

**MINUTES**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**MAY 12, 2009**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS**

1. Recognition of Four Canyon Springs High School Wrestling Champions
2. Moreno Valley Rockets Track Team – Sub Bantam
3. Proclamation Recognizing Public Works Week

**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  
May 12, 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 6:31 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** - Pastor Charles Campbell, Koinonia Evangelistic Center

**ROLL CALL**

Council:

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

Absent: None

Staff:

Jane Halstead	City Clerk
Cindy Miller	Executive Assistant to the Mayor
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
Steve Curley	Battalion Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Community Development Director

Barry Foster  
Chris Paxton  
Paula Smus  
Mike McCarty

Economic Development Director  
Human Resources Director  
Librarian  
Parks & Community Services Director

**JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES**

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Mike McDonagh (A6) and Pete Bleckert (A3).

**A CONSENT CALENDAR - CITY COUNCIL**

A .1 ORDINANCES - READING BY TITLE ONLY

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

A .2 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 April 22 – May 5, 2009.

A .3 APPROVAL OF CHECK REGISTER FOR MARCH, 2009 (Report of:  
Financial & Administrative Services Department)

**Recommendation:**

Adopt Resolution No. 2009-41, approving the Check Register for the month of March, 2009 in the amount of \$19,260,114.38.

A .4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC  
SIGNAL IMPROVEMENTS ON KRAMERIA AVENUE AT CALLE  
AURORA/VISTA CONEJO DRIVE PROJECT NO. 08-13768126  
(Report of: Public Works Department)

**Recommendation:**

1. Accept the work as complete for the Traffic Signal Improvements on Krameria Avenue at Calle Aurora/Vista Conejo Drive;

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 and Administrative Services Director to release the retention to DBX, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
  4. Accept the improvements into the City's maintained system.
- A .5 PA07-0139 – COMMERCIAL BUILDINGS - ACCEPT SUBSTITUTE AGREEMENT AND REDUCE CASH SECURITY FOR PUBLIC IMPROVEMENTS, EAST SIDE OF PERRIS BOULEVARD, SOUTH OF ALESSANDRO BOULEVARD, DEVELOPER - PERRIS ALESSANDRO LLC LOS ANGELES, CA 90025 (Report of: Public Works Department)

**Recommendation:**

1. Accept the Substitute Agreement for Public Improvements and Reduce Cash Security for PA07-0139;
  2. Authorize the Mayor to execute the Substitute Agreement;
  3. Direct the City Clerk to forward the signed Substitute Agreement to the County Recorder's office for recordation; and
  4. Authorize the City Engineer to execute any amendments to the Substitute Agreement if the required public improvements are not completed within said timeframe.
- A .6 PARCEL MAP 35386 – APPROVE FINAL MAP, OVERLOOK CIRCLE, EAST SIDE OF KITCHING STREET AND NORTH OF IRONWOOD AVENUE, DEVELOPER - STEVEN AND DEBRA COLEMAN, MORENO VALLEY, CA. 92557 (Report of: Public Works Department)

**Recommendation:**

1. Approve Parcel Map 35386; and
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

**Item A6 was continued to a later date.**

A .7 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR EMERGENCY OPERATIONS CENTER (EOC) PROJECT NO. 06-50182527 (Report of: Public Works Department)

**Recommendation:**

1. Waive minor irregularities for the lowest responsible Bidder's Proposal and award the construction contract for \$3,200,000 to United Contractors Company, Inc., 2050 S. Santa Cruz Street #2300, Anaheim, CA 92805, the lowest responsible bidder, for construction of the EOC;
2. Authorize the City Manager to execute the Agreement with United Contractors Company, Inc.;
3. Authorize the issuance of two Purchase Orders to United Contractors Company, Inc. totaling \$3,840,000 (\$3,200,000 bid plus 20% contingency) for construction of the Emergency Operations Center in the amounts of \$2,800,000 from Account No. 501.82527 and \$1,040,000 from Account No. 412.78428; and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with United Contractors Company, Inc. up to, but not exceeding, the contingency amount of \$640,000, subject to the approval of the City Attorney.

A .8 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2009 (Report of: Financial & Administrative Services)

**Recommendation:**

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

A .9 LEGISLATIVE UPDATE (Report of: City Manager's Office)

**Recommendation:**

Staff recommends that the City Council receive and file the informational report.

- A .10 MINUTES - REGULAR MEETING OF APRIL 28, 2009 (Report of: City Clerk's Department)

**Recommendation:**  
Approve as submitted.

**B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

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

- B .2 MINUTES - REGULAR MEETING OF APRIL 28, 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 APRIL 28, 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 APRIL 28, 2009 (Report of: City Clerk's Department)

**Recommendation:**  
Approve as submitted.

**Motion to continue Item A.6 to a later date. m/Council Member William H. Batey II, s/Council Member Hastings**  
**Approved by a vote of 5-0.**

**Motion to Approve Joint Consent Calendar Items except Items A6, A10, B2, C2 and D2, which were pulled for separate action. m/Mayor Pro Tem Bonnie Flickinger, s/Council Member William H. Batey II**  
**Approved by a vote of 5-0.**

**Motion to Approve Joint Consent Calendar Items A10, B2, C2 and D2. m/Mayor Pro Tem Bonnie Flickinger, s/Council Member William H. Batey II**  
**Approved by a vote of 4-0-1, Council Member Hastings Abstained.**

## **E PUBLIC HEARINGS**

### **AGENDA ORDER**

- E .2 PUBLIC HEARING TO ADOPT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2009/10 (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 (HOME) Program to provide the public with an opportunity to comment on the proposed 2009/10 Annual Action Plan; and

Mayor Stewart opened the public hearing. Public testimony was received from Jamil Dada and Pete Bleckert.

2. Approve the proposed 2009/10 Annual Action Plan.

**Motion to Approve by m/Council Member Robin N. Hastings, s/Mayor Pro Tem Bonnie Flickinger**  
**Approved by a vote of 5-0.**

## AGENDA ORDER

- E .1 PUBLIC HEARING TO ADOPT FY 2008-2009 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT #3, THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (Report of: Economic Development Department)

**Recommendation: That the City Council:**

1. Conduct a Public Hearing to allow public comment on the proposed 2008-09 Annual Action Plan, Substantial Amendment #3, the Homelessness Prevention and Rapid Rehousing Program (HPRP);

Mayor Stewart opened the public hearing. Public testimony was received from Anthony Shields and Mike Rios.

2. Review and adopt the proposed 2008-09 Annual Action Plan Substantial Amendment #3, the Homelessness Prevention and Rapid Rehousing Program;

**Motion to Approve by m/Bonnie Flickinger, s/William H. Batey II**  
**Approved by a vote of 5-0.**

3. Authorize the City Manager to execute any subsequent Subrecipient Agreements related to provision of services under the Homelessness Prevention and Rapid Rehousing Program (HPRP); and

**Motion to Approve by m/Mayor Pro Tem Bonnie Flickinger,**  
**s/Council Member William H. Batey II**  
**Approved by a vote of 5-0.**

4. Due to strict federal program deadlines, authorize City Manager to make 'non-substantial' plan adjustments, if necessary.

**Motion to Approve by m/Mayor Pro Tem Bonnie Flickinger,**  
**s/Council Member William H. Batey II**  
**Approved by a vote of 5-0.**

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



## **G REPORTS**

### **G .1 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)**

The City Manager announced the following:

- 1) A neighborhood cleanup was held in District 4 on Saturday, April 18. Residents from 167 households were given the opportunity to dispose of trash, debris, discarded furniture and tree trimmings. Other departments that assisted with the clean-up included: Code Compliance, Parks, Public Works and Police Department.
- 2) The Parks and Facilities Maintenance completed two improvement projects at the CRC. Appreciated and thanked the residents' patience.
- 3) The Arts Commission will be holding its second annual Artober Fest on October 3 from 11:00 a.m. - 5:00 p.m.
- 4) The next household hazardous waste collection will be held June 5 and June 6 at the Corporate Yard at 9:00 a.m. and 2:00 p.m.

## **H LEGISLATIVE ACTIONS**

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

### **H .2 ORDINANCES - 2ND READING AND ADOPTION**

- H .2 .1 ORDINANCE NO. 790 AMENDING TITLE 3 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 3.12, PURCHASING (RECEIVED FIRST READING AND INTRODUCTION APRIL 14, 2009 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Financial & Administrative Services Department)

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

Adopt Ordinance No. 790, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, regarding purchasing regulations.

Ordinance No. 790

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 3 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 3.12, Purchasing

**Motion to Approve, by m/Mayor Pro Tem Bonnie Flickinger, s/Council Member William H. Batey II**  
**Approved by a vote of 5-0.**

- H .2 .2 ORDINANCE NO. 791 EXTENDING THE EXPIRATION DATE OF CERTAIN DISCRETIONARY PERMITS OR ENTITLEMENTS APPROVED BY THE CITY ON OR AFTER JANUARY 1, 2006 (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 28, 2009 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: City Manager's Office)

**Recommendation: That the City Council:**

Adopt Ordinance No. 791, extending the expiration date of certain discretionary permits or entitlements approved by the City on or after January 1, 2006.

Ordinance No. 791

An Ordinance of the City Council of the City of Moreno Valley, California, Extending the Expiration Date of Certain Discretionary Permits or Entitlements Approved by the City on or after January 1, 2006

**Motion to Approve by m/Mayor Pro Tem Bonnie Flickinger, s/Council Member William H. Batey II**  
**Approved by a vote of 5-0.**

- H .2 .3 ORDINANCE NO. 792 ESTABLISHING SOCIAL HOST ACCOUNTABILITY AND PROHIBITING UNRULY PARTIES WHERE UNDERAGE DRINKING OCCURS (RECEIVED FIRST READING AND INTRODUCTION APRIL 28, 2009 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Police Department)

**Recommendation: That the City Council:**

Adopt Ordinance No. 792, "Social Host Accountability".

Ordinance 792

An Ordinance of the City Council of the City of Moreno Valley, California, Establishing Social Host Accountability and Prohibiting Unruly Parties Where Underage Drinking Occurs

**Motion to Approve by m/Bonnie Flickinger, s/William H. Batey II**  
**Approved by a vote of 5-0.**

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**

**Mike Rios**

- 1) Opposes reduction of developer fees

**Deanna Reader**

- 1) Progress of recall

**Michael Peters, President of Rancho Belago Ravens**

- 1) Thanked the Council for lights for '09 season; Thanked Council, staff and the Police Department for the great work

**Pete Bleckert**

- 1) Ironwood/Perris project
- 2) Kalmia/Perris walk and don't walk signs
- 3) General Motors dealerships, Costco; Leahman Bros.
- 4) Requested to build a new Council Chamber

**George Schoelles**

- 1) Elks Lodge new building in Canyon Springs Plaza; invitations would be distributed to the Council and staff

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

**Council Member William H. Batey II**

- 1) Attended a WRCOG meeting; one of the issues discussed was funding of a full-time position to administer homeless programs
- 2) Received CD containing information regarding air, water and energy conservation; CD was shared with staff
- 3) Reading contest winners will be announced at the May 26 Council meeting. Mike McCarty, Parks and Community Services Director, stated that the contest was based on a point system for each report completed. The participation in the contest increased about five times compared to the last year's. Kids had done a

great job.

- 4) The Moreno Valley Idol audition was held – Mike McCarty reported that about 220 people participated; 15 finalists will compete at the 4th of July Funfest.

#### Mayor Pro Tem Bonnie Flickinger

- 1) Positive economic news regarding Moreno Valley - the new Elks Club's move into a new building; the success of Moreno Valley Wal-Mart on Moreno Beach Drive, which ranked 1st in sales for California and ranked in the top 5 for the entire western United States.
- 2) Riverside County Household Hazardous Waste Disposal will be held on June 5 and 6 at City Corporate Yard. Items to be disposed include hazardous substances and electronic waste.
- 3) The City Clerk's Office is accepting applications for various boards and commissions; the deadline for the Library Commission is May 15 and for the Arts Commission, Environmental & Historical Board, Parks and Recreation Commission, Recreational Trails Board, Senior Citizen's Board, and Traffic Safety Commission May 29.
- 4) National crime reports statistics for Moreno Valley indicate that the first quarter of 2009 is lower than the first quarter of 2008 and lower than the first quarter of 2007; crime rate is dropping; attributed it to the extreme success of the Burglary Suppression Team. Since the inception of the program on February 2007, there have been 585 arrests and \$604,000 worth of property has been recovered. Congratulated the BST for the good job. Specific information on the neighborhoods can be obtained at [www.crimereports.com](http://www.crimereports.com)
- 5) Attended a SCAG annual meeting and picked up the city's profile (demographic data) for the city of Moreno Valley; will present it to Mayor Stewart

#### Council Member Robin Hastings

- 1) WRCOG staff is preparing a report regarding the homeless issue; the agency will be approaching each city to share costs based on the number of homeless in each city; the agency is looking towards establishing joint centers, and each agency that currently has homeless shelters would be credited; Moreno Valley currently has three shelters; therefore, the city's participation would be minimal
- 2) Congratulated the Moreno Valley Police Department for an outstanding job; continues to hear compliments regarding the police department
- 3) Attended HOA meeting; problems with weed abatement were addressed; residents are extremely happy with the clean-up; commended Code Enforcement staff for their proactive response
- 4) Will be attending the Via De Lago "Meet and Greet" picnic; looking forward to the event; emphasized the importance of these types of events during current economic conditions
- 5) Looking for participants to host the recognition of National Nightout in their neighborhoods – contact person: Cindy Miller, 413-3008; hoping for a lot of participation

### Council Member Jesse Molina

- 1) Shortage of manpower; pleased with Council Member Hastings' response from Code Enforcement
- 2) Inquired if the house on Ironwood and Indian is available for sale
- 3) Thanked Mr. Scholles for the invitation
- 4) Thanked Mr. Peters for his compliment to the Council
- 5) Thanked Police Chief Anderson for the low crime report, gave credit to the Chief and his team
- 6) Is glad that the homeless issue is being addressed
- 7) Concurred with Mayor Pro Tem Flickinger and is also looking forward to a better economy

### Mayor Richard Stewart

- 1) While on vacation in Michigan, noticed that the community is also experiencing the same kind of challenges and budget cuts as the City of Moreno Valley; commended their community's arts program; brought back ideas to the City of Moreno Valley
- 2) Hidden Springs resident committee meeting will be held the following evening; two POP team members will attend the meeting at 7:00 p.m. at Hidden Springs Elementary
- 3) Thanked Executive Assistant to the Mayor, Cindy Miller for her assistance
- 4) Thanked Fire Department for fire prevention issues
- 4) Concerned about divisiveness that occurs in the community; several accomplishments supported by Council are now being attacked, Council works hard with all elements of the community; encouraged to work together towards a common goal
- 6) The State may try to take some of City's money
- 7) Kudos to the Police Department
- 8) Reductions in fees are being considered by the City
- 9) Responded to a speaker's comments - \$97,000 was grant money for an after school program

## **CLOSED SESSION**

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

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

- a) Agency Representative: Robert G. Gutierrez  
Employee Organization: MVCEA
- b) Agency Representative: Robert G. Gutierrez  
Employee Organization: MVMA
- c) Agency Representative: Robert G. Gutierrez  
Employee Organization: Moreno Valley Confidential  
Management Employees

### **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 8:39 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