

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
November 30, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

- [1. APWA \(American Public Works Association\) Project of the Year Award](#)
- [2. All-Star Recycling Awards Presented by Waste Management](#)
- [3. Moreno Valley Chamber of Commerce Donation to the Military Appreciation Banner Program](#)
- [4. Proclamation Recognizing Tao Music Group Promoter of the "Never Again" Benefit Concert](#)

**MINUTES
SPECIAL 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**

**SPECIAL MEETING – 6:30 PM
November 30, 2010**

CALL TO ORDER

Joint Special 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 Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Pro Tem Hastings

INVOCATION – Council Member 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
Ewa Lopez	Deputy City Clerk
William Bopf	Interim City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Acting 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
Mike McCarty	Parks & Community Services Director
Sonny Morkus	Human Resources Director

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Items A6, A9 and A10).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF NOVEMBER 9, 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 November 3-23, 2010.

A.4 [APPROVAL OF CHECK REGISTER FOR SEPTEMBER, 2010 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:
Adopt Resolution No. 2010-102, approving the Check Register for the month of September, 2010 in the amount of \$10,389,935.29.

Resolution No. 2010-102

A Resolution of the City Council of the City of Moreno Valley, California, approving the Check Register for the Month of September, 2010.

A.5 [APPROVAL OF GRANT APPLICATION SUBMITTALS FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM \(HSIP\) \(Report of: Public Works Department\)](#)

Recommendation:
Approve the submittal of grant applications for the Highway Safety Improvement Program (HSIP).

A.6 APPROVE AGREEMENT WITH THE CITY OF RIVERSIDE FOR ALESSANDRO BOULEVARD MULTI-JURISDICTION TRAFFIC SIGNAL COORDINATION AND SYNCHRONIZATION PROJECT AND MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR A VIDEO INFORMATION DISTRIBUTION SYSTEM (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Alessandro Boulevard Multi-Jurisdiction Traffic Signal Coordination and Synchronization Project between the City of Moreno Valley and the City of Riverside;
2. Approve payment in the amount of \$125,000 to the City of Riverside for the City's share of the project costs;
3. Approve the Memorandum of Understanding (MOU) Video Information Distribution System Agreement between the City of Moreno Valley and the California Department of Transportation (Caltrans), District 8;
4. Authorize the Mayor to execute the Agreement for the Alessandro Boulevard Multi-Jurisdiction Traffic Signal Synchronization Project and the MOU for a Video Information Distribution System on behalf of the City; and
5. Authorize the City Manager to execute any subsequent amendments to the Agreement for the Alessandro Boulevard Multi-Jurisdiction Traffic Signal Synchronization Project and the MOU for a Video Information Distribution System on behalf of the City.

A.7 RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED SEPTEMBER 30, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

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

A.8 PERMIT PARKING FOR THE RESIDENTS OF CLYDESDALE LANE, GELDING WAY, QUARTER HORSE ROAD, MARE LANE, AND HACKNEY COURT (Report of: Public Works Department)

Recommendation:

Approve and adopt Resolution No. 2010-103 and direct staff to implement permit parking on Clydesdale Lane, Gelding Way, Quarter Horse Road, Mare Lane, and Hackney Court.

Resolution No. 2010-103

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Clydesdale Lane, Gelding Way, Quarter Horse Road, Mare Lane, and Hackney Court

- A.9 [PROJECT PA96-0017 \(Tracts 27251 and 27251-1\) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS. EAST SIDE OF MORRISON STREET BETWEEN FIR AVENUE AND EUCALYPTUS AVENUE; DEVELOPER - RSI MORENO VALLEY, LLC, NEWPORT, CA 92660. \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and letters of credit for project PA96-0017 (Tracts 27251 and 27251-1);
2. Authorize the Mayor to execute the agreement;
3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation; and
4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by Richland Palmdale Developers, LLC a Delaware limited liability company upon acceptance of the substitution agreement and bonds.

- A.10 [AGREEMENT FOR THE MAINTENANCE AND OPERATION OF TRAFFIC SIGNALS AND HIGHWAY SAFETY LIGHTING SHARED BETWEEN THE CITIES OF RIVERSIDE AND MORENO VALLEY \(Report of: Public Works Department\)](#)

Recommendation:

1. Enter into an agreement with the City of Riverside for the maintenance and operation of traffic signals and highway safety lighting jointly owned by the cities of Riverside and Moreno Valley; and

2. Authorize the Mayor to execute said "Agreement" with the City of Riverside for the maintenance of traffic signals and highway safety lighting jointly owned by the cities of Riverside and Moreno Valley.

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 NOVEMBER 9, 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 - REGULAR MEETING OF NOVEMBER 9, 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 - REGULAR MEETING OF NOVEMBER 9, 2010 \(Report of: City Clerk's Department\)](#)

Recommendation:

Approve as submitted.

Joint Consent Calendar Items A1 through D2 Approved by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 [RESOLUTION TO ADOPT THE ADJUSTMENT OF PARKING CONTROL BAIL SCHEDULE \(Report of: Community Development Department\)](#)

Recommendation: That the City Council:

Conduct a Public Hearing and Adopt Resolution No. 2010-104, approving an adjustment to the FY10/11 Fee Schedule.

Resolution No. 2010-104

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Parking Violations for Fiscal Year 2010-11 and Repealing Prior Resolutions that May be in Conflict

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

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.

E.2 [A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT \(PA10-0031\) TO THE PERMITTED USES TABLE 9.02.020-1 IN TITLE 9 TO ALLOW PHARMACIES AS A SUPPORT USE TO A MEDICAL OFFICE IN THE BUSINESS PARK-MIXED USE \(BPX\) ZONE \(Report of: Community Development Department\)](#)

Recommendation: That the City Council:

1. Conduct a Public Hearing for Municipal Code Amendment PA10-0031, and subsequent to the Public Hearing:

RECOGNIZE that application PA10-0031 (Municipal Code Amendment) will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as a Class 5 Categorical Exemption; and

2. INTRODUCE 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

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.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - none

G. REPORTS

G.1 [APPOINTMENT TO THE PARKS AND RECREATION COMMISSION \(TEENAGE MEMBER\) \(Report of: City Clerk's Department\)](#)

Recommendation: That the City Council:

1. Appoint Adam Ramirez to the Parks and Recreation Commission as a teenage member for a term expiring November 25, 2012, or until high school graduation, whichever comes first; or
2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

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

Motion to appoint Adam Ramirez by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

G.2 [A PROPOSED 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 \(Report of: City Attorney\)](#)

Recommendation: That the City Council:
Review and Consider.

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

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

Motion to approve Ordinance No. 820 as amended (removed words "and the" before "cargo" in Section 12.50.040C) by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings Approved by a vote of 5-0.

G.3 [AWARD OF CONTRACTS TO TOWING COMPANIES TO PARTICIPATE IN A CITY-WIDE ROTATIONAL TOW SERVICE PROGRAM \(Report of: City Manager's Office\)](#)

Mayor Flickinger opened the agenda item for public comments, which were received from Charlie Al-Badawi, Taz Al-Badawi, Brian Maldonado, Patrick Armstrong, Mike Blake, Steve Pulcheon, Deanna Reeder, and Glenn Tucker.

Recommendation: That the City Council:

1. Approve the proposals of the following tow operators/companies (in alphabetical order) to participate in the City's Rotational Tow Service (RTS) Program beginning January 1, 2011, and ending December 31, 2015, pending completion of certain conditions and authorize the City Manager to execute the appropriate agreements upon approval by the City Attorney:
 - a. Baldwin Towing Services
21891 Alessandro Boulevard
Owner: Howard Baldwin
 - b. Exclusive Recovery, Inc. (DBA: Exclusive Towing)
14461 & 14451 Commerce Center Way
Owner: Gerald Kohutek
 - c. Moreno Valley Tow
17007 Kitching Avenue
Owner: Glenn Tucker
 - d. Pepe's Towing
14351 Veterans Way
Owner: Manual Acosta

- e. Superior Towing, Inc.
24385 Nandina Avenue
Owners: Patrick and Dawn Kirk
- f. Valleywide Towing
24850 Rivard Road
Owner: Robert Coleman
- g. Yucaipa Towing
22101 Alessandro Boulevard
Owner: George and Yvonne Acosta

Motion to Approve staff recommendations with the compliance date for minor corrections of January 1, 2011 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart Approved by a vote of 5-0.

- 2. Discuss the proposals of the following tow operators/companies that currently do not have towing facility operations in Moreno Valley. In order to be eligible to participate in the City's RTS Program per Moreno Valley Municipal Code Chapter 12.14, these operators must complete certain site improvements and obtain certain City approvals. Staff estimates that the required review, plan check and approvals will require a minimum of 60 days and the construction time is unknown. Council may consider these proposals for a term beginning with the issuance of a Certificate of Occupancy by the City's Building Official and ending December 31, 2015:
 - a. Bob's Towing
24811 Rivard Road (proposed facility)
Owner: Bandar "Charlie" Al-Badawi
 - b. Lawler's Triple L Towing
24385 Nandina Avenue (proposed facility)
Owner: Mike Pulcheon

No action taken.

- 3. Direct Staff to begin preparing an amendment to Moreno Valley Municipal Code Chapter 12.14 addressing minor technical issues and inconsistencies.

Motion to bring the ordinance for review/amendment by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings Approved by a vote of 5-0.

Motion to amend the previous motion to extend the compliance date for towing companies until January 31, 2011 by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

- G.4 [PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION \(Report of: Economic Development Department\)](#)

Recommendation: That the RDA:

Adopt Resolution No. RDA 2010-07, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-07

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.

Mayor Flickinger opened the agenda item for public comments, which were received from Marcelo Co, Carlos Ramirez, Frank Wright, Deanna Reeder, Michael Geller and Thomas Jerele Sr.

Motion to Postpone the item by m/Agency Member Jesse L. Molina, s/Agency Member Richard A. Stewart

Motion failed by a vote of 2-3, Chairperson Bonnie Flickinger, Agency Member William H. Batey II, and Vice Chairperson Robin N. Hastings opposed.

Motion to Approve by m/Agency Member William H. Batey II, s/Vice Chairperson Robin N. Hastings

Approved by a vote of 3-0-2, Agency Member Richard A. Stewart, and Agency Member Jesse L. Molina abstained.

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

None

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

Pam Lowell

1. Wished Mayor Flickinger the best. Thanked her for her dedication, loyalty, commitment and public service to the City

Tom Jerele Sr.

1. Thanked Mayor Flickinger for the good and effective service
2. Asked to televise study sessions

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

Council Member Molina

1. Thanked Chief Curley and staff for the great job
2. Thanked Mayor Flickinger for the past service
3. Looking forward to the future; Moreno Valley has a lot potential and wants to see the City grow
4. Thanked fellow council members; encouraged citizens to attend council meetings to see what is going on
5. This coming year will be a challenging year

Council Member Stewart

1. Reminiscid about working with Mayor Flickinger on several projects overcoming obstacles and coming up with solutions; emphasized Mayor Flickinger's passion, love and dedication to her district and the City, her involvement in regional agencies representing the City. Thanked Mayor for handling citizens' complaints in his absence during her terms of office. Said that it was a real pleasure to serve with Mayor Flickinger

Mayor Pro Tem Hastings

1. Encouraged everyone to support Rancho Verde High School - for the first time they made CIF semi-finals and they are going to compete Friday

night; a terrific group of students and parents

2. Attended a military ball, representing the City - a wonderful event; a pleasure to be in the presence of men and women serving the country on a daily basis

3. Attended with Mayor Flickinger the Mistletoe Magic gala for the Festival of Trees to raise funds for neonatal intensive care unit at the Moreno Valley hospital; this year over \$250,000 was raised for the hospital and for premature babies. November 23 Council meeting was rescheduled to November 30 to allow participation in this event

4. In the Inland Empire, Moreno Valley has the most potential and it is poised for a great future; stated that we are losing a part of our bright future - Mayor Flickinger; it has been an honor and privilege to work with Mayor; stated she will miss her tremendously

Council Member Batey

1. Attended Joint Powers Quality Assurance meeting; a presentation by Joint Powers Authority will be given for the council regarding zoning

2. Was elected vice chair to the Riverside County Habitat Conservation Agency for the next year

3. It was an honor to work with Mayor Flickinger; stated that the City is losing a very good advocate on a regional level; Mayor Flickinger always did a good job for the City; it was an honor and pleasure to serve with her

Mayor Flickinger

1. Stated that this is her last regular council meeting she will participate from beginning to end and she will be leaving the office with an attitude of gratitude; thanked friends, constituents for electing her and for giving her the opportunity to solve problems for them, thanked the competent and accommodating city staff who always came through to provide what is needed to accommodate constituents; thanked all for creating great memories and enormous satisfaction for her while together improving the community, its infrastructure and quality of life, from converting the weed-infested aqueduct to a paved bikeway and walkway, to completing Heacock and Alessandro and Kitching and Alessandro streets, building Patriot Park, upgrading street lights at Warren Ranch, installing speed humps on residential street, creating March Joint Powers Authority and creating many family-supporting jobs; thanked Council Member Batey and Mayor Pro Tem Hastings for being great friends and support; thanked for opportunities provided to her in her life. Will leave the office with a heart full of joy and a mind full of beautiful memories

There being no further business to conduct, the meeting was adjourned to Closed Session at 9:35 p.m. by unanimous informal consent.

CLOSED SESSION

The Closed Session was held in the City Manager's Conference Room 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

a) Public Employee Annual Performance Evaluation - City Attorney

- 4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

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 10:06 p.m. by unanimous informal consent.

Submitted by:

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

Approved by:

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

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