

**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 PM  
June 9, 2009**

**CALL TO ORDER**

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 6:40 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE**

**INVOCATION** - Pastor Mc Tigue, Calvary Chapel of Moreno Valley

**ROLL CALL**

Council:

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

Absent: William H. Batey II Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Financial & Administrative Services Director
Robert Herrick	City Attorney
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
John Anderson	Police Chief
Steve Curley	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	Library Services Division Manager
Mike McCarty	Parks & Community Services Director

Mayor Stewart introduced new Fire Chief Steve Curley.

Mayor Stewart recognized City Attorney Robert Herrick who announced his retirement.

**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**

**AGENDA ORDER**

- A .8 FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH NORRIS REPKE, INC. (Report of: Public Works Department)

**Recommendation:**

1. Approve the “First Amendment to Agreement for Professional Consultant Services” with Norris Repke, Inc. (Norris Repke), 400 North Tustin Ave., Suite 230, Santa Ana, CA 92705, to provide Professional Consultant Services and increase the agreement amount by the “not to exceed” fee of \$295,000;
2. Authorize the City Manager to execute said “First Amendment to Agreement for Professional Consultant Services” with Norris Repke; and
3. Authorize a Change Order to the Purchase Order to Norris Repke in the amount of \$295,000 when “First Amendment to Agreement for Professional Consultant Services” has been signed by all parties. (Account No. 501.82725).

**Motion to Continue Item A8 to June 23, 2009 City Council Meeting by m/Bonnie Flickinger, s/Robin N. Hastings**  
**Approved by a vote of 4-0-1, William H. Batey II absent.**

**AGENDA ORDER**

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Items A2, A8 and A11).

A .1 ORDINANCES - READING BY TITLE ONLY  
**Recommendation:** Waive reading of all Ordinances.

A .2 MINUTES - REGULAR MEETING OF MAY 26, 2009 (Report of: City Clerk's Department)

**Recommendation:**  
Approve as submitted.

A .4 APPROVE AND ADOPT RESOLUTION NO. 2009-50 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR PROJECT NO. 98-25897 (Report of: Public Works Department)

**Recommendation:**

1. Approve and adopt Resolution No. 2009-50 Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Interchange Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2009-50

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Interchange Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A .5 ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD PROJECT NO. 06-12566625 (Report of: Public Works Department)

**Recommendation:**

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, Project No. 06-12566625.

- A .6 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4- MAINTENANCE FOR FISCAL YEAR 2009/10 (Report of: Public Works Department)

**Recommendation:**

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4–Maintenance approve and adopt Resolution No. 2009-52 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of Community Facilities District No. 4-Maintenance (“CFD No. 4-M”) as set forth in the Annual Special Tax Report.

Resolution No. 2009-52

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 4-Maintenance

- A .7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2009/10 (Report of: Public Works Department)

**Recommendation:**

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

Resolution No. 2009-53 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Annual Special Tax Report; and

Resolution No. 2009-53

A Resolution of the City Council of the City of Moreno Valley, California, Accepting And Approving the Annual Special Tax Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 5

2. Resolution No. 2009-54 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

Resolution No. 2009-54

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

- A .9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

**Recommendation:**

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt Resolution No. 2009-55 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2009/10, on file in the office of the City Treasurer.

Resolution No. 2009-55

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

- A .10 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1

(TOWNGATE) (Report of: Public Works Department)

**Recommendation:**

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

Resolution No. 2009-56 to accept and approve the Special Tax Report for fiscal year (FY) 2009/10 regarding CFD No. 87-1; and

Resolution No. 2009-56

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 87-1 (Towngate)

2. Resolution No. 2009-57 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

Resolution No. 2009-57

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

- A .11 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

**Recommendation:**

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

Resolution No. 2009-58 to accept and approve the Annual

Special Tax Report for fiscal year (FY) 2009/10 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2009-58

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1

2. Resolution No. 2009-59 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2009-59

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 For Community Facilities District No. 5

- A .12 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL IMPROVEMENTS COTTONWOOD AVENUE AT PATTILYNN DRIVE INTERSECTION PROJECT NO. 09-12566628 (Report of: Public Works Department)

**Recommendation:**

1. Grant R&M Electrical Contracting's request for relief of a bid proposal due to a mistake made in filling out the bid;
2. Award the construction contract for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection to Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519, the lowest responsible bidder;
3. Authorize the City Manager to execute a contract with Pouk & Steinle, Inc.
4. Authorize the issuance of a Purchase Order to Pouk & Steinle,

Inc. in the amount of \$168,245 (bid amount \$146,300 plus 15% contingency of \$21,945) when the contract has been signed by all parties;

5. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Pouk & Steinle, Inc. up to but not to exceed the Purchase Order contingency of \$21,945; and
6. Authorize the Public Works Director/City Engineer to incrementally accept completed portions of work and pay retainage based on the acceptance of said work in accordance with Public Contract Code, Section 7107.

A .13 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 May 20 – June 2, 2009.

A .14 SECOND AMENDMENT TO CITY ATTORNEY'S EMPLOYMENT  
AGREEMENT (Report of: Human Resources)

**Recommendation:**

Staff recommends that the City Council approve the Second Amendment to the Employment Agreement with the City Attorney.

**B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

B .1 ORDINANCES - READING BY TITLE ONLY

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

B .2 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 -  
MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION  
- MORENO VALLEY RANCH-EAST (Report of: Public Works  
Department)

**Recommendation:**

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;



2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and
3. Authorize the Purchasing Manager, on July 1, 2009, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:
  - a.) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS (\$192,223.20) for twelve months of base maintenance service, and;
  - b.) THIRTEEN THOUSAND SEVEN HUNDRED FIFTEEN AND 00/100 DOLLARS (\$13,715.00) for anticipated Additional Work per Section 5. of the Extension Agreement.

B .3 EXTENSION OF CONTRACT - PROJECT NO. D-SG1-E/07 - MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

**Recommendation:**

1. Approve the Extension Agreement for MVCSD Project D-SG1-E/07 to extend the term of the contract for an additional one-year period;
2. Authorize the President of the MVCSD Board to execute said Amendment with TruGreen LandCare of Riverside, California, and;
3. Authorize the Purchasing Manager, on July 1, 2009, to issue open purchase orders to TruGreen LandCare in the amounts of:
  - a.) ONE HUNDRED THIRTY-THREE THOUSAND TWO HUNDRED SIXTY AND 96/100 DOLLARS (\$133,260.96) for twelve months of base maintenance service; and
  - b.) FOURTEEN THOUSAND FOUR HUNDRED FIVE AND 00/100 DOLLARS (\$14,405.00) for anticipated Additional Work per Section 5. of the Extension Agreement.

B .4 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY

FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT  
FOR FISCAL YEAR 2009/10 (Report of Public Works Department)

**Recommendation:**

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2009-15 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 1.

Resolution No. CSD 2009-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 1

- B .5 RECOMMENDATION TO APPROVE CONTRACT MOWING OF PARKS AND EASEMENTS 2009-2010 OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 PARKS AND EASEMENTS TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

**Recommendation:**

1. Approve Contract Mowing of Parks and Easements 2009-2010, of Community Services District ("CSD") Zone A and Community Facilities District ("CFD") #1 parks and easements to DLS Landscape, Inc., Redlands, CA, in the total amount of \$148,680.00 (\$122,760.00 for CSD Zone A and \$25,920.00 for CFD #1);
2. Authorize the Mayor to execute the Contract Mowing of Parks and Easements 2009-2010, with the above-mentioned contractor in a form and substance acceptable to the City Attorney; and
3. Authorize the Financial & Administrative Services Director to issue a purchase order upon execution of the Contract Mowing of Parks and Easements 2009-2010 to the above-mentioned contractor not to exceed \$148,680.00. Funds are available in

CSD Zone A account 161.76310.6261 and CFD #1 account 184.18410.6261.

- B .6 MINUTES - REGULAR MEETING OF MAY 26, 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 MAY 26, 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 MAY 26, 2009 (Report of: City Clerk's Department)

**Recommendation:**  
Approve as submitted.

**Motion to Approve Joint Consent Calendar Items A1-D2, except Item A8, which was continued to June 23, 2009 City Council meeting and Item A3, which was pulled for separate action, by m/Bonnie Flickinger, s/Robin N. Hastings.**  
**Approved by a vote of 4-0-1, Batey absent.**

## **E PUBLIC HEARINGS**

- E .1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR NINE TRACTS (Report of: Public Works Department)

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

### **Recommendation: That the City Council:**

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing:

Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 17334, 18512/21322, 18784/20906, 18930, 19852, 20715, 21616, 22277, and 31284;

### **Motion to Approve by m/Bonnie Flickinger, s/Robin N. Hastings Approved by a vote of 4-0-1, William H. Batey II absent.**

The City Clerk announced that the ballot tabulation will be held in the public lobby of the Council Chamber and the results will be announced at a later time in the agenda.

- E .2 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING FOR A PROPOSED INCREASE IN THE CSD ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR ZONE E-3 (MORENO VALLEY RANCH-WEST) (Report of: Public Works Department)

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

### **Recommendation: That the City Council:**

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing:

Direct the City Clerk ("CSD Board Secretary") to tabulate the CSD Zone E ballots received and report the results at the conclusion of the tallying, or at the next regular meeting of the

CSD Board in accordance with adopted policies and procedures for mail ballot proceedings; and

**Motion to Approve by m/Robin N. Hastings, s/Jesse L. Molina  
Approved by a vote of 4-0-1, William H. Batey II absent.**

The City Clerk announced that the ballot tabulation will be held in the public lobby of the Council Chamber and the results will be announced at a later time in the agenda.

- E .3 PUBLIC HEARING REGARDING A MAIL BALLOT PROCEEDING FOR A PROPOSED CHARGE INCREASE FOR THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

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

**Recommendation: That the City Council:**

1. Acting in their capacities as President and Members of the Board of Directors of the Moreno Valley CSD (“CSD Board”), after conducting the public hearing to accept public comment:

Direct the City Clerk (the “CSD Board Secretary”) to tabulate the CSD Zone B (Residential Street Lighting) ballots received and report the results at the conclusion of the tallying, or at the next regular meeting of the CSD Board in accordance with adopted policies and procedures for mail ballot proceedings; and

**Motion to approve by m/Robin N. Hastings, s/Bonnie Flickinger**

The City Clerk announced that due to the large number of ballots received, staff recommends tabulating the ballots in the Council Chamber starting the next day morning, June 10, 2009, and continuing it until the tabulation is finished. The public can view the tabulation in the interest of open and transparent government. Ballots are kept secured in the file room under the control of the City Clerk.

**Amended motion to continue the reporting of the tallying to the June 23, 2009 regular City Council Meeting and to conduct the ballot tallying in the Council Chamber by m/Robin N. Hastings, s/Bonnie Flickinger.  
Approved by a vote of 4-0-1, William H Batey II absent.**

E .4 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2009/10 (Report of: Public Works Department)

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

**Recommendation: That the City Council:**

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing to approve and; Adopt Resolution No. CSD 2009-05 (Zone A);

Resolution No. CSD 2009-05 (Zone A)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

2. Adopt Resolution No. CSD 2009-06 (Zone B);

Resolution No. CSD 2009-06 (Zone B)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

3. Adopt Resolution No. CSD 2009-07 (Zone C);

Resolution No. CSD 2009-07 (Zone C)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

4. Adopt Resolution No. CSD 2009-08 (Zone D);

Resolution No. CSD 2009-08 (Zone D)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

5. Adopt Resolution No. CSD 2009-09 (Zone E);

Resolution No. CSD 2009-09 (Zone E)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

6. Adopt Resolution No. CSD 2009-10 (Zone E1A);

Resolution No. CSD 2009-10 (Zone E-1A)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

7. Adopt Resolution No. CSD 2009-11 (Zone E-3A);

Resolution No. CSD 2009-11 (Zone E-3A)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

8. Adopt Resolution No. CSD 2009-12 (Zone E-4A);

Resolution No. CSD 2009-12 (Zone E-4A)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**



9. Adopt Resolution No. CSD 2009-13 (Zone M);

Resolution No. CSD 2009-13 (Zone M)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/ Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

10. Adopt Resolution No. CSD 2009-14 (Zone S);

Resolution No. CSD 2009-14 (Zone S)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2009/2010

**Motion to approve by m/Vice President Bonnie Flickinger, s/Board Member Robin N. Hastings**  
**Approved by a vote of 4-0-1, Board Member William H. Batey II absent.**

- E .5 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2009/2010 ANNUAL RATES (Report of: Public Works Department)

**Recommendation: That the City Council:**

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and  
Mayor Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.

2. Adopt Resolution No. 2009-51

Resolution No. 2009-51

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

**Motion to Approve by m/Bonnie Flickinger, s/Robin N. Hastings**  
**Approved by a vote of 4-0-1, William H. Batey II absent.**

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

- A.3 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

**Recommendation:**

Review and approve the annual Agreements for Services with the three local Chambers of Commerce – The Moreno Valley Chamber of Commerce, the Moreno Valley Hispanic Chamber of Commerce and the Moreno Valley Black Chamber of Commerce.

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

Mayor Stewart made a motion to discuss Chambers issue at a future study session and invite representatives from the three Chambers to this meeting, seconded by Mayor Pro Tem Flickinger.

**Motion to approve Item A3 by m/Bonnie Flickinger, s/Robin N. Hastings**  
**Approved by a vote of 4-0-1, William H. Batey II absent.**

**G REPORTS**

- G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Council Member Robin N. Hastings on Western

Riverside Council of Governments (WRCOG) and Riverside County  
Habitat Conservation Agency (RCHCA)

Council Member Hastings reported the following:

1. Attended WRCOG executive committee meeting on June 8. Reported that the state has still not acted on taking Proposition 1A funds, impacting highway user's fees, or redirecting Prop 42 funds. About 150 elected officials went to Sacramento and lobbied our local Assembly and Senate representatives urging them against taking funds from local governments. Encouraged everyone to send e-mails to our representatives and ask to preserve local funding. Received a report on the new model water conservation ordinance that will affect our City if we don't have in place our ordinance. Suggested that the City develop City's ordinance that will address the existing residences
2. Attended RCHCA meeting - found out that Endangered Species Day for kids is held every year; this is a terrific program, offering free tours, handing out field guides and providing other useful information

G .2 EMWD WATER EFFICIENCY PRESENTATION (POWERPOINT)

Presentation was given by EMWD Board Member David Slawson and Public Affairs Officer April Blakey.

G .3 PUBLIC MEETING REGARDING A MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT MAP 32711 BALLOTING FOR NPDES AND CSD ZONE B (Report of: Public Works Department)

**Recommendation: That the City Council:**

1. Accept public comments regarding the mail ballot proceeding for Tentative Tract Map (TTM) 32711 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum residential regulatory rate; and
2. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for TTM 32711 for inclusion into and approval of the annual parcel charge for CSD Zone B (Residential Street Lighting).

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

No action required.

## AGENDA ORDER

- G .5 DISCUSSION REGARDING BROADCASTING OF JUNE 16, 2009  
REGULAR STUDY SESSION (ORAL DISCUSSION)

Council's directions: conduct June 16, 2009 study session in a study session format with live audio broadcasting and streaming on the Internet

- G .6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

## RECESS; RECONVENE

- E .1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR NINE TRACTS (Report of: Public Works Department)

The tabulation of the ballots was completed.

The City Clerk announced the results for Zone D as follows:

Tract 17334:	Valid WBC "Yes": 4; Valid WBC "No": 19 - Failed
Tract 18512/21322:	Valid WBC "Yes":18; Valid WBC "No": 70 - Failed
Tract 18784/20906:	Valid WBC "Yes":8; Valid WBC "No": 20 - Failed
Tract 18930:	Valid WBC "Yes":8; Valid WBC "No": 33 - Failed
Tract 19852:	Valid WBC "Yes":14; Valid WBC "No": 39 - Failed
Tract 20715:	Valid WBC "Yes":18; Valid WBC "No": 23 - Failed
Tract 21616:	Valid WBC "Yes":2; Valid WBC "No": 9 - Failed
Tract 22277:	Valid WBC "Yes":2; Valid WBC "No": 10 - Failed
Tract 31284:	Valid WBC "Yes":6; Valid WBC "No": 27 - Failed

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor's Parcel Number (APN) listing;
3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet and APN listing; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 17334, 18512/21322, 18784/20906, 18930, 19852, 20715, 21616, 22277, and 31284.

**Motion to Approve verify results by m/Bonnie Flickinger, s/Robin N. Hastings**  
**Approved by a vote of 4-0-1, William H. Batey II absent.**

- E .2 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING FOR A PROPOSED INCREASE IN THE CSD ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR ZONE E-3 (MORENO VALLEY RANCH-WEST) (Report of: Public Works Department)

The tabulation of the ballots was completed.

The City Clerk announced the results for Zone E-3 as follows:

Valid WBC "Yes": 210.906; Valid WBC "No": 490.847 – Failed

2. After receiving the report of the CSD Board Secretary:
  - a. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;
  - b. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
  - c. If approved, authorize and impose the CSD Zone E charge for Zone E-3 (Moreno Valley Ranch-West).

**Motion to Approve verify results by m/Robin N. Hastings, s/Jesse L. Molina**  
**Approved by a vote of 4-0-1, William H. Batey II absent.**

## H LEGISLATIVE ACTIONS

H .1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H .2 ORDINANCES - 2ND READING AND ADOPTION - NONE

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**

Marcas Bates

1. Closing of Cottonwood Golf Course

Bobby Cooper, resident of City of Perris

1. Incidents with Police Department

Danny Morales

1. PD checkpoint on Cactus Avenue on June 6

Victoria Baca

1. PD checkpoints
2. Communities in Moreno Valley

Raul Wilson

1. PD checkpoints

Librada Murillo, Moreno Valley Parents Association

1. Constitutional rights

Pete Bleckert

1. City's contributions to Chambers of Commerce
2. Moreno Valley Golf Course

Deanna Reeder

1. Recall of Council Member Hastings
2. Meeting of the public officials at Elks Club

Rick Madott

1. Golf Course on Cottonwood Avenue

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

Council Member Hastings

1. Addressed speaker Deanna Reeder's comment; stated that the speaker's comments misrepresented what occurred
2. Attended the Taste of the Valley, the grand opening for the Moreno Valley Elks, and the Moreno Valley Ranch Crime Prevention Committee; very positive community events
3. Items A4 and A5 on tonight's agenda are addressing quality of life issues in District 3; 60 Freeway/Nason Street Interchange and Redlands Blvd. and 60

eastbound ramps improvements will have direct impact on the quality of life in District 3

4. Encouraged residents to attend June 16 meeting about budget and asked to contact her with any comments regarding budget

#### Mayor Pro Tem Flickinger

1. Stated that the parent company of the Moreno Valley Mall has declared a bankruptcy, but the Moreno Valley Mall is not affected by the bankruptcy
2. The City, in partnership with the Riverside County Workforce Development agency, is planning to open a new employment center in TownGate Center by mid August. Free computer access and free of charge work-search workshops will be offered
3. TAG, the Arts Group of Moreno Valley, located at the Moreno Valley Mall will offer free of charge activities in June, including new exhibits, a drawing workshop, an evening poetry, and all day party activities
4. Independence Day celebration on the 4th of July will include a parade starting at City Hall at 9:30 a.m., live entertainment, a Moreno Valley Idol competition, and fireworks display
5. The library's Summer Reading Program begins Friday, June 19, 2009 with a Kickoff Event with "The Snake Lady," Judy Nieburger. Free of charge reading activities for four age groups will run through July 24
5. Last Saturday, had an opportunity to kick off the first soccer ball for the newly formed Moreno Valley Youth Soccer League; great to see Moreno Valley families supporting the kids
6. Last Saturday, attended the grand opening of the Moreno Valley Elks Lodge's new facility at Canyon Spring Plaza

#### Council Member Molina

1. Last Saturday, attended the Memorial Day ceremony honoring our nation's fallen heroes
2. Last Saturday, attended a potluck sponsored by the Moreno Valley Settlers; met the oldest settler who is 95 years old
3. With other officials, attended a ribbon cutting ceremony at the Elks Club
4. Emphasized the need for everybody to work together as one city
5. Announced that on June 10, 2009, RCTC will be discussing the Mid-County Parkway; the proposed parkway will help alleviate traffic on Freeway 60; will provide more information after the meeting

#### Mayor Stewart

1. Apologized for not responding to constituents' e-mails from his business office; it's due to relocation of his law office and technical problems
2. Regarding budget - the City needs to provide core services that need to be preserved
3. Staff is working to increase emphasis on the small businesses, which are the backbone of our City
4. Attended the Chamber of Commerce retreat last Saturday and Elks Lodge's

- open house of a new great facility
5. The goal of checkpoints is not only to check for drunk drivers, but also to check for valid licenses; the purpose is to provide enforcement to protect citizens; checkpoints are paid with state grants
  6. Golf course issue will be discussed in the future
  7. Early retirement incentive program for employees was very successful
  8. Attended Taste of the Valley; 23 restaurants participated in this fantastic event offering samples of their food

## **AGENDA ORDER**

- G .4 PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2009-10  
(Report of: Financial & Administrative Services)

**Recommendation:**

Receive and file the Proposed Operating Budget for Fiscal Year 2009-10.

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

**CLOSED SESSION** was cancelled.

## **ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 10:26 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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Richard A. Stewart  
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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