

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 22, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Riverside County Board of Supervisors Proclamation Recognizing Moreno Valley Community Senior Center as a Community Focal Point
2. Recognition of Moreno Valley Police Department's Participation in Operation SafeHouse's Stuff the Bus Event
3. Proclamation Recognizing Trent Sauls
4. Mayor's Awards of Valor Recognizing Rodrigo Murguia, David Westerhaus, and Jimmy Zapata

**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
March 22, 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 6:39 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Stewart

INVOCATION - Mayor Stewart

ROLL CALL

Council:

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

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	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	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Service

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; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF MARCH 8, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 2-15, 2011.

A.4 [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. 2011-27 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2011-27

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.5 [ALCOHOL BEVERAGE CONTROL \(ABC\) "MINOR DECOY/SHOULDER TAP" GRANT FUNDING OPPORTUNITY \(Report of: Police Department\)](#)

Recommendation:
Approve the grant application and authorize acceptance (if awarded) from the Department of Alcohol Beverage Control, State of California,

in the amount of \$69,918.00, "Minor Decoy/Shoulder Tap" Grant.

A.6 [AUTHORIZATION TO ISSUE A CHANGE ORDER TO INCREASE PURCHASE ORDER TO SOUTHERN CALIFORNIA EDISON \(SCE\) FOR RELOCATION OF FACILITIES FOR THE KITCHING STREET IMPROVEMENTS PROJECT -- PROJECT NO. 07-50182425 \(Report of: Public Works Department\)](#)

Recommendation:

1. Authorize the City Manager to execute a Change Order to increase Purchase Order No. 38653 to Southern California Edison (SCE) by the amount of \$125,400 (\$114,000 plus 10% contingency) for a total not-to-exceed amount of \$160,400. (Account No. 501.82425.7500); and
2. Authorize payment to SCE in an amount up to \$125,400 for relocation of SCE facilities associated with the Kitching Street Improvements project.

A.7 [APPROVAL OF CHECK REGISTER FOR JANUARY, 2011 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2011-28, approving the Check Register for the month of January, 2011 in the amount of \$12,324,061.41.

Resolution No. 2011-28

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January, 2011

A.8 [AUTHORIZATION TO EXECUTE AGREEMENTS WITH THE YMCA FOR MORRISON PARK FIRE STATION -- PROJECT NO. 11-43472527 \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve an "Irrevocable Reciprocal Easement for Ingress and Egress" with the YMCA for access through APN 487-370-015;
2. Approve an "Irrevocable Reciprocal Easement for Ingress and Egress" with the YMCA for access through APN 487-370-017; and
3. Authorize the City Manager to execute said "Irrevocable Reciprocal Easement for Ingress and Egress" for APN 487-370-

015 and APN 487-370-017 with the YMCA.

A.9 [2010 ANNUAL REPORT OF THE PLANNING COMMISSION \(Report of: Community & Economic Development Department\)](#)

Recommendation:

1. Receive and File the 2010 Annual Report of the Planning Commission; and
2. Authorize transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.10 [CONSIDERATION OF THE FOURTH AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT CREATING THE WESTERN RIVERSIDE REGIONAL CONSERVATION AUTHORITY\(Report of: City Manager's Office\)](#)

Recommendation:

Approve the Fourth Amended and Restated Joint Exercise of Powers Agreement creating the Western Riverside Regional Conservation Authority and authorize the Mayor to execute the proposed document.

A.11 [APPROVE TM 34950-1, A FINAL MAP FOR FINANCING PURPOSES, BETWEEN BRODIAEA AVENUE AND CACTUS AVENUE, AND LASSELLE STREET AND MORRISON STREET - DEVELOPER: MORENO VALLEY PROPERTIES, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve TM 34950-1, a final map for financing purposes; and
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

A.12 [A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION PLANNING GRANT PROGRAM \(Report of: Community & Economic Development Department\)](#)

Recommendation:

Adopt Resolution No. 2011-29, authorizing the submittal of an application entitled "The Alessandro Boulevard Corridor Implementation Project" to the California Department of Transportation (CalTrans) Planning Grant Program.

Resolution No. 2011- 29

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Submittal of an Application for Grant Funds for the Caltrans Transportation Planning Grant (Fiscal Year 2011-2012)

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 MARCH 8, 2011 \(Report of: City Clerk Department\)](#)

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 MARCH 8, 2011 \(Report of: City Clerk Department\)](#)

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 MARCH 8, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

Motion to approve Joint Consent Calendar Items A.1 through D.2 by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

- E.1 [A DEVELOPMENT AGREEMENT \(PA10-0029\) FOR ROCKLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 \(RESIDENTIAL 15\) AND OS \(OPEN SPACE\) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES \(Report of: Community & Economic Development Department\)](#)

Recommendation: That the City Council:

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/ planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

Motion to continue the item to May 24, 2011 Council Meeting by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

- E.2 [FY 2011/12 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME INVESTMENT PARTNERSHIP \(HOME\) PROGRAMS \(Report of: Community & Economic Development Department\)](#)

Recommendation: That the City Council:

1. Conduct a Public Hearing for CDBG and the HOME grant programs to allow public comment on the proposed FY 2011/12

social service programs; and

2. Review and select programs for funding for social service, housing, and economic development activities to be included in the City's FY 2011/12 Annual Action Plan.

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder, George Price, Josiah Bruny, Pastor Earnesline Anderson and Hal Tubb.

Motion to receive and file by m/Mayor Pro Tem Jesse L. Molina, 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 - none

G. REPORTS

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

- a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)

Mayor Stewart reported the following: demolition of an old hospital at March Air Reserve Base scheduled on March 28, at 10 a.m. with a renowned guest speaker Willie Brown; a trip to Washington, D.C. regarding pending projects and reduction in air force reserve staffing

- b. Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

Council Member Pro Tem Hastings reported the following: announced an upcoming Clean Cities Coalition meeting at the Mission Inn, and the General Assembly meeting in Morongo on June 21 with a guest speaker Condoleezza Rice and encouraged everyone to attend; WRCOG received funding for AB 811 program, and the City will be given an update on how the program will be implemented

G.2 [APPOINTMENT TO THE PLANNING COMMISSION \(Report of: City Clerk Department\)](#)

Recommendation: That the City Council:

1. Appoint one (1) member for a term expiring March 31, 2013; or

2. If the appointment is not made, authorize the City Clerk to re-notice the position as vacant.

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

Motion to appoint Carlos Ramirez for a term expiring March 31, 2013 by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Marcelo Co Approved by a vote of 5-0.

- G.3 [PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR SOUTHEASTERN CALIF CONF SEV DAY ADVENTIST CHURCH—APN 484-030-015 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES AND CSD ZONE M \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

Accept public comments regarding the mail ballot proceedings for Southeastern Calif Conf Sev Day Adventist Church—Assessor Parcel Number (APN) 484-030-015 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate; and

Recommendation: That the CSD:

Accept public comments regarding the mail ballot proceedings for Southeastern Calif Conf Sev Day Adventist Church—APN 484-030-015 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

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

No action required.

- G.4 [CONDITIONAL COMMITMENT LETTER AMONG THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, THE CITY OF MORENO VALLEY AND RANCHO BELAGO DEVELOPERS INC. \(Report of: Community & Economic Development Department\)](#)

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

Recommendation: That the City Council:

Rescind the action from the last meeting of adopting Resolution No.

2011-26 consenting to the approval of an Affordable Housing Agreement between the Redevelopment Agency and Rancho Belago Developers Inc. and restate the City's approval of the Conditional Commitment Letter Agreement among the Community Redevelopment Agency, the City of Moreno Valley and Rancho Belago Developers Inc.

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

Recommendation: That the RDA:

Rescind the action from the last meeting of adopting Resolution No. RDA 2011-05 approving an Affordable Housing Agreement by and between the Agency and Rancho Belago Developers Inc. and restate the Agency's approval of the Conditional Commitment Letter Agreement among the Agency, the City of Moreno Valley and Rancho Belago Developers Inc.

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

G.5 [MID YEAR BUDGET REVIEW \(Report of: Financial & Administrative Services Department\)](#)

Recommendation: That the City Council:

1. Receive and file this report; and
2. Approve two recommended mid-year appropriation adjustments, including the transfer of \$150,000 in General Fund fund balance to the Gas Tax Special Revenue Fund to meet Measure A Maintenance of Effort requirements and transfer \$190,000 (\$157,000 from General Fund fund balance and \$33,000 from Equipment Replacement Fund fund balance) for state-mandated vehicle modifications/replacements.

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

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

G.6 [ECONOMIC DEVELOPMENT PLAN—AREAS OF OPPORTUNITY \(POWERPOINT TO BE PROVIDED UNDER SEPARATE COVER\) \(Report of: Community & Economic Development Department\)](#)

Recommendation: That the City Council:

Review and provide staff with direction on the development of a new Economic Development Plan—Areas of Opportunity.

Mayor Stewart opened the agenda item for public comments, which were received from Pete Bleckert, Deanna Reeder and Tom Jerele Sr.

Received and filed.

G.7 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

[PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL](#)

Marcia Amino

1. Land use and transportation planning
2. City Manager's salary
3. Car allowances

Pete Bleckert

1. Retirement benefits

Louise Palomarez

1. Audio for Council meetings
2. Rising Star program
3. Use of redevelopment money
4. Red light camera on Day Street

Tom Jerele Sr.

1. Commended public input
2. Red light camera on Day Street
3. Housing issues
4. Edgemont area potential
5. Graffiti at Sunnymead Boulevard area

Deanna Reeder

1. Public input at the Economic Development Subcommittee meetings
2. Requested information regarding Economic Development Subcommittee meetings
3. Public workshop in April
4. Council Member Co's Code Compliance case

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

Council Member Batey

1. Attended the grand opening of Buffalo Wild Wings restaurant
2. Top five classes from the reading contest will go to a movie at Harkins Theatre on April 21; reading contest is a very successful program

Mayor Pro Tem Molina

1. Attended the Buffalo Wild Wings grand opening on Saturday; it is an indication that possibly the economy has bottomed out
2. On Saturday, went on a tour at Skechers given by Iddo Benzeevi; was very impressed with high technology; the tour, which is very informative, is open to the public

Council Member Co

1. Thanked everybody for participating in the Economic Development Subcommittee meetings
2. Stated that right now we are trying to do the best we can to allocate resources for the best possible results; we need jobs that provide good income; asked for input from the public

Council Member Hastings

1. Attended the Buffalo Wild Wings grand opening - was a standing room only; personally believes that the economy is turning around
2. Asked Community and Economic Development Director Barry Foster to report on the Small Business Development Center (SBDC) receiving an award; SBDC was recognized earlier this year as one of the top 10 SBDCs in the U.S.A and is the only one in California that received that designation; it is fantastic to have this facility in Moreno Valley to provide

assistance to small businesses

3. Congratulated Mayor Pro Tem Molina on bringing forward budget ideas; we need ideas to eliminate 14 million dollars budget deficit; asked the public to please forward any ideas to her; presented suggestions for reducing expenditures

Mayor Stewart

1. Stated that Buffalo Wild Wings received about 1300 job applications and hired about 110; there were long lines on the first day of opening

2. The Police Department made a fantastic arrest for an armed robbery; two people arrested committed about 20 commercial robberies; congratulated officers on fantastic work

3. Reiterated that Mayor's Award of Valor was presented to Rodrigo Murguia, David Westerhaus and Jimmy Zapata for their heroic action to save traffic collision victims from a burning car on November 17, 2010

4. All standing council subcommittee meetings are noticed and posted at least 72 hours before a meeting pursuant to the Brown Act

There being no further business to conduct, the meeting was adjourned at 9:56 p.m. to Closed Session by unanimous informal consent.

CLOSED SESSION

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

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

Closed Session was held in the City Manager's Conference Room, Second Floor, City Hall pursuant to Government Code:

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

Number of Cases: 5

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

Number of Cases: 5

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 10:13 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:

Richard Stewart, 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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