

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

**March 9, 2010**

**SPECIAL PRESENTATIONS – 6:00 P.M.  
REGULAR MEETING – 6:30 P.M.**

**City Council Closed Session**

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

**City Council Study Sessions**

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

**City Council Meetings**

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

City Hall Council Chamber - 14177 Frederick Street

*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem  
Jesse L. Molina, Council Member

Richard A. Stewart, Council Member  
William H. Batey II, Council Member

**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**March 9, 2010**

**CALL TO ORDER**

SPECIAL PRESENTATIONS

- 1) Officer of the Quarter Presentation to Officer Kevin Couch
- 2) Officer of the Year Presentation to Officer Kent Eckenrode
- 3) Proclamation Recognizing March 2010 as International Order of DeMolay Month

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

**REGULAR MEETING - 6:30 PM  
MARCH 9, 2010**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**INVOCATION** - Bishop Randy Triplett, Victory Temple of Deliverance Ministries

**ROLL CALL**

**INTRODUCTIONS**

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

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

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

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

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

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

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

### **A.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)**

**Recommendation:**

Approve as submitted.

### **A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)**

**Recommendation:**

Receive and file the Reports on Reimbursable Activities for the period of February 17 - March 20, 2010.

### **A.4 APPROVAL OF RESOLUTION NO. 2010-14, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE FISCAL YEAR 2010/2011 TRANSPORTATION PLANNING GRANT (Report of: Public Works Department)**

**Recommendation:**

Approve the proposed resolution authorizing the City Manager to enter into contract with the State of California Department of Transportation (Caltrans) for Fiscal Year 2010/2011 Transportation Planning Grant application.

#### **Resolution No. 2010-14**

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Manager to Enter Into a Contract with the State of California Department of Transportation (Caltrans) for the FY 2010/2011 Transportation Planning Grant

### **A.5 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)**

**Recommendation:**

Approve Resolution No. 2010-15 amending the Electric Rates for Moreno

Valley Utility.

Resolution No. 2010-15

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

- A.6 ACCEPTANCE OF DONATION IN THE AMOUNT OF \$10,000 FOR THE MORENO VALLEY PUBLIC LIBRARY (Report of: Library Services Department)

**Recommendation:**

Accept a monetary donation from the Moreno Valley Friends of the Library in the amount of \$10,000.

- A.7 RESOLUTION IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010 (Report of: City Manager's Office)

**Recommendation:**

Adopt Resolution No. 2010-16 in support of the League of California Cities ballot measure, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

Resolution No. 2010-16

A Resolution of the City Council of the City of Moreno Valley In Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010

**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 FEBRUARY 23, 2010 (Report of: City Clerk)

**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 FEBRUARY 23, 2010 (Report of: City Clerk)

**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 FEBRUARY 23, 2010 (Report of: City Clerk)

**Recommendation:**

Approve as submitted.

**E. PUBLIC HEARINGS - NONE**

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

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

**G. REPORTS**

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Richard A. Stewart on March Joint Powers Commission (MJPC)

b) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

G.2 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

**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**

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

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

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

## **CLOSED SESSION**

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

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

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

The Closed Session will be held pursuant to Government Code:

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

Number of Cases: 2

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

Number of Cases: 2

- 3 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

## **ADJOURNMENT**



**MINUTES**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**February 23, 2010**

**CALL TO ORDER**

SPECIAL PRESENTATIONS

1. Recognition of Firefighter of the Year - Sean Landavazo, Firefighter Apparatus Engineer
2. Employee of the Quarter presentation - Keyneica Jones, Management Analyst

**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  
February 23, 2010**

**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 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE**

**INVOCATION** - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

**ROLL CALL**

Council:

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

Staff:

Jane Halstead	City Clerk
Julienne Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	Interim City Attorney
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
John Ruiz	Interim Human Resources Director
Mike McCarty	Parks & Community Service

Interim City Manager William L. Bopf introduced recently appointed Interim Human Resources Director John Ruiz.

**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 Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Marcia Amino (Item A6).

**A. CONSENT CALENDAR-CITY COUNCIL**

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF FEBRUARY 9, 2010 (Report of: City Clerk)

**Recommendation:**

Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

**Recommendation:**

Receive and file the Reports on Reimbursable Activities for the period of February 3, 2010.

A.4 APPROVAL OF MORENO VALLEY ELECTRIC UTILITY REIMBURSEMENT AGREEMENT FOR ELECTRICAL FACILITY CONSTRUCTION BETWEEN MORENO VALLEY CACTUS RANCH, LLC AND THE CITY OF MORENO VALLEY (Report of: Public Works Department)

**Recommendation:**

1. Approve the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley;
2. Authorize the City Manager to execute the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley; and
3. Appropriate \$59,569 from the Electric Utility's liability account

601.2810.01 for payment under the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley.

A.5 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL IMPROVEMENTS AT THE COTTONWOOD AVENUE AND PATTILYNN DRIVE INTERSECTION - PROJECT NO. 09-12566628 (Report of: Public Works Department)

**Recommendation:**

1. Accept the work as complete for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection, constructed by Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519;
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 Pouk & Steinle, 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 road system.

A.6 FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JAGDISH SHAH (Report of: Public Works Department)

**Recommendation:**

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah, R.A., M.S. (Civil), 22900 Estoril Drive, Unit 5, Diamond Bar, CA 91765-4490;
2. Authorize the City Manager to execute said "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah; and
3. Authorize an increase in the Purchase Order to Jagdish Shah in the amount of \$225,000.00 when "First Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

- A.8 PM 33152-1 – REQUEST TO EXTEND THE DURATION FOR A FULL ROAD CLOSURE OF OLD 215 FRONTAGE ROAD BETWEEN ALESSANDRO BOULEVARD AND DAY STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM MARCH 17, 2009 – JUNE 17, 2010; DEVEPER: ADLAND PROPERTIES, LLC, TORRANCE, CA 90505 (Report of: Public Works)

**Recommendation:**

1. Authorize an extension of the duration for the full road closure of Old 215 Frontage Road Street from Alessandro Boulevard to Day Street for the construction of street improvements from March 17, 2010 to June 17, 2010; and
2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

- A.9 AUTHORITY OF THE CITY MANAGER AND PUBLIC WORKS DIRECTOR TO APPROVE FUTURE AMENDMENTS TO CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60 NASON/INTERCHANGE IMPROVEMENTS PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

**Recommendation:**

Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement" (District Agreement No. 8-1406), if needed, subject to the approval of the City Attorney.

- A.10 APPROVAL OF CHECK REGISTER FOR DECEMBER, 2009 (Report of: Financial & Administrative Services Department)

**Recommendation:**

Adopt Resolution No. 2010-11, approving the Check Register for the month of December, 2009 in the amount of \$16,480,202.55.

Resolution No. 2010-11

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of December, 2009

- A.11 ACCEPTANCE OF DONATION IN THE AMOUNT OF \$3,530 FOR THE MORENO VALLEY ANIMAL SHELTER (Report of: Financial & Administrative Services Department)

**Recommendation:**

Accept a monetary donation in the amount of \$3,530 for the Moreno Valley Animal Shelter.

- A.12 RESOLUTION IN SUPPORT OF DESIGNATING MARCH 2010 AS THE "UNITED STATES CENSUS – MAKE YOURSELF COUNT" MONTH (Report of: City Manager's Office)

**Recommendation:**

Adopt Resolution No. 2010-12 designating March 2010 as "United States Census – Make Yourself Count" month.

Resolution No. 2010-12

A Resolution of the City Council of the City of Moreno Valley in Support of the United States Census – Make Yourself Count Month March 2010

- A.14 APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND ROBERT L. HANSEN FOR THE POSITION OF CITY ATTORNEY (Report of: Human Resource Department)

**Recommendation:**

Approve the employment agreement between the City of Moreno Valley and Robert L. Hansen for the position of City Attorney.

**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 FEBRUARY 9, 2010 (Report of: City Clerk)

**Recommendation:**

Approve as submitted.

- B.3 APPLY FOR AND SUBSEQUENT ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, AFTER SCHOOL PARTNERSHIPS OFFICE, FOR THE AFTER SCHOOL EDUCATION AND SAFETY (ASES) PROGRAM (Report of: Parks and Community Services)

**Recommendation:**

1. Authorize staff to apply for additional grant monies from the

California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program;

2. Authorize the acceptance of the ASES Program grant in the amount of up to \$337,500 for Sugar Hill, Ridge Crest, and Hidden Springs Elementary Schools to provide literacy, academic enrichment, and a safe constructive alternative for students in kindergarten through fifth grades;
3. Authorize use of grant funds for personnel as follows: one Office Assistant, three Site Leaders, and 30 Program Assistants; and
4. Authorize the City Manager to sign documents with the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program on behalf of the City of Moreno Valley.

B.4 AUTHORIZE THE SUBMISSION OF GRANT APPLICATIONS FOR THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM AND ADOPT THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services)

**Recommendation:**

1. Authorize the Parks and Community Services Director to submit the grant applications to the State Department of Parks and Recreation for the Statewide Park Development and Community Revitalization Program for the March Field Park Soccer Field Project and the Water Conservation and Demonstration Garden; and
2. Adopt the proposed Resolution No. CSD 2010-04 to certify the approval of the governing board approving the grant application for grant funds from the Statewide Park Program.

Resolution No. CSD 2010-04

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board Approving the Application for Statewide Park Program Grant Funds

**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 FEBRUARY 9, 2010 (Report of: City Clerk)

**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 FEBRUARY 9, 2010 (Report of: City Clerk)

**Recommendation:**  
Approve as submitted.

**Motion to Approve Joint Consent Calendar Items A1 – D2, except Items A7 and A 13, which were pulled for separate discussion/action.**  
**Motion by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings**  
**Approved by a vote of 5-0.**

#### **E. PUBLIC HEARINGS**

E.1 CONTINUATION OF THE PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 (PROPOSED SKECHERS PROJECT) - BALLOTING FOR NPDES AND CSD ZONE M (CONTINUED FROM NOVEMBER 10, 2009) (Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which were received from Deanna Reeder.

**Recommendation: That the City Council:**

1. 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 property within Tentative Parcel Map (“TPM”) 35629;

**Motion to Approve by m/Council Member Richard A.**



**Stewart, s/Council Member William H. Batey II**  
**Approved by a vote of 5-0.**

- b. Verify and accept the results of the mail ballot proceeding as identified on the Official as identified on the Official Tally Sheet and 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.

The City Clerk announced the results as follows:  
TPM 35629 – “Yes”

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

- 2. Acting in their capacity as President and Members of the Board of Directors of the CSD (“CSD Board”), after conducting the Public Hearing and accepting public testimony:

**Motion to Approve by m/Board Member Richard A. Stewart,**  
**s/Board Member William H. Batey II**  
**Approved by a vote of 5-0.**

- a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for the identified properties within TPM 35629;
- b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and 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.

The City Clerk announced the results as follows:  
TPM 35629 – “Yes”

**Motion to Approve by m/Board Member William H. Batey II, s/Board Member Richard A. Stewart**  
**Approved by a vote of 5-0.**

- E.2 PUBLIC HEARING TO ADOPT FY 2009-10 ANNUAL ACTION PLAN AMENDMENT NO. 2 AND NO. 3 (Report of: Economic Development Department)

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

**Recommendation: That the City Council:**

Review proposed FY 2009-10 Substantial Amendment 2 and 3 to increase funding for the 2010 Foreclosure Prevention Workshop program:

- a) Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2009-10 Annual Action Plan Substantial Amendments #2 and #3,
- b) Adopt the proposed Amendments #2 and #3
- c) Authorize the transfer of \$25,000 from account # 284.73939.6854 (Employment Resource Center) to account # 284.73939.6846 (Community Foreclosure Prevention) account; and
- d) Authorize the transfer of \$5,000 from account # 284.73939.6839 (Small Business Fair) to account # 284.73939.6846 (Community Foreclosure Prevention).

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

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

- A.7 REAPPROPRIATION OF FUNDS FOR THE HEACOCK STREET FROM GENTIAN AVENUE TO POPPYSTONE DRIVE AND FREDERICK STREET/PIGEON PASS ROAD FROM SUNNYMEAD BOULEVARD TO HEMLOCK AVENUE REHABILITATION PROJECT - PROJECT NO. 06-12567425 (Report of: Public Works Department)

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

**Recommendation:**

Authorize the Financial and Administrative Services Director to reappropriate funds in the amount of \$136,405 from Measure "A" Fund Balance for the Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street / Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation Project.

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

- A.13 APPROVE PROJECT RECOMMENDATIONS FOR REMAINING UNEXPENDED "PROPOSITION 1B" - TRANSPORTATION BOND PROGRAM FUNDS AS PART OF THE FY 09/10 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (CONTINUED FROM FEBRUARY 9, 2010) (Report of: Public Works Department)

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

**Recommendation:**

1. Approve Project Recommendations for Remaining Unexpended Proposition 1B funds as part of the FY 09/10 Pavement Resurfacing Project; and

**Motion to Approve rearranging the list of priorities moving Alessandro Boulevard up on the list and three other streets down for resurfacing by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II**  
**Approved by a vote of 5-0.**

2. Authorize the City Engineer to update and submit the Proposition 1B Project Accountability Plan to the State Department of Finance.

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

**G. REPORTS**

- G.1 MID-YEAR BUDGET REVIEW (Report of: Financial & Administrative Services Department)

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

**Recommendation: That the City Council:**

1. Receive and file this report; and
2. Approve the proposed mid-year budget appropriation adjustments.

**Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina**  
**Approved by a vote of 5-0.**

G.2 ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda for public comments, which were received from Marcia Amino.

**Recommendation: That the City Council:**

Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") provide direction to staff on the alternatives to be implemented for the CSD Zone B (Residential Street Lighting) program.

**Motion to Approve Alternative No. 1 to allow for a loan from Special Districts (Fund 149) to cover the FY 2009/10 shortfall by m/Board Member William H. Batey II, s/Board Member Richard A. Stewart**  
**Approved by a vote of 5-0.**

G.3 AMENDMENT TO THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS (Report of: Public Works Department)

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

**Recommendation: That the City Council:**

1. Approve and adopt Resolution No. 2010-13 to amend Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings.

Resolution No. 2010-13

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

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

2. Acting in the capacity as the Board of Directors of the Moreno Valley Community Services District ("CSD Board"), approve and adopt Resolution No. CSD 2010-05 to amend Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings.

Resolution No. CSD 2010-05

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

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

**AGENDA ORDER**

**PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE  
JURISDICTION OF THE CITY COUNCIL**

Deanna Reader

1. Street Lighting

Karen Ott

1. President of the Amateur Radio Association
2. Appreciates Council's Support of the 440 MH Repeater

Clint Dague

1. Thanked Council and City for supporting the 440 MH Repeater

Raul Wilson

1. Bridge over Graham Street
2. Street conditions in District 1

Tom Jerele, Sr.

1. Banners on Sunnymead

Jose Chavez

1. Loss of small businesses due to DUI checkpoints

Marcia Amino

1. Utility tax
2. Car allowance

Pete Bleckert

1. Utility Company
2. Sunnymead Boulevard
3. Pigeon Pass

## **AGENDA ORDER**

- G.4 INTENTION OF THE COMMUNITY AND REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO PROVIDE FINANCIAL ASSISTANCE TO PALM DESERT DEVELOPMENT COMPANY, INC. FOR PHASE II OF THE RANCHO DORADO AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

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

1. Acting in their capacity as Chairperson and Members of the Redevelopment Agency Board, adopt Resolution No. RDA 2010-01, which ratifies certain findings and determinations made under Resolution No. 2008-11, regarding providing conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South; and

Resolution No. RDA 2010-01

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming Its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

**Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart**  
**Approved by a vote of 5-0.**

2. The Redevelopment Agency Board appropriate \$4,750,000 from the RDA's 20% Housing Set Aside fund balance (Fund 894) for fiscal year 2009/10.

**Motion to Approve by m/Vice Chairperson Robin N. Hastings,  
s/Agency Member Richard A. Stewart  
Approved by a vote of 5-0.**

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

The Interim City Manager reported the following:

1. Burlington Coat Factory will have a soft opening on March 5. They hired the majority of their staff from Moreno Valley.
2. State Assemblymen Cook, Nestande and Emmerson will host a Financial Literacy Workshop on April 3 at the Moreno Valley Senior Center. MVT3 will be promoting information and encouraging attendance.
3. Staff met with Congresswoman Bono Mack's staff to discuss fiscal requests for the coming year. The requests include Edgemont Water Service, law enforcement technology, gang prevention, Heacock Channel improvements, and job training and the Employee Resource Center.
4. A sweep of illegal vendors was conducted on Valentine's Day. Forty four vendors were contacted and issued a notice of violation for failure to obtain a business license. All of their materials were confiscated and destroyed.
5. Ross for Less Distribution Center is completing the final phase of their expansion to 1.6M square feet. They employ approximately 1,000 employees, and they will employ approximately 200 more after their expansion.

**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

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

Council Member Jesse L. Molina

1. There has been a lot of discussion regarding roads.

2. Council should get together with the Planning Department.
3. There is a need to get together with Capital Improvements and have a discussion session.
4. Wants more dedicated to District 1.
5. Cost of the Police Department.
6. The Senior Center still needs donated computers.

Council Member Richard A. Stewart

1. There was a neighborhood meeting regarding putting up lights at Shadow Mountain Park. Six residents showed up and raised a variety of complaints about the park. With the \$300,000 grant pre-fab restrooms might be installed. A commitment was made to the residents the lights would not be activated until the restroom issue is addressed. A new gate will be installed on the northeast side of the park. Loitering issues need to be dealt with.
2. There was a good briefing at the Study Session regarding the police station expansion.
3. There was a meeting with staff regarding the Capital Improvement Plan. There are two projects in District 2. Reche Canyon where Heacock and Perris come together will be signalized.
4. Roads are built by the developers. Fixing roads has never been politicized. It is based on an equitable, rotational formula.
5. When engineers are hired by contract, the City doesn't pay benefits; and once the project is completed, the City doesn't have surplus staff to lay off.
6. A free concert will be held this Thursday night at the Conference and Recreation Center.
7. A meeting with March Global Port and March Healthcare will be held next week. March Global Port is being rejuvenated. Hopefully something will get going at the airport. March Health Care will provide jobs and medical facilities to serve the community.
8. There was a police officer involved in shooting. Information is slow to come out, and people say the police are shooting people. (Chief Anderson gave a brief summary.) The Press Release is posted on the Sheriff's web site.

Mayor Pro Tem Robin N. Hastings

1. A meeting with Public Works was called in response to residents complaining about flooding on their street. Public Works sent staff out the next morning to clean out the pipe that ran into the street.
2. There have been complaints regarding off road vehicles, and police cited seven people on the east end of town.
3. The SEIU Visioning Workshop was a terrific event.
4. Members of WRCOG will leave for Washington, D.C. March 1 to



secure AB811 funding.

5. Keep the family of Staff Sergeant Michael David Cardenas, a resident of Corona, in your prayers. He was killed in Iraq. When we talk about the military, we're all family.

Council Member William H. Batey II

No comments.

Mayor Bonnie Flickinger

1. It's good our law enforcement comes from the Riverside County Sheriff's Department.
2. There was a black history celebration at Moreno Elementary School. The talent of the students was very impressive.
3. On March 28, March Air Field Museum will hold a welcome home event for Vietnam vets.
4. The museum recently had a special remembrance day event for the war dogs.
5. There was a discussion with former Mayor Marshall Scott about sticky tape that gets left on the signal poles after yard sign sales come down. There will be a volunteer team who will get together occasionally and take the tape down.
6. There will not be a Mayor's Golf tournament this year.

There being no further business to conduct, the meeting was adjourned at 9:53 p.m. by unanimous informal consent.

**CLOSED SESSION**

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

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

The Closed Session was held in the City Manager's Conference Room pursuant to Government Code:

- a) City Manager Recruitment

**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 10:08 p.m. by unanimous informal consent.

Submitted by:

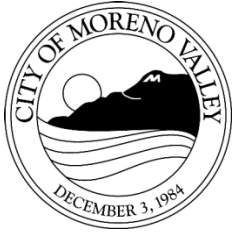
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Jane Halstead, City Clerk, CMC  
Secretary, Moreno Valley Community Services District  
Secretary, Community Redevelopment Agency of the City of Moreno Valley  
Secretary, Board of Library Trustees

Approved by:

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Bonnie Flickinger  
President, Moreno Valley Community Services District  
Chairperson, Community Redevelopment Agency of the City of Moreno Valley  
Chairperson, Board of Library Trustees



## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Jane Halstead, City Clerk

**AGENDA DATE:** March 9, 2010

**TITLE:** CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

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### RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of February 17 – March 2, 2010.

<i>Reports on Reimbursable Activities</i> February 17 – March 2, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	2/24/10	UCR Citizens University Committee
Robin N. Hastings	2/17/10	Student of the Month Luncheon
	2/24/10	Moreno Valley Chamber of Commerce Wake-Up
Jesse L. Molina		None
Richard A. Stewart		None

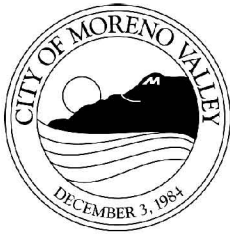
Prepared By:  
Cindy Miller  
Executive Assistant to the Mayor/City Council

Department Head Approval:  
Jane Halstead  
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WJB</i>

## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Chris A. Vogt, P.E., Public Works Director/City Engineer

**AGENDA DATE:** March 9, 2010

**TITLE:** APPROVAL OF RESOLUTION NO. 2010-14, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE FISCAL YEAR 2010/2011 TRANSPORTATION PLANNING GRANT

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### **RECOMMENDED ACTION**

Staff recommends that the City Council:

Approve the proposed resolution authorizing the City Manager to enter into a contract with the State of California Department of Transportation (Caltrans) for the Fiscal Year 2010/2011 Transportation Planning Grant application.

### **ADVISORY BOARD/COMMISSION RECOMMENDATION**

Not Applicable.

### **BACKGROUND**

Transportation Planning Grants offered by Caltrans are intended to promote a balanced, comprehensive multi-modal transportation system. Goals of the grants are the following:

1. Improve Mobility and Accessibility: Expanding the system and enhancing modal choices and connectivity to meet the State's future transportation demands.
2. Preserve the Transportation System: Maintaining, managing, and efficiently utilizing California's existing transportation system.

3. Support the Economy: Maintaining, managing, and enhancing the movement of goods and people to spur the economic development and growth, job creation, and trade.
4. Enhance Public Safety and Security: Ensuring the safety and security of people, goods, services, and information in all modes of transportation.
5. Reflect Community Values: Finding transportation solutions that balance and integrate community values with transportation safety and performance, and encourage public involvement in transportation decisions.
6. Enhance the Environment: Planning and providing transportation services while protecting our environment, wildlife, and historical and cultural assets.

### **DISCUSSION**

City staff shall submit a grant application for the updating of the City's Bicycle Transportation Plan. The update to the Bicycle Transportation Plan would reflect the update to the Western Riverside Non-motorized Transportation Plan, currently being prepared by the Western Riverside Council of Governments (WRCOG). The WRCOG updated plan will assist in the region's efforts to reduce greenhouse gases as required by SB 375.

As part of the grant application, a local resolution is required that states the title of the person authorized to enter into a contract with CalTrans if the City is awarded the grant monies.

### **ALTERNATIVES**

1. Approve the proposed resolution authorizing the City Manager to enter into a contract with the State of California Department of Transportation (Caltrans) for the Fiscal Year 2010/2011 Transportation Planning Grant application. *City staff recommends this action such that an application for a Transportation Planning Grant is complete and would be eligible for funding.*
2. Do not Approve the proposed resolution authorizing the City Manager to enter into a contract with the State of California Department of Transportation (Caltrans) for the Fiscal Year 2010/2011 Transportation Planning Grant application. *If such authority is not granted, the City would not be eligible to receive a FY 2010/2011 Transportation Planning Grant.*

**FISCAL IMPACT**

All applications for the Transportation Planning Grant require a minimum of ten percent match from the agency submitting the application. Therefore, the FY 2010/2011 application being submitted by Moreno Valley would require a \$5,300 match, of which \$1,325 can be an in-kind contribution (i.e. staff salary). The remaining balance of \$3,975 would come from available AB2766 Subvention Fund Monies (Fund 137) issued by the South Coast Air Quality Management District (AQMD). This fund may be used only to implement programs that reduce air pollution from motor vehicles. These funds cannot be used for operational activities that do not meet AQMD criteria for air pollution reductions.

**CITY COUNCIL GOALS**

**REVENUE DIVERSIFICATION AND PRESERVATION:**

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

**PUBLIC SAFETY:**

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

**PUBLIC FACILITIES AND CAPITAL PROJECTS:**

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

**SUMMARY**

Not Applicable.

**NOTIFICATION**

Posting of Agenda.

**ATTACHMENT**

Attachment "A" – Proposed Resolution

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Prepared By  
Michael Lloyd, P.E.  
Senior Engineer

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Department Head Approval  
Chris A. Vogt, P.E.  
Public Works Director/City Engineer

---

Concurred By  
Eric Lewis, P.E., T.E.  
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE FY 2010/2011 TRANSPORTATION PLANNING GRANT

WHEREAS, the State of California Department of Transportation (Caltrans) offers grant monies each year for various planning activities related to transportation; and

WHEREAS, the City of Moreno Valley shall submit an application to Caltrans in regards to updating the Bicycle Transportation Plan; and

WHEREAS, the Caltrans requires a local resolution stating the title of the person authorized to enter into a contract with Caltrans must be included with the application.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: it does hereby authorize the City Manager to enter into a contract with Caltrans for FY 2010/2011 Transportation Planning Grants, if awarded to the City.

APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

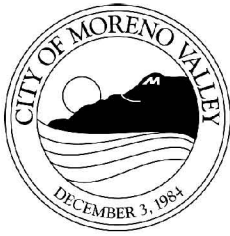
APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

**[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**



APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Raf
CITY MANAGER	WBS

## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Chris A. Vogt, P.E., Public Works Director/City Engineer

**AGENDA DATE:** March 9, 2010

**TITLE:** APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY

---

### **RECOMMENDED ACTION**

Staff recommends that the City Council:

1. Approve Resolution No. 2010-15 amending the Electric Rates for Moreno Valley Utility

### **BACKGROUND**

On July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges for the City of Moreno Valley's Electric Utility, or Moreno Valley Utility (MVU). Electric Rule 12 entitled "Rates and Optional Rates" of that document states that the rates to be charged by and paid to the City's utility for electric service will be the rates legally in effect and on file with the Electric Utility Division, Department of Public Works. At its meeting on December 9, 2003, the City Council approved Ordinances 650 and 651 providing for the establishment and adjustment of electric rates by resolution.

### **DISCUSSION**

Consistent with Ordinances 650 and 651, the resolution considered in this action amends MVU's Electric Rates. A complete copy of the proposed *Electric Rates* document is available for review in the Public Works Department, Electric Utility Division office. To ensure the City's rates are just and reasonable and to ensure that the City's rates are set at a level sufficient to cover the utility's costs, it will be necessary for the City Council to approve an adjustment of the rates that MVU charge customers for service from time to time. Due to the structure of MVU's rates, the customer's usage

will ultimately determine the impact of this proposed rate adjustment on their monthly billings. For example, the proposed rate adjustments considered in this council action will affect a residential customer who uses 600 kWh in a month differently than a customer who uses 1,000 kWh in a month. The proposed rate changes considered in the council action will result in a slight decrease of MVU's rate schedules for both the summer season and winter season. The only increase associate with this proposed action would be for MVU residential customers who use 600 kWh or less on a monthly basis, and that increase would be in the summer season. Pursuant to MVU's rates, the summer season begins at 12:00am on the first Sunday in June and continues until 12:00am on the first Sunday in October. The winter season begins at 12:00am on the first Sunday in October, and continues until 12:00am on the first Sunday in June of the following year. Generally speaking, there are four months in the summer season, and eight months in the winter season.

If the City Council approves the proposed rate adjustments, the average MVU residential customer taking service under Schedule A who uses 600 kWh per month will experience an increase in their bill of 3.03% in summer, and a decrease of 3.01% in winter. This results in a increase of \$2.36 for each summer bill, and a \$2.99 decrease for each of the winter season's bills. Similarly, an MVU residential customer who uses 1,000 kWh per month will experience a decrease of 3.98% in the summer season, and a decrease of 3.25% in the winter season. This results in a \$6.86 decrease in the customer's monthly bill for summer, and a decrease of \$6.66 per month for each month of the winter season.

If the City Council approves the proposed rate adjustments, the average MVU small commercial customer taking service under Schedule B who uses 2,978 kWh per month will experience a decrease of 3.3% for each month of the summer season, and a 4.6% decrease for each month of the winter season. The average MVU large commercial customer taking service under Schedule C who uses 24,531 kWh per month with a demand of 100kW will experience a decrease of 2.8% in summer and a decrease of 5.1% in winter. The average MVU large commercial, time-of-use customer taking service under Schedule TOU-LGS who uses 386,896 kWh per month with a demand of 865 kW in summer, and who uses 392,333 kWh per month with a demand of 666 kW in winter, will experience a decrease of 3.5% in summer and a decrease of 6.6% in winter. Schedule TC-1, MVU's rates for traffic controllers, will decrease by 4.03%. MVU's current street light rate schedule (Schedule SL) will decrease 5.3%.

If approved by the City Council, these changes will become effective at 12:00 a.m. on March 10, 2010.

Pursuant to Section 5 of the Professional Services Agreement by and between the City of Moreno Valley and ENCO Utility Services Moreno Valley, LLC, the City is obligated to adjust its rates from time to time so that the City's electric rates remain roughly equivalent to the otherwise applicable investor owned utility rate schedules. This council action will also true up MVU's rates to comply with this obligation. If adopted, the net impact upon MVU customers is estimated to be a decrease in rates.

**ALTERNATIVES**

1. Approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *The amendment of the Electric Rates will allow the City’s utility to recover its costs for service, and to offer competitive rates.*
2. Do not approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *This would restrict the City’s utility in its ability to recover utility costs, and also its ability to offer competitive rates.*

**FISCAL IMPACT**

As rates are adjusted, revenues will reflect the adjustments. Utility revenues will decrease slightly if the proposed changes are adopted by City Council.

**CITY COUNCIL GOALS**

**REVENUE DIVERSIFICATION AND PRESERVATION:**

*The municipal electric utility will generate revenues to provide funding for City programs and services over time. These revenues will help achieve important financial goals of the City.*

**POSITIVE ENVIRONMENT:**

*The proposed rate adjustments ensures timely changes to the rates of the City’s utility, and helps to create a positive environment for economic development within the community. The City of Moreno Valley will offer competitive rates and will help the City create new, well paying jobs.*

**NOTIFICATION**

Posting of the Agenda.

**Attachments**

Attachment 1 – Proposed Resolution

Prepared By: George Hanson  
Electric Utility Division Manager

Department Head Approval: Chris A. Vogt, P. E  
Public Works Director/City Engineer

Concurred By: Darcy Ramirez  
Senior Financial Analyst

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-15

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

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges document for Moreno Valley Utility which states, in part, that the rates to be charged by and paid to the City for electric service will be the rates legally in effect and on file with the City Council; and

WHEREAS, there are sections of the Electric Service Rules, Fees and Charges document that contain rules which define the terms and conditions under which electric service will be provided to the customer; and

WHEREAS, there are rules, fees, charges, and rates associated with providing the services identified in the document. These rules, fees, charges, and rates are deemed necessary and equitable for services rendered and are required to fund in whole or in part, all of the services required to facilitate the delivery of electric distribution pursuant to the rules; and

WHEREAS, Urgency Ordinance No. 651 was adopted by the City Council on December 9, 2003, allowing for the adoption of rates by resolution.

Attachment 1

Resolution No. 2010 -  
Date Adopted: March 9, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the amended Moreno Valley Utility Electric Rates and Electric Service Rules, Fees, and Charges as on file in the Public Works Department and City Clerk's Office.

APPROVED AND ADOPTED this 9th day of March 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Attachment 1

Resolution No. 2010 -  
Date Adopted: March 9, 2010



RESOLUTION JURAT

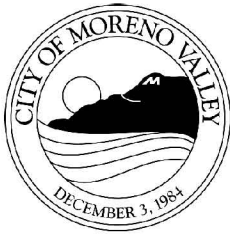
[Clerk's office will prepare]

**[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Attachment 1

Resolution No. 2010 -  
Date Adopted: March 9, 2010

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WBS</i>

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## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Paula Smus, Acting Principal Librarian

**AGENDA DATE:** March 9, 2010

**TITLE:** ACCEPTANCE OF DONATION IN THE AMOUNT OF \$10,000 FOR THE MORENO VALLEY PUBLIC LIBRARY

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### **RECOMMENDED ACTION**

Staff recommends that the City Council accept a monetary donation from the Moreno Valley Friends of the Library in the amount of \$10,000.

### **BACKGROUND**

The City's administrative policy on Donations (Fiscal Policy #3.5) requires that the City Council formally accept all donations whose estimated value exceeds \$3,000.

### **DISCUSSION**

On February 2, 2010, a representative of the Moreno Valley Friends of the Library presented Library staff with a monetary donation in the amount of \$10,000, to be used to purchase children's books for the Moreno Valley Public Library.

The Friends of the Library (FOL) adopted its bylaws on Jan 19, 1994. Its mission is to focus public attention on library services, facilities, and needs while working to encourage gifts of books, magazines, desirable collections, endowments and bequests to the organization. The FOL maintains an ongoing used book sale in the Moreno Valley Public Library and regularly donates proceeds to the library, for use in providing programming, supplies and equipment which the library budget might not be able to accommodate.

**ALTERNATIVES**

The following alternatives are available to the City Council:

1. Accept the monetary donation of \$10,000 for the purchase of children's books.
2. Reject the monetary donation of \$10,000 and provide further direction to staff.

**FISCAL IMPACT**

Accepting the \$10,000 monetary donation will allow the Library to purchase additional reading materials appropriate for ages 0-12, particularly in those areas of the collection where continual acquisition of updated materials is important. The selected materials would be received in Fiscal Year 2009/2010. Accepting the \$10,000 donation would enable the Moreno Valley Public Library to fulfill the purpose of the donation as expressed by the donor.

<b>Expenditure Account</b>	<b>Description</b>	<b>Current Budget</b>	<b>Donation Allocation</b>	<b>Revised Budget</b>
21310.6351	Books, Records, Films, Videos	\$204,064	\$10,000	\$214,064

Additional expenses for book purchases will be offset by the additional revenue, so there would be no net budgetary impact.

**SUMMARY**

The Moreno Valley Public Library has received a monetary donation in the amount of \$10,000 from the Moreno Valley Friends of the Library. The express purpose of this donation is to augment the library collection by the purchase of children's books in various genres.

The City's administrative policy on Donations (Fiscal Policy #3.5) requires that the City Council formally accept all donations whose estimated value exceeds \$3,000. Staff recommends that the City Council accept the \$10,000 donation to the Moreno Valley Public Library so that staff may fulfill the purpose of the donation as expressed by the donor.

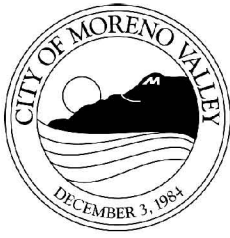
Prepared By:  
 Name Paula Smus  
 Title Acting Principal Librarian

Department Head Approval:  
 Name  
 Title

Concurred By:  
Name  
Title

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Rut</i>
CITY MANAGER	<i>WBS</i>

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## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Michelle Dawson, Assistant to the City Manager

**AGENDA DATE:** March 9, 2010

**TITLE:** Resolution in Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010

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### **RECOMMENDED ACTION**

Staff recommends that the City Council adopt Resolution No. 2010-16 in support of the League of California Cities ballot measure, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

### **BACKGROUND**

Despite voter approval of ballot measures (such as Proposition 1A in 2004) dedicating local funds to essential local services and preventing the State from taking local government revenue, the State continues to raid and borrow local funds to help address their budget issues. For example, the budget released in January by Governor Schwarzenegger eliminates most funding (\$1.5 billion) for transit agencies across California. The Governor's budget proposal also assumes that the federal government will contribute approximately \$6.9 billion to help California address its nearly \$20 billion budget deficit. However, President Obama's recently released budget plan only proposes \$1.5 billion in supplemental funds for the State. The Legislative Analyst's Office indicates that the Governor's revenue and expenditure projections are unrealistic, leaving local government even more vulnerable to raids by the State.

### **DISCUSSION**

The League of California Cities (League) is part of a coalition called Californians to Protect Local Taxpayers and Vital Services. In support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 ballot measure, this coalition plans to collect more than 1.1 million signatures to ensure it meets the required 694,354 valid

signatures needed to qualify a constitutional amendment for the statewide ballot in November, 2010. The measure includes the following provisions:

- Protects Locally Imposed Taxes such as Utility User Tax, Transient Occupancy, and Sales Taxes: prevents the legislature from taking or directing how these local taxes may be spent.
- Property Tax Borrowing: repeals the State's authority to borrow local property taxes.
- Reallocation of Property Tax or Vehicle License Fees: prohibits the State's ability to reallocate these revenues to pay off state mandates.
- Borrowing or Stealing Local Highway User Tax Act (HUTA): provides protection to local highway user taxes and requires hearings and study before state and local shares are changed.
- Borrowing or Stealing of Proposition 42 Gas Tax: provides the same protection as HUTA taxes.
- Borrowing or Stealing Public Transit Account (PTA) funds: restricts the use of PTA funds only for transportation planning and mass transportation purposes and requires "Spillover" sales tax to be deposited in transit accounts.
- Redevelopment Agency (RDA) Funds: prohibits taking, borrowing or directing spending of RDA funds.
- Enforcement: provides a remedy requiring the State to re-pay funds taken illegally if a court so finds.

In September 2009, the League of California Cities General Assembly voted unanimously in support of this measure. The League has requested that cities adopt the proposed resolution in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

### **FISCAL IMPACT**

No direct fiscal impact on the City; however the adoption of the proposed resolution will demonstrate support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 which will preserve local government funding if approved by California's voters.

### **CITY COUNCIL GOALS**

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.



Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

**SUMMARY**

The League of California Cities is requesting that all cities adopt a resolution in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010. This proposed ballot measure will close loopholes to prevent the taking of local taxpayer funds currently dedicated to cities, counties, special districts, and redevelopment agencies.

**ATTACHMENTS**

Attachments: Resolution No. 2010-16

Prepared By:  
Michelle Dawson  
Assistant to the City Manager

Department Head Approval:  
Rick C. Hartmann  
Interim Assistant City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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CITY OF MORENO VALLEY  
RESOLUTION NO. 2010-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010

WHEREAS, California voters have repeatedly and overwhelmingly passed separate ballot measures to stop State raids of local government funds, and to dedicate the taxes on gasoline to fund local and state transportation improvement projects; and

WHEREAS, these local government funds are critical to provide the police and fire, emergency response, parks, libraries, and other vital local services that residents rely upon every day, and gas tax funds are vital to maintain and improve local streets and roads, to make road safety improvements, relieve traffic congestion, and provide mass transit; and

WHEREAS, despite the fact that voters have repeatedly passed measures to prevent the State from taking these revenues dedicated to funding local government services and transportation improvement projects, the State Legislature has seized and borrowed billions of dollars in local government and transportation funds in the past few years; and

WHEREAS, this year's borrowing and raids of local government, redevelopment and transit funds, as well as previous, ongoing raids of local government and transportation funds, have had severe consequences in some cities, such as layoffs of police, fire and paramedic first responders, fire station closures, stalled economic development, healthcare cutbacks, delays in road safety improvements, public transit fare increases and cutbacks in public transit services; and

WHEREAS, State politicians in Sacramento have continued to ignore the will of the voters, and current law provides no penalties when State politicians take or borrow these locally-dedicated funds; and

WHEREAS, a coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General, called the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010, for potential placement on California's November 2010 statewide ballot; and

WHEREAS, approval of this ballot initiative would close loopholes and change the constitution to further prevent State politicians in Sacramento from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services, including redevelopment, or dedicated to transportation improvement projects and mass transit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The City Council of the City of Moreno Valley formally endorses the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, a proposed constitutional amendment and hereby authorizes the listing of the City of Moreno Valley in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 and instructs staff to provide a copy of this resolution to the Californians to Protect Local Taxpayers and Vital Services coalition.

APPROVED AND ADOPTED this 9th day of March, 2010.

Signed:

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Mayor  
City of Moreno Valley

**MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010  
(Report of: City Clerk's Department)**

**Recommendation: Approve as submitted.**

**SEE AGENDA ITEM A.2**

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**MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010  
(Report of: City Clerk's Department)**

**Recommendation: Approve as submitted.**

**SEE AGENDA ITEM A.2**

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**MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010  
(Report of: City Clerk's Department)**

**Recommendation: Approve as submitted.**

**SEE AGENDA ITEM A.2**

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## **CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES**

- a) Report by Council Member Richard A. Stewart on March Joint Powers Commission (MJPC)
  
- b) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

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# CITY MANAGER'S REPORT

**(Informational Oral Presentation only –  
not for Council action)**

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