

**MINUTES**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**June 8, 2010**

**CALL TO ORDER**

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

Chief Anderson introduced Officer Morgan  
Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

Sgt Jackie Horton introduced Luryn Hill  
Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; \$21,000

4. "Spotlight on Moreno Valley Business"

Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

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

**REGULAR MEETING – 6:30 PM  
June 8, 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 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE** was led by Council Member Stewart

**INVOCATION** – Council Member Richard A. Stewart

**ROLL CALL**

Council:

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

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

**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 Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

**A. CONSENT CALENDAR-CITY COUNCIL**

A.1 ORDINANCES - READING BY TITLE ONLY

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

A.2 [MINUTES - REGULAR MEETING OF MAY 25, 2010 \(Report of: City Clerk's Department\)](#)

**Recommendation:**  
Approve as submitted.

A.3 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk's Department\)](#)

**Recommendation:**  
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 [CONFLICT OF INTEREST CODE - AGENCY REVIEW \(Report of: City Clerk's Department\)](#)

**Recommendation:**  
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 [APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 \(AUTO MALL REFINANCING\) \(Report of: Public Works Department\)](#)

**Recommendation:**  
That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 [APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 \(TOWNGATE\) \(Report of: Public Works Department\)](#)

**Recommendation:**

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

Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

Resolution No. 2010-38

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

Resolution No. 2010-39

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

A.7 [APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 \(TOWNGATE\)](#)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

**Recommendation:**

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

Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2010-40

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2010-41

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

A.8 [AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE \(ITEM ALSO LISTED AS B4\) \(Report of: Public Works Department\)](#)

**Recommendation:**

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 [APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 \(Report of: Public Works Department\)](#)

**Recommendation:**

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

Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

Resolution No. 2010-43

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

Resolution No. 2010-44

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

A.10 [APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4— MAINTENANCE FOR FISCAL YEAR 2010/11 \(Report of: Public Works Department\)](#)

**Recommendation:**

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance (“CFD No. 4—M”) approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year (“FY”) 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

- A.11 [PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City’s maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City’s Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

- A.12 [PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

- A.13 [ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE \(Report of: Economic Development Department\)](#)

**Recommendation:**

Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

- A.14 [APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 \(046\) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT \(HSIP\) PROGRAM \(Report of: Public Works Department\)](#)



**Recommendation:**

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

Resolution No. 2010-48

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 [APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;
2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for \$163,350 (\$148,500 plus 10% contingency of \$14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and
3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of \$163,350.

- A.17 [AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of \$195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and
2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

**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 MAY 25, 2010 \(Report of: City Clerk\)](#)

**Recommendation:**

Approve as submitted.

- B.3 [APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 \(Report of: Public Works Department\)](#)

**Recommendation:**

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

- B.4 [AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE \(ITEM ALSO LISTED AS A8\) \(Report of: Public Works Department\)](#)

**Recommendation:**

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

**C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

- C.1 ORDINANCES - READING BY TITLE ONLY

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

- C.2 [MINUTES - REGULAR MEETING OF MAY 25, 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 MAY 25, 2010 \(Report of: City Clerk\)](#)

**Recommendation:**

Approve as submitted.

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

## **E. PUBLIC HEARINGS**

### **E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)**

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

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and
2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

#### Resolution No. 2010-50

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

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

**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.**

### **E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT**

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11  
(Report of: Public Works Department)

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

**Recommendation: That the City Council:**

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

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

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

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

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

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

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

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

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

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

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

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

Maintenance) Services During Fiscal Year 2010/2011

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

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

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

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

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

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

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

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

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

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

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

- A.16 [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. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

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

**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.**

- A.18 [APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS \(MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL](#)



MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

**Recommendation: That the City Council:**

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

**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 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)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over \$3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010

RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

**Recommendation: That the City Council:**

1. Adopt:

Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2010-51

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

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

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

Resolution No. 2010-52

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

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

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

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

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

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

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

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

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

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

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

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

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

- G.3 [SHOP MOVAL PROGRAM \(Report of: Economic Development Department\)](#)

**Recommendation: That the City Council:**  
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

- G.4 [ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04](#)

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

**Recommendation: That the City Council:**

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

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

**Motion to Approve as amended by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Robin N. Hastings**  
**Approved by a vote of 5-0.**

- G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

**Recommendation: That the City Council:**

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: “storage space for a minimum of one-hundred fifty (150) vehicles of outside storage” and “Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.”

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

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City’s Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

**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.**

**RECESS;**  
**RECONVENED**

G.6 [CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation: That the City Council:**

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and
2. Consider the Interim City Manager’s proposed budget balancing plan.

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

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 [FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW \(CONTINUED FROM MAY 25, 2010\) \(Report of: Public Works Department\)](#)

**Recommendation: That the City Council:**

Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

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

- G.8 [PA07-0090 – ACCEPT THE AGREEMENT FOR LINE ‘F’ STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA \(Report of: Public Works Department\)](#)

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

**Recommendation: That the City Council:**

1. Accept the Agreement for Line ‘F’ Storm Drain Security;

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

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;
3. Direct the City Clerk to forward the signed Agreement to the County Recorder’s Office for recordation; and
4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

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

G.9 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

City Manger Bopf announced the following:

1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.

2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.

4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.

5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.

6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.

7) Thanked Rick Hartmann for coming back to assist staff.

## 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](#)

Sue Gilchrist

1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell

1) Budgeting approach and strategies



Pete Bleckert

- 1) Equestrian Center; supports target shooting at Equestrian Center
- 2) Stop lights
- 3) Chambers of Commerce

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

Council Member Batey

- 1) Attended the Taste of the Valley; it was very successful.
- 2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings

- 1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
- 2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart

- 1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
- 2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
- 3) The Taste of the Valley was fantastic.
- 4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
- 5) Skechers' grading is underway.
- 6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina

- 1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
- 2) Thanked staff for working on the budget.

Mayor Flickinger

- 1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

take three years to complete.

2) The Employment Resource Center is helping residents to find jobs.

3) We are in the middle of the third round of Foreclosure Prevention Workshops.

4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.

5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.

6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.

7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

### **CLOSED SESSION**

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

- a) Agency Representative: William Bopf  
Employee Organization: MVCEA
  
- b) Agency Representative: William Bopf  
Employee Organization: MVMA
  
- c) Agency Representative: William Bopf  
Employee Organization: Moreno Valley Confidential  
Management Employees
  
- a) 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 10:15 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