTILITY (Report of: Public Works)

Recommendation:

Approve Resolution No. 2009-27 amending the Electric Rates and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

Resolution No. 2009-27

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

Mayor Stewart opened the public testimony portion of the public hearing, which were received from Pete Bleckert and Deanna Reeder.

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

G. REPORTS

- G .1 PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDING FOR PARKCREST CARWASH - APN 292-250-015 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:

Accept public comments regarding the mail ballot proceeding for Parkcrest Carwash – Assessor Parcel Number (APN) 292-250-015 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

Council Member Batey recused himself due to a potential conflict of interest (it is within 500 feet from his house) and left the Council Chamber.

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

No action required.

- G .2 DRAFT ADVISORY BALLOT MEASURE RE DIRECTLY ELECTED MAYOR (Request of Council Members Flickinger and Molina) (Materials Provided by City Attorney)

Recommendation: That the City Council:

Review the materials, including the draft ballot measure language and provide direction.

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

Motion to select Draft C as an advisory ballot measure to be placed on November 2010 ballot (Draft C that reads: “Do you support changing to an elected Mayor rather than one appointed by the City Council?” and “Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?”). Approved by a 5-0 vote. m/Flickinger, s/Hastings

- G .4 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES
(Informational Oral Presentation - not for Council action)

a) Report by Council Member William H. Batey II on Riverside County Habitat Conservation Agency (RCHCA)

Council Member Batey reported that Stephens' Kangaroo Rat funds in our City were audited and out of 133 projects only three had minor issues.

RCHCA uses the City of Moreno Valley as a model for other member agencies. Commended staff for the excellent job.

G .5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manager reported as follows:

1. Two community forums have been scheduled to solicit feedback on current and future library services and facilities. Forums will be held in the City Hall Council Chamber on April 23 at 2-4 p.m. and 7-9 p.m. Everyone is invited to participate
2. Free foreclosure prevention workshops will be held at four additional locations on March 30, April 6, April 15, and April 27. More information can be obtained by calling 413.3450

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:

Victoria Baca

- 1) Latino appointed to the Planning Commission
- 2) Need of jobs in the City

John Edous (representing Fontana Mummies Inc.)

- 1) Announced the relocation of the live theatre to Moreno Valley

Francisco Sanchez

- 1) Police conduct
- 2) Crime

Raul Wilson (representing Mexican Political Association)

- 1) Addressing council members by name
- 2) Salaries of city employees

Daryl Terrell

- 1) Local economy
- 2) Submitted for the public records The Moreno Valley Recovery and Investment Act of 2009, a plan to invigorate a local economy

Michael Peters (representing Rancho Belago Ravens Football organization)

- 1) Need lights on football fields

Pete Bleckert

- 1) Congratulated George Salas on his appointment to the Planning Commission
- 2) City logo
- 3) Directly elected mayor
- 4) Red light cameras

Librada Murillo

- 1) Conduct of police officers

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

Council Member Molina

- 1) Attended RCTC meeting of Plans Committee - was approached by council members from other cities regarding the need of re-opening Davis Road; Mayor Stewart seconded to place this item on a study session agenda
- 2) Reported senior citizens' concerns about shortage of senior housing

Council Member Hastings

- 1) Was able to advocate for the City of Moreno Valley while in Washington DC on an official trip for the County
- 2) Was invited to speak and take questions from boy scouts working for the government badge – very good experience
- 3) Attended the Moreno Valley Home Owners Association for West Moreno Valley Ranch – Code Compliance staff responded very quickly to complaints regarding furniture being left in front yards and broken windows in homes left by the previous owners. Commended Code Enforcement staff for the great job

Mayor Pro Tem Flickinger

- 1) Is excited that Fontana Mummies, a live theater, is relocating to Moreno Valley
- 2) The Arts Group of Moreno Valley signed a one year lease with the Moreno Valley mall. The new gallery is located near Anna's Linens on the lower level and will reopen on April 1
- 3) Next poetry reading is scheduled for April 16
- 4) Grand opening for Sports Authority store is scheduled for April 4

- 5) Attended a grand opening of Hampton Inn & Suites hotel in TownGate area – outstanding hotel, attracting corporate attendees to the City; very pleased to have it in the City
- 6) Attended with Mayor Stewart an inauguration of new UCR chancellor Timothy White
- 7) Responded to a speaker's comments regarding addressing Council Members - a speaker should not address a council member directly, but a speaker has the right to mention a council member's name
- 8) Responded to Mr. Sanchez's comments – to reduce crime, a neighborhood watch can be established; the phone number is 486.6715
- 9) Responded to Mr. Peters' comments regarding lack of lights on football fields– the Council is in favor of youth sports and will try the best to address this issue

Council Member Batey

- 1) Responded to speakers' comments - stated that it is extremely difficult to create jobs and maintain or expand businesses in this difficult economic situation; we have challenges, but our City will grow and prosper
- 2) Responded to comments regarding issues with the Police Department – police officers are doing extremely difficult and dangerous jobs, but they are doing it very well; any issues or accusations need to be addressed with the Police Department
- 3) Stated that he will work on addressing the issue of lights on football fields

Mayor Stewart

- 1) Stated that the Council is trying to achieve equal distribution of Planning Commissioners from different Council districts and is not considering race when appointing members to the Planning Commission; applicants are interviewed by the City Council and the interviews are scored; everyone is welcome to apply
- 2) Thanked Suzi Zuppardo for the excellent performance at the League of California Cities dinner
- 3) Responded to a speaker comments regarding traffic enforcement - stated that quotas are illegal in California and traffic enforcement officers using a radar can't distinguish between the races; traffic officers play an important role and we don't have enough traffic officers - majority of accidents can be prevented by having law enforcement officers present; more people are injured by accidents in the City than by burglars and robbers combined; many complaints against police officers are unfounded
- 4) Addressed issues raised by a speaker regarding staff's salaries – most of the staff members making over \$100,000 are holding engineering degrees
- 5) Regarding CDBG funds allocation- stated that staff met with Council Members individually to discuss this issue before bringing the item to the Council meeting
- 6) Responded to Mr. Bleckert's comments given during March 10, 2009 City Council meeting regarding improvements of Ironwood and Perris intersection – improvements are in progress

Adjourned to Closed Session at 9:38 p.m. The City Attorney announced that there is only one item for Existing Litigation.

CLOSED SESSION

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 9:58 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, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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