

**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**

**SPECIAL MEETING  
MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)**

**January 11, 2011**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS**

**"Spotlight on Moreno Valley Business"**

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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  
MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)**

**REGULAR MEETING - 6:30 PM  
JANUARY 11, 2011**

**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 6:35 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Robin Hastings

**INVOCATION** – Mayor Richard A. Stewart

**ROLL CALL**

Council:

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

Staff:

Jane Halstead	City Clerk
Julienne Clay	Administrative Assistant
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
Barry Foster	Economic Development Director
Sonny Morkus	Human Resources Director

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

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item 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 DECEMBER 14, 2010 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF JANUARY 4, 2011 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

A.4 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 December 8, 2010 - January 4, 2011.

A.5 ADOPTION OF RESOLUTION OF THE CITY OF MORENO VALLEY AUTHORIZING THE AMENDING AND RESTATING OF A 1997 PROJECT LEASE AGREEMENT AND APPROVING RELATED DOCUMENTS AND ACTIONS (Report of: Financial & Administrative Services Department)

**Recommendation:**

1. Adopt Resolution No. 2011-01 authorizing the amending and restating of the 1997 Project Lease Agreement and approving related documents and actions; and

Resolution No. 2011-01

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A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Amending and Restating of a 1997 Project Lease Agreement and Approving Related Documents and Recommendation:

2. Authorize the City Manager to approve an agreement for financial advisor services, in an amount not to exceed \$30,000, with Fieldman and Rolapp & Associates to serve as financial advisor for the recommended private placement debt issue; and
3. Authorize the City Manager to approve an agreement for bond counsel services, in amount not to exceed \$30,000, with Best Best & Krieger to serve as bond counsel for the recommended private placement debt issue.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PUBLIC SAFETY BUILDING (PSB) RENOVATIONS -- PROJECT NO. 08-50182327 (Report of: Public Works Department)

**Recommendation:**

1. Accept the work as complete for the Public Safety Building renovations constructed by AVI-CON Inc. dba CA Construction (CA Construction), 981 Iowa Avenue, Suite A, Riverside, CA 92507;
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 CA Construction 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 building system.

A.7 RESOLUTION NOS. 2011-02 AND 2011-03 TO APPROVE AND AUTHORIZE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. M021 REV. 2 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441 FOR STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS (PROJECT NO. 98-25897 AND FUTURE PROGRAM SUPPLEMENT AGREEMENTS (Report of: Public Works Department)

**Recommendation:**

1. Adopt Resolution No. 2011-02 and approve the execution of Program Supplement Agreement No. M021 Rev. 2 to Administering Agency-

State Agreement for Federal-Aid Projects No. 08-5441-R for construction;

Resolution No. 2011-02

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement Agreement No. M021 Rev. 2 to Administering Agency-State Agreement for Federal-Aid Projects No. 08-5441 Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for Federal Project No. HP21STPL-0027(012)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. M021 Rev. 2; and
3. Adopt Resolution No. 2011-03, authorizing the Public Works Director/City Engineer to execute future Program Supplement Agreements to Administering Agency-State Agreement No. 08-5441-R (Master Agreement) for Federal-Aid Projects subject to the approval of the City Attorney.

Resolution No. 2011-03

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement Agreements to Administering Agency-State Agreement No. 08-5441 (Master Agreement) for Federal-Aid Projects Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley

- A.8 APPROVE THE JOINT USE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON (SCE) FOR RELOCATION OF EXISTING TRANSMISSION, DISTRIBUTION, AND TELECOMMUNICATION FACILITIES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD; PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

**Recommendation:**

1. Approve the Joint Use Agreement with Southern California Edison (SCE) to relocate SCE's facilities for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;
2. Authorize the City Manager to execute the Joint Use Agreement with SCE;

3. Authorize the issuance of a Purchase Order to SCE totaling \$1,306,620 (\$1,281,000 plus 2% contingency) for relocation of SCE's facilities for the Ironwood Avenue Widening Project (\$609,842.61 from Account No. 415.70227, \$83,018.62 from Account No. 416.78727, and \$613,758.78 from Account No. 501.82625); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the agreement with SCE and any change orders up to, but not exceeding, the total purchase order contingency amount of \$25,620, subject to the approval of the City Attorney.

A.9 APPROVAL OF CHECK REGISTER FOR OCTOBER, 2010 (Report of: Financial & Administrative Services Department)

**Recommendation:**

Adopt Resolution No. 2011-04, approving the Check Register for the month of October, 2010 in the amount of \$12,735,379.73.

Resolution No. 2011-04

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of October, 2010

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS BETWEEN MORRISON STREET AND MASCOT LANE; PROJECT NO. 10-12567129 (Report of: Public Works Department)

**Recommendation:**

1. Award the construction contract for Dracaea Avenue Sidewalk Improvements between Morrison Street and Mascot Lane to Mamco, Inc., 16840 Van Buren Boulevard, Suite 200, Riverside, CA 92504, the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with Mamco, Inc.;
3. Authorize the issuance of a Purchase Order to Mamco, Inc. in the amount of \$148,898.99 (\$119,119.19 for the bid amount plus 25% contingency) when the contract has been signed by all parties; and
4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Mamco, Inc., up to, but not exceeding, the total contingency amount of \$29,779.80, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS -- PROJECT NO. 98-25897 (Report of: Public Works Department)

**Recommendation:**

1. Authorize the appropriation of additional funding in the amount of \$5,940,011 for construction costs of the SR-60/Nason Interchange Improvements project (\$4,715,333 for STPL Discretionary Funds [125.67029], \$1,224,678 for STPL Toll Credits [125.NEW] and the re-appropriation of \$844,354 previously budgeted in Federal Demonstration Funds to Demonstration Fund Toll Credits [125.NEW]);
2. Award the construction contract for SR-60/Nason Interchange Improvements to All-American Asphalt, PO Box 2229, Corona, CA 92878, determined as the lowest responsive and responsible bidder;
3. Authorize the City Manager to execute a construction contract with All-American Asphalt;
4. Authorize the issuance of Purchase Orders totaling \$9,261,009 (\$7,717,507.50 bid plus 20% contingency of \$1,543,501.50) to All-American Asphalt when the contract has been signed by all parties;
5. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the construction contract with All-American Asphalt, up to but not exceeding the contingency amount of \$1,543,501.50, subject to the approval of the City Attorney;
6. Authorize intermittent full road closures of (1) Nason Street and (2) Elder Avenue for the duration of construction anticipated to start on February 1, 2011 and be completed by February 1, 2012; and
7. Authorize the City Engineer to extend the intermittent full road closures for another 60 days from the anticipated completion date due to unforeseen construction issues.

A.12 AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL CONSULTANT GEOTECHNICAL SERVICES FOR THE SR-60/NASON INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

**Recommendation:**

1. Authorize the "Agreement for Professional Consultant Services" with RMA Group (RMA), 12130 Santa Margarita Court, Rancho Cucamonga, CA 91730 to provide professional geotechnical and

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materials testing services during construction of the SR-60/Nason Street Interchange Improvements Project for a total agreement amount not to exceed \$171,561;

2. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with RMA; and
3. Authorize the issuance of Purchase Orders totaling \$171,561 to RMA when the contract has been signed by all parties.

A.13 AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL CONSULTANT SURVEY SERVICES FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

**Recommendation:**

1. Authorize the "Agreement for Professional Consultant Services" with PSOMAS, 2010 Iowa Avenue, Suite 101, Riverside, CA 92507 to provide professional survey services during construction of the SR-60/Nason Street Interchange Improvements Project for a total agreement amount not to exceed \$145,258;
2. Authorize the City Manager to execute said "Agreement for Professional Consultant Services" with PSOMAS; and
3. Authorize the issuance of Purchase Orders totaling \$145,258 to PSOMAS when the contract has been signed by all parties.

A.14 EMPLOYER PICKUP RESOLUTION PRE-TAX PAYROLL DEDUCTION PLAN FOR SERVICE CREDIT PURCHASES (CONTRIBUTION CODE 14) (Report of: Human Resources Department)

**Recommendation:**

Approve Resolution No. 2011-05, Employer Pickup Resolution Pre-Tax Payroll Deduction Plan For Service Credit Purchases (Contribution Code 14).

Resolution No. 2011-05

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amendment to Implement Employer Pickup Resolution Pre-Tax Payroll Deduction Plan for Service Credit Purchases (Contribution Code 14)

A.16 ADOPT 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

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OF APPORTIONMENT OF SUCH SPECIAL TAX AND REPEALING ORDINANCE NOS. 696 AND 765 (ROLL CALL REQUIRED) (RECEIVED FIRST READING AND INTRODUCTION DECEMBER 14, 2010 ON A 5-0 VOTE) (Report of: Public Works Department)

**Recommendation:**

Adopt Ordinance No. 821.

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

- A.17 PA05-0108 – PARCEL MAP 33152-1 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING OLD 215 FRONTAGE ROAD AND THE PORTION OF ALESSANDRO BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM. ACCEPT THE REPLACEMENT BONDS FOR THE WARRANTY SECURITY ASSOCIATED WITH THE PUBLIC IMPROVEMENTS; DEVELOPER: ANDLAND PROPERTIES, LLC, TORRANCE, CA 90505 (Report of: Public Works Department)

**Recommendation:**

1. Adopt the proposed resolution authorizing the acceptance of the public improvements within Parcel Map 33152-1 as complete and accepting Old 215 Frontage Road and the portion of Alessandro Boulevard associated with the project into the City’s maintained street system

Resolution No. 2011-08

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 33152-1, Accepting Old 215 Frontage Road and the Portion of Alessandro Boulevard Associated with the Project into the City’s Maintained Street System

2. Authorize the Public Works Director/City Engineer to execute the 90% reduction to the Faithful Performance security as well as the Material and Labor security 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

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Performance and Material and Labor Bonds in one year when all clearances are received.

3. Accept the replacement bonds as security for the warranty period for the public improvements associated with the project, contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.
4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account as well as the grant deed for the remainder parcel of Parcel Map 33152-1 as submitted by Andland Properties, LLC, upon acceptance of the warranty bonds and if there are no stop notices or liens on file with the City Clerk.

## **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 DECEMBER 14, 2010 (Report of: City Clerk's Department)**

**Recommendation:**

Approve as submitted.

### **B.3 MINUTES - SPECIAL MEETING OF JANUARY 4, 2011 (Report of: City Clerk's Department)**

**Recommendation:**

Approve as submitted.

### **B.4 TRACT MAP 32834 – ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPT THE GRANT DEED FOR LOT “A” (ROCK RIDGE PARK); DEVELOPER: BEAZER HOMES HOLDING CORP., BREA, CA 92821 (Report of: Public Works Department)**

**Recommendation:**

1. Adopt proposed Resolution No. CSD 2011-01 authorizing the acceptance of the public improvements, related to Lot “A” (Rock Ridge Park) for Tract Map 32834, as complete and into the Community Services District’s maintained system; and

Resolution No. CSD 2011-01

A Resolution of the City Council of the City of Moreno Valley, California, Acting in Their Respective Capacity as the Board of Directors of the Community Services District, Authorizing the Public Improvements, Related to the Lot "A" (Rock Ridge Park) for Tract Map 32834, as Complete and Accept the Improvements into the Community Services District's Maintained System

2. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the grant deed for Lot "A" for park purposes, including maintenance, and authorize the City Clerk to execute the Acceptance Certificate to transmit the grant deed with Acceptance Certificate to the County Recorder's office for recordation.

### **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 DECEMBER 14, 2010 (Report of: City Clerk's Department)**

**Recommendation:**

Approve as submitted.

#### **C.3 MINUTES - SPECIAL MEETING OF JANUARY 4, 2011 (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 DECEMBER 14, 2010 (Report of: City Clerk's Department)**

**Recommendation:**

Approve as submitted.

**Motion to Approve Joint Consent Calendar Items A1 – D2, except Item A5, which was continued to January 25, 2011, and Item A15, which was pulled for separate discussion/action. Motion by**

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m/Council Member William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 3–2, Council Member Co and Mayor Pro Tem Molina opposed.

**ADJOURNMENT OF THE CITY COUNCIL MEETING TO THE SPECIAL MEETING OF THE MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)**

**SPECIAL MEETING OF THE MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)**

**1 CALL TO ORDER**

**2 ROLL CALL**

Richard A. Stewart	Chairman
Jesse L. Molina	Vice Chairman
William H. Batey II	Board Member
Robin N. Hastings	Board Member
Marcelo Co	Board Member

**PUBLIC COMMENTS ON THE SPECIAL MEETING AGENDA UNDER THE JURISDICTION OF THE AUTHORITY**

Chairperson Stewart opened the Special Meeting agenda item for public comments; there being none, public comments were closed.

**SPECIAL ORDER OF BUSINESS**

**A. CONSENT CALENDAR - MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)**

- 1 ADOPTION OF RESOLUTION OF THE BOARD OF DIRECTORS OF MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA) AUTHORIZING THE REFINANCING OF 1997 LEASE REVENUE BONDS AND APPROVING RELATED DOCUMENTS AND ACTIONS (Report of: Financial & Administration Services Department)

**Recommendation:**

The Finance Subcommittee recommends that the Board of Directors of the Moreno Valley Public Financing Authority adopt Resolution No. MVPFA 2011-01 authorizing the refinancing of 1997 Lease Revenue Bonds and approving related documents and actions.

Resolution No. MVPFA 2011-01

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A Resolution of the Board of Directors of the Moreno Valley Public Financing Authority Authorizing the Refinancing of 1997 Lease Revenue Bonds and Approving Related Documents and Recommendation:

**Motion to Continue the Item to January 25, 2011 by m/Council Member William H. Batey II, s/Council Member Marcelo Co**  
**Approved by a vote of 5-0.**

**ADJOURNED THE MORENO VALLEY PUBLIC AUTHORITY FINANCING AUTHORITY (MVPFA) TO THE JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**

**RECONVENED THE JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**

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

- E.1 PUBLIC HEARING 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)

Chairman Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.

**Recommendation: That the CSD:**

1. Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tract 21597;

**Motion to approve by m/Council Member William H. Batey II, s/Council Member Marcel Co**  
**Approved by a vote of 5-0.**

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

The Secretary announced the results as follows:  
Tract 21597 passes – 11 – “yes”, 9 – “no”, 1 – “invalid”

3. Receive and file with the City Clerk’s office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tract 21597.

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

- E.2 PROPOSED AMENDMENTS TO CHAPTER 12.14 OF THE MORENO VALLEY MUNICIPAL CODE, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (Report of: Community Development Department)

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Dawn Kirk and George Acosta.

**Recommendation: That the City Council:**

INTRODUCE Ordinance No. 822 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service, of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 822

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

**Motion to Approve a per call rotational schedule with a correction to change the wording in the ordinance from City to "City Council."**  
**Repeal of the current ordinance will not take effect until after Ordinance No. 822 goes into effect by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 4-1, Council Member Hastings opposed.**

- E.3 GENERAL PLAN AMENDMENT TO MODIFY BIKEWAY PLAN (PA10-0021) (Report of: Public Works Department)

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

**Recommendation: That the City Council:**

1. Conduct a public hearing to consider the action taken by the Planning Commission on October 28, 2010, recommending approval of General Plan Amendment (PA10-0021), and subsequent to the public hearing:

RECOGNIZE that application PA10-0021 (General Plan 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 15061 as defined by Section 15378 of the CEQA Guidelines; and

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

2. ADOPT City Council Resolution No. 2011-06 thereby APPROVING General Plan Amendment PA10-0021, based on the findings in the City Council Resolution.

Resolution No. 2011-06

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0021) to Modify the City Bikeway Plan

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

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

- A.15 DEPARTMENT CONSOLIDATION AND REQUEST TO ESTABLISH THE TITLE AND SALARY RANGE FOR A NEW POSITION OF COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR (Report of: City Manager's Office)

Mayor Stewart opened the agenda item for public comments; which were received from Daryl Terrell.

#### **Recommendation:**

1. Establish the job title, job description, and salary range for a new position of "Community and Economic Development Director"; and
2. Authorize the City Manager to modify the Employment Agreement with the employee to reflect these changes effective January 10, 2011 (beginning of payroll period).

**Motion to Approve by m/Council Member William H. Batey II,**

**s/Council Member Robin N. Hastings**  
**Approved by a vote of 3-2, Mayor Pro Tem Molina and Council Member**  
**Co opposed.**

## **G. REPORTS**

- G.1 APPOINTMENT TO THE LIBRARY COMMISSION (Report of: City Clerk's Department)

**Recommendation: That the City Council:**

1. Appoint Peggy A. Hadaway to the Library Commission with a term expiring June 30, 2013; or
2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

**Motion to appoint Peggy A. Hadaway to the Library Commission with term expiring June 30, 2013 by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 5-0.**

- G.2 ECONOMIC DEVELOPMENT UPDATE (Report of: Economic Development Department)

**Informational Oral Presentation – not for Council action.**

Mayor Stewart opened the agenda item for public comments, which were received from Oscar Valdepena.

- G.3 RANCHO BELAGO COMMUNITY SIGN PROGRAM AMENDMENT (P10-0457) (Report of: Community Development Department)

Mayor Stewart opened the agenda item for public comments; which were received from Frank Wright, Daryl Terrell, and Pete Bleckert.

**Recommendation: That the City Council:**

Adopt Resolution No. 2011-07 and thereby approve an amendment to the Rancho Belago Community Sign Program for design modifications to the proposed signs.

Resolution No. 2011-07

A Resolution of the City Council of the City of Moreno Valley, California, Adopting an Amendment to the Rancho Belago Sign Program (P10-0457)



**Motion to approve amending the design to exclude the City logo or branding by m/Council Member Robin N. Hastings, s/Mayor Pro Tem Jesse L. Molina**  
**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**

Pete Bleckert

1. City recall
2. Ceremonial Swearing-In

Louise Palomarez

1. Rancho Belago signs
2. City Manager
3. Need more jobs
4. Make cuts

Marcia Amino

1. Council reorganization

Joyce Green

1. Flooding

Stan Green

1. Flooding

Daryl Terrell

1. Budget deficit

Raul Wilson

1. Flooding
2. Pot holes
3. No sidewalks to the schools
4. Public safety
5. Need an interpreter
6. Businesses have been turned away
7. Credit cards

G.4 2011 COUNCIL COMMITTEE PARTICIPATION APPOINTMENTS (Report of: City Clerk's Department)

**Recommendation: That the City Council:**

1. Approve appointments to the various committees and regional bodies

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as recommended in the 2011 Council Committee Participation list submitted by Mayor Richard A. Stewart:

Appoint Mayor Richard A. Stewart to serve as the City of Moreno Valley's representative on the March Joint Powers Commission (MJPC);

2. Appointment of City of Moreno Valley's second representative on the March Joint Powers Commission (MJPC) to be discussed and determined by the City Council;
3. Appointment of City of Moreno Valley's alternate representative on the March Joint Powers Commission (MJPC) to be discussed and determined by the City Council;
4. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's representative on the Riverside County Habitat Conservation Agency (RCHCA); and
5. Appoint Mayor Pro Tem Jesse L. Molina to serve as the City of Moreno Valley's alternate representative on the Riverside County Habitat Conservation Agency (RCHCA);
6. Appoint Council Member Marcelo Co to serve as the City of Moreno Valley's representative on the Riverside County Transportation Commission (RCTC);
7. Appoint Mayor Richard A. Stewart to serve as the City of Moreno Valley's alternate representative on the Riverside County Transportation Commission (RCTC);
8. Appoint Mayor Pro Tem Jesse L. Molina to serve as the City of Moreno Valley's representative on the Riverside Transit Agency (RTA);
9. Appoint Council Member Marcelo Co to serve as the City of Moreno Valley's alternate representative on the Riverside Transit Agency (RTA);
10. Appoint Council Member Robin N. Hastings to serve as the City of Moreno Valley's representative on the Western Riverside Council of Governments (WRCOG);
11. Appoint Mayor Richard A. Stewart to serve as the City of Moreno

Valley's alternate representative on the Western Riverside Council of Governments (WRCOG);

12. Appoint Council Member William H. Batey II to serve as the City of Moreno Valley's representative on the Western Riverside County Regional Conservation Authority (RCA);
13. Appoint Mayor Pro Tem Jesse L. Molina to serve as the City of Moreno Valley's alternate representative on the Western Riverside County Regional Conservation Authority (RCA); and
14. Approve the appointments to the remaining various committees and regional bodies, as noted on the 2011 Council Committee Participation list.

**Motion to approve the 2011 Council committee participation appointments as amended that Council Member William H. Batey II be appointed as the second representative on the March Joint Powers Commission, and Council Member Marcelo Co be appointed as the alternate to the March Joint Powers Commission; and Council Member Marcelo Co be appointed as the alternate to the Western Riverside Council of Governments (WRCOG) in place of Mayor Richard A. Stewart by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 5-0.**

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

**No Report.**

## **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 William H. Batey II

MINUTES  
January 11, 2011

- 1) The recent flooding exposed some issues with the City's response. There was no follow up from the City. Staff will address this issue.
- 2) Sunnymead Boulevard needs to be fixed. Staff will work with the County.
- 3) Happy New Year.

Mayor Pro Tem Jesse L. Molina

- 1) The flooding was bad everywhere. Staff was deployed everywhere. Communication will make us better, and you only get better through your mistakes.
- 2) There is an erosion problem where gullies are coming underneath the roads. The City needs to be proactive on cleaning up.

Council Member Marcelo Co

- 1) It's all about jobs. It shouldn't take so long to approve a project. Companies will leave. The city is lucky to have Skechers coming in. Invite jobs, and don't put up barriers. Stick to the fast track process. Be business friendly. The economy has to grow. Eliminate rules and regulations that no longer apply.

Council Member Robin N. Hastings

- 1) Council Member Batey and I haven't taken a car allowance in two years; I turned in my county car once elected, took the same COLA reduction that was requested of staff; pay my own cell phone bill.
- 2) Thanked Ms. Amino for her comments regarding reorganization. There is a process for reorganization. It was decided by the majority to not follow that process. That's okay. There are other things that need to be done.
- 3) The Canyon Springs High School had its 20th Anniversary celebration, and it was a wonderful event.
- 4) Attended a demolition at March Air Force Base.

- 5) The Governor has proposed a budget that includes taking RDA funds away. The County is putting together a committee to respond to the Governor with suggestions of other things that can be done.

Mayor Richard A. Stewart

- 1) Was in Michigan for the holidays. Staff sent emails regarding the flooding. There is a problem between County Flood Control and the City of Moreno Valley. There have been flood control efforts. If a citizen calls for service, there should be someone that can respond. There needs to be a set EOC policy.
- 2) There was a groundbreaking for the new shooting range at March Air Reserve Base. There are 27 stations.
- 3) Council hasn't always followed the rotation for Mayor and Mayor Pro Tem. There are different reasons why it happens.
- 4) The Governor will cut services and make the cities and counties do it, but the State will not fund us.
- 5) There will be a top to bottom review of policies and procedures. Input will be received from the community, staff and BIA.
- 6) Appointed to the Land Use Commission.
- 7) There were sand bags available at the Fire Stations.

There being no further business to conduct, the meeting was adjourned to Closed Session at 10:25 p.m. by unanimous informal consent.

**CLOSED SESSION**

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

**\*<sub>1</sub> SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL -  
EXISTING LITIGATION**

a Case: *Arch Insurance Company v. City of Moreno Valley,  
Safeguard Insurance Company*

Court: Riverside Superior Court

Case No: RIC 513196

MINUTES  
January 11, 2011

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

Number of Cases: 2

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

Number of Cases: 2

4 SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

- a) Property: Cactus Avenue and Day Street consisting of approximately 16.92 gross acres (net area is approximately 14.36 acres within 2 parcels)
- City Negotiator: Barry Foster, Economic Development Director negotiating with potential Developer - Clayton Corwin, StoneCreek Company
- Under Negotiation: Disposition, price and terms
- Owner: Redevelopment Agency
- Owners Negotiator: APN

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

- a) City Manager

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

No reportable action.

**ADJOURNMENT**

There being no further business to conduct, Closed Session was adjourned at 10:53 p.m. by unanimous informal consent.

Submitted by:

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Jane Halstead, City Clerk, CMC  
Secretary, Moreno Valley Community Services District

MINUTES  
January 11, 2011

Secretary, Community Redevelopment Agency of the City of Moreno Valley  
Secretary, Board of Library Trustees

Approved by:

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Richard A. Stewart  
President, Moreno Valley Community Services District  
Chairperson, Community Redevelopment Agency of the City of Moreno Valley  
Chairperson, Board of Library Trustees