



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

December 14, 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.

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

Bonnie Flickinger, Mayor

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

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
December 14, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. A Child's Place and Time for Tots Holiday Singers
2. Officer of the Quarter Presentation - Officer Christopher Bayani
3. Recognition of Council Member Richard A. Stewart for 20 Years of Service
4. "Spotlight on Moreno Valley Business"

**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
DECEMBER 14, 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

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.

SPECIAL ORDER OF BUSINESS

- 1 [RESOLUTION CERTIFYING GENERAL MUNICIPAL ELECTION RESULTS
\(Report of: City Clerk's Department\)](#)

Recommendation: That the City Council:

Adopt Resolution No. 2010-105 reciting the facts of the General Municipal Election held November 2, 2010, declaring the results and such other matters as provided by law.

Resolution No. 2010-105

A Resolution of the City Council of the City of Moreno Valley, California,
Reciting the Facts of the General Municipal Election Held November 2, 2010
Declaring the Results and Such Other Matters as Provided by Law

- 2 SWEARING-IN OF COUNCIL MEMBERS ELECT (Report of: City Clerk's Department)
- 3 [CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR AND MAYOR PRO TEM \(Report of: City Clerk's Department\)](#)

Recommendation: That the City Council:

Conduct the reorganization of the City Council by selecting two Council members to serve one-year terms respectively as Mayor and Mayor Pro Tem.

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 - SPECIAL MEETING OF NOVEMBER 30, 2010 \(Report of: City Clerk's Department\)](#)

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 November 24 – December 7, 2010.

A.4 [ACCEPTANCE OF FY10 EMERGENCY OPERATIONS CENTER GRANT FUNDS \(Report of: Fire Department\)](#)

Recommendation:

1. Authorize the acceptance of the FY10 Emergency Operations Center Grant in the amount of \$400,000; establish fund 240.24010 for expenditures related to the grant; establish revenue account 00240.2400.4610.1 for grant reimbursement of operating expenditures; and establish revenue account 00240.2400.4610.2 for reimbursement of capital expenditures; and
2. Approve the expenditure of the FY10 Emergency Operations Center Grant for the Generator Project, EOC Workstation/Peripheral Project, GIS Equipment Project, Traffic Management Display Wall Project, and WebEOC/Security Display Project.

A.5 [NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM URBAN RUNOFF DISCHARGE PERMIT IMPLEMENTATION AGREEMENT FOR SANTA ANA REGION \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve the National Pollutant Discharge Elimination System (NPDES) Urban Runoff Discharge Permit Implementation Agreement for the Santa Ana Region;
2. Authorize the Mayor to execute said agreement;
3. Direct the City Clerk to attest to said approval; and
4. Direct the City Clerk to transmit said agreement to the Riverside County Flood Control and Water Conservation District.

A.6 [SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND \(SLESF\) EXPENDITURE PLAN FOR FY 2010-11 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

1. Approve the Supplemental Law Enforcement Services Fund (SLESF) Expenditure Plan for FY 2010-11;
2. Approve an increase of \$158,369 to the SLESF Grant Fund FY 2010-11 revenue budget (account 130.1300.4611) to reflect the FY 2010-

11 allocation of \$258,369; and

3. Approve an increase of \$158,369 to the SLESF Grant Fund FY 2010-11 expenditure budget (account 130.62890.6251.252) to reflect the FY 2010-11 planned expenditure of \$258,369.

- A.7 [ORDINANCE NO. 817, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING SECTIONS 9.09.130 SECOND UNIT, 9.09.120 GRANNY UNIT, 9.16.010 DESIGN GUIDELINES, 9.16.130 SINGLE FAMILY DESIGN GUIDELINES AND 9.17, LANDSCAPE REQUIREMENTS AND LANDSCAPE STANDARDS \(RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 9, 2010 ON A 5-0 VOTE\) \(Report of: Community Development Department\)](#)

Recommendation:

Adopt Ordinance No. 817 approving PA09-0024, amending Sections 9.09.130 Second Unit, 9.09.120 Granny Unit, 9.16.010 Design Guidelines, 9.16.130 Single Family Design Guidelines and 9.17 Landscape Requirements of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 817

An Ordinance of the City Council of the City of Moreno Valley, California, amending Title 9 of the City of Moreno Valley Municipal Code regarding Sections 9.09.130 Second Unit, 9.09.120 Granny Unit, 9.16.010 Design Guidelines, 9.16.130 Single Family Design Guidelines and 9.17, Landscape Requirements and Landscape Standards

- A.8 [ORDINANCE NO. 819, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0031 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO PERMITTED USES TABLE 9.02.020-1 BY ADDING THE PHARMACY LAND USE TO THE BUSINESS PARK-MIXED USE \(BPX\) ZONE \(RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 30, 2010 ON A 5-0 VOTE\) \(Report of: Community Development Department\)](#)

Recommendation:

Adopt Ordinance No. 819 thereby APPROVING Municipal Code Amendment PA10-0031, based on the findings in the City Council Ordinance.

Ordinance No. 819

An Ordinance of the City Council of the City of Moreno Valley, California, approving application PA10-0031 amending the Municipal Code to make

changes to Permitted Uses Table 9.02.020-1 by adding the Pharmacy Land Use to the Business Park-Mixed Use (BPX) Zone

- A.9 [ORDINANCE NO. 820, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 12.50 TO THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO LIMITATIONS ON ENGINE IDLING \(RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 30, 2010 ON A 5-0 VOTE\) \(Report of: City Attorney\)](#)

Recommendation:

Adopt Ordinance No. 820, adding Chapter 12.50 of the Moreno Valley Municipal Code, relating to limitations on engine idling.

Ordinance No. 820

An Ordinance of the City Council of the City of Moreno Valley, California, adding Chapter 12.50 to the City of Moreno Valley Municipal Code, Relating to Limitations on engine idling.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- B.2 [MINUTES - SPECIAL MEETING OF NOVEMBER 30, 2010 \(Report of: City Clerk's Department\)](#)

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 - SPECIAL MEETING OF NOVEMBER 30, 2010 \(Report of: City Clerk's Department\)](#)

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 - SPECIAL MEETING OF NOVEMBER 30, 2010 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

E. PUBLIC HEARINGS

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.

E.1 [PUBLIC HEARING TO MODIFY THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES WITH RESPECT TO COMMUNITY FACILITIES DISTRICT NO. 4–INFRASTRUCTURE \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

1. Acting in their capacity as the Legislative Body for Community Facilities District No. 4-Infrastructure, after conducting the public hearing: Approve and adopt Resolution No. 2010-106; a Resolution making certain determinations and authorizing the submittal of the proposed modifications to the rate and method of apportionment of special taxes authorized to be levied within such community facilities district to the qualified electors thereof;

Resolution No. 2010-106

A Resolution of the City Council of the City of Moreno Valley, California, Acting in its Capacity as the Legislative Body of Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley, Making Certain Determinations and Authorizing the Submittal of the Proposed Modifications to the Rate and Method of Apportionment of Special Taxes Authorized to be Levied Within Such Community Facilities District to the Qualified Electors Thereof

2. Direct staff to canvass the ballots received and report the results of the special election to the Legislative Body;
3. Approve and adopt Resolution No. 2010-107; a Resolution declaring the results of a special election in such community facilities district; and

Resolution No. 2010-107

A Resolution of the City Council of the City of Moreno Valley, California, Acting in its Capacity as the Legislative Body of Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley, Declaring the Results of a Special Election in Such Community Facilities District

4. Introduce Ordinance No. 821; an Ordinance authorizing the levy of a special tax in such community facilities district pursuant to an amended and restated rate and method of apportionment of such special tax and repealing Ordinance Nos. 696 and 765. (ROLL CALL REQUIRED.)

Ordinance No. 821

An Ordinance of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 4 - Infrastructure of the City of Moreno Valley, Authorizing the Levy of a Special Tax in Such Community Facilities District Pursuant to an Amended and Restated Rate and Method of Apportionment of Such Special Tax and Repealing Ordinance Nos. 696 and 765

E.2 [ADOPTION OF FY 2011-2012 CDBG AND HOME PROGRAM OBJECTIVES AND POLICIES \(Report of: Economic Development Department\)](#)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow for the community to comment on the needs of low-to-moderate income residents in Moreno Valley, including the CDBG Target Areas; and
2. Approve the proposed CDBG and HOME Program Objectives and Policies for the 2011-2012 Program Year.

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. Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 [PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A](#)

[MAIL BALLOT PROCEEDING \(REBALLOT\) FOR TRACT 21597 FOR A PROPOSED INCREASE IN THE CSD ZONE D \(PARKWAY LANDSCAPE MAINTENANCE\) ANNUAL CHARGE \(Report of: Public Works Department\)](#)

Recommendation: That the CSD:

Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the level of maintenance services provided for Tract 21597.

G.3 [FIRST QUARTER BUDGET REVIEW – Fiscal Year 2010-11 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation: That the City Council:

1. Receive and file this report; and
2. Approve the proposed budget development guidelines and review schedule for Fiscal Year 2011-12.

G.4 [REQUEST OF DEVELOPER TO REDUCE CERTAIN SECURITIES FOR CERTAIN PUBLIC IMPROVEMENTS FOR THE HIGHLAND FAIRVIEW CORPORATE PARK PROJECT THAT EXCEEDS THE AUTHORITY OF THE PUBLIC WORKS DIRECTOR AND LDD POLICY 2010-01 \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

1. Review, consider and take action on developer's request to reduce performance securities for certain public improvements; and
2. Give staff further direction.

G.5 [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

H.2 .1 [ORDINANCE NO. 818, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.20.020 OF CHAPTER 12.20 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO A PRIMA FACIE SPEED](#)

[LIMIT FOR CERTAIN STREETS \(RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 9, 2010 ON A 4-0-1 VOTE, MOLINA OPPOSED\) \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

Adopt Ordinance No. 818, amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code declaring prima facie speed limits on certain streets (as listed on the ordinance). (Roll call required)

Ordinance No. 818

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

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 - PERSONNEL MATTERS

a) Public Employee Performance Evaluation: Interim City Manager

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

ADJOURNMENT