

**MINUTES  
SPECIAL MEETING AND REGULAR 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 – 5:00 PM  
REGULAR MEETING – 6:30 P.M.  
June 14, 2011**

**CALL TO ORDER**

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 5:05 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 N. 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
Marcelo Co	Council Member
Robin N. Hastings	Council Member (left at 7:07 p.m.)

Staff:

Jane Halstead	City Clerk
Cindy Miller	Executive Assistant to the Mayor/City Council
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
John Terell	Planning Division Manager / Planning Official
Sonny Morkus	Human Resources Director
Paula Smus	Acting Library Services Division Manager
Mike McCarty	Parks & Community Services 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 Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Steven Crews (B5) and Deanna Reeder (A17).

**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 24, 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 May 18 - June 7, 2011.

**A.4 TRACT MAP 22709 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING MORGAN AVENUE, LONGMEADOW COURT, GLADSTONE DRIVE, FAIR MEADOW LANE, SPRING GROVE STREET, ANSLEY COURT, MERIDIAN PLACE, AND THE PORTION OF JOHN F. KENNEDY DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: D.R. HORTON, F.K.A WESTERN PACIFIC HOUSING, INC., IRVINE, CA 92606 (Report of: Public Works Department)**

**Recommendation:**

1. Adopt Resolution No. 2011-44 authorizing the acceptance of the public improvements within Tract Map 22709 as complete and accepting Morgan Avenue, Longmeadow Court, Gladstone Drive, Fair Meadow Lane, Spring Grove Street, Ansley Court, Meridian Place, and the portion of John F. Kennedy Drive associated with the project into the City's maintained street system; and

Resolution No. 2011-44

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 22709, and Accepting Morgan Avenue, Longmeadow Court, Gladstone Drive, Fair Meadow Lane, Spring Grove Street, Ansley Court, Meridian Place, and the Portion of John F. Kennedy Drive 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.5 PA04-0010 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: ONE MORENO VALLEY 240 LP, LONG BEACH, CA 90802 (Report of: Public Works Department)**

**Recommendation:**

1. Adopt Resolution No. 2011-45 authorizing the acceptance of the public improvements within PA04-0010 as complete and accepting the portion of Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2011-45

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0010, and Accepting the Portion of 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.6 TRACT MAP 22709-1 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING MILESTONE STREET, ROSEMONT COURT, LAFAYETTE WAY, LANDON ROAD, MADISON WAY, NEWBURGH ROAD, ASHTON COURT, PIEDMONT DRIVE, ROCKWOOD AVENUE, WILLOWGROVE PLACE, FAIRMONT DRIVE, TILDEN LANE, ASTORIA DRIVE, CRESCENT COURT, GREEN LAWN AVENUE, AUBURN LANE, SHADY VALLEY WAY, HASTINGS DRIVE, AND THE PORTIONS OF MORENO BEACH DRIVE, JOHN F. KENNEDY DRIVE, OLIVER STREET AND CACTUS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: D.R. HORTON F.K.A. WESTERN PACIFIC HOUSING, INC., IRVINE, CA 92606 (Report of: Public Works Department)**

**Recommendation:**

1. Adopt Resolution No. 2011-46 authorizing the acceptance of the public improvements within Tract Map 22709-1 as complete and accepting Milestone Street, Rosemont Court, Lafayette Way, Landon Road, Madison Way, Newburgh Road, Ashton Court, Piedmont Drive, Rockwood Avenue, Willowgrove Place, Fairmont Drive, Tilden Lane, Astoria Drive, Crescent Court, Green Lawn Avenue, Auburn Lane, Shady Valley Way, Hastings Drive and the portions of Moreno Beach Drive, John F. Kennedy Drive, Oliver Street and Cactus Avenue associated with the project into the City's maintained street system; and

Resolution No. 2011-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 22709-1, and Accepting Milestone Street, Rosemont Court, Lafayette Way, Landon Road, Madison Way, Newburgh Road, Ashton Court, Piedmont Drive, Rockwood Avenue, Willowgrove Place, Fairmont Drive, Tilden Lane, Astoria Drive, Crescent Court, Green Lawn Avenue, Auburn Lane, Shady Valley Way, Hastings Drive and the Portions of Moreno Beach Drive, John F. Kennedy Drive, Oliver Street and Cactus Avenue 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.7 TRACT MAP 31327 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING RHONE COURT, ANDROMEDA AVENUE, DANUBE WAY, SAGEBRUSH COURT, PEGASUS WAY, VOLGA LANE, AND THE PORTIONS OF ALESSANDRO AVENUE, MORRISON STREET AND BAY AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: D.R. HORTON F.K.A. WESTERN PACIFIC HOUSING INC., IRVINE, CA 92606 (Report of: Public Works Department)**

**Recommendation:**

1. Adopt Resolution No. 2011-47 authorizing the acceptance of the public improvements within Tract Map 31327 as complete and accepting Rhone Court, Andromeda Avenue, Danube Way, Sagebrush Court, Pegasus Way, Volga Lane, and the portions of Alessandro Avenue, Morrison Street and Bay Avenue associated with the project into the City's maintained street system; and

Resolution No. 2011-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 31327 and Accepting Rhone Court, Andromeda Avenue, Danube Way, Sagebrush Court, Pegasus Way, Volga Lane, and the Portions of Alessandro Avenue, Morrison Street and Bay Avenue 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.8 FINAL MAPS 29920, 29920-1, 29920-2, AND 29920-3--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN CITY OF MORENO VALLEY AND PACIFIC MORENO VALLEY, INC. (Report of: Public Works Department)**

**Recommendation:**

1. Approve the Maintenance Agreement by and between the City of Moreno Valley (City) and Pacific Moreno Valley, Inc.;
2. Authorize the Mayor to execute the Maintenance Agreement;
3. Authorize the City Attorney to work with Pacific Moreno Valley, Inc. to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;
4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 7 of the Maintenance Agreement;
5. Authorize the City Manager to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and
6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

**A.9 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. 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. 2011-48 to accept and approve the Special Tax Report for fiscal year (FY) 2011/12 regarding CFD No. 87-1; and

Resolution No. 2011-48

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2011/12 Regarding Community Facilities District No. 87-1 (Towngate)

2. Approve and Adopt Resolution No. 2011-49 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. 2011-49

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.10 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. 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. 2011-50 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2011/12 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2011-50

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

2. Resolution No. 2011-51 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. 2011-51

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.11 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:**

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 Resolution No. 2011-52 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2011/12, on file in the office of the City Treasurer.

Resolution No. 2011-52

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2011/12 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

**A.12 APPROVAL AND ACCEPTANCE OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2011/12 (Report of: Public Works Department)**

**Recommendation:**

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. 2011-53 to accept and approve the Annual Special Tax Report for CFD No. 4—M for fiscal year 2011/12.

Resolution No. 2011-53

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2011/12 Regarding Community Facilities District No. 4-Maintenance

**A.13 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR FISCAL YEAR 2011/12 REGARDING MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 (Report of: Public Works Department)**

**Recommendation:**

1. Acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following: Resolution No. 2011-54 to accept and approve the Annual Special Tax Report for fiscal year 2011/12 regarding Community



Facilities District No. 5.

Resolution No. 2011-54

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2011/12 Regarding Community Facilities District No. 5

2. Adopt Resolution No. 2011-55 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. 2011-55

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.14 PA04-0004 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENTS, SOUTHWEST CORNER OF BAY AVENUE AND PAN AM BOULEVARD, DEVELOPER: MOVAL BAY APARTMENTS, L.P., IRVINE, CA 92614 (Report of: Public Works Department)**

**Recommendation:**

1. Authorize the acceptance of certain public improvements associated with the project; and
2. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor bond associated with project PA04-0004 for public improvements.

**A.15 AUTHORIZE THE FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR STATE ROUTE 60/MORENO BEACH DRIVE INTERCHANGE AND NASON STREET OVERCROSSING IMPROVEMENTS -- PROJECT NO. 07-41570024 (Report of: Public Works Department)**

**Recommendation:**

1. Approve the Fourth Amendment to the Agreement for Professional Consultant Services with Parsons Transportation Group Inc. (Parsons), 1133 Fifteenth Street NW, Washington,

DC 20005-2701, to provide design, environmental, right-of-way, and extend the contract termination date from June 30, 2013, to December 31, 2014;

2. Authorize the City Manager to execute the Fourth Amendment to Agreement for Professional Consultant Services with Parsons Transportation Group Inc.; and
3. Authorize Change Orders to increase Purchase Order Nos. 35510 and 37342 with Parsons Transportation Group totaling \$723,267.77 to be funded from Account Nos. 415.70024 (\$323,918.50) and 897.91728 (\$399,349.27) and authorize the issuance of a purchase order for \$461,708.64 from Account 897.91731 when the Fourth Amendment has been signed by all parties. The Fourth Amendment for \$1,184,976.41 brings the not-to-exceed contract total to \$4,826,047.86.

**A.16 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR STREET IMPROVEMENTS FOR HEACOCK STREET FROM HEMLOCK AVENUE TO IRONWOOD AVENUE - PROJECT NO. 08-41678827 (Report of: Public Works Department)**

**Recommendation:**

1. Award the construction contract for the Street Improvements for Heacock Street from Hemlock Avenue to Ironwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92789, the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with Hillcrest Contracting, Inc.; on behalf of the City;
3. Authorize the issuance of Purchase Orders to Hillcrest Contracting, Inc. totaling of \$363,398.74 (\$315,998.90 for the bid amount plus 15% contingency) when the contract has been signed by all parties;
4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hillcrest Contracting, Inc., up to, but not exceeding, the total contingency amount of \$47,399.84, subject to the approval of the City Attorney; and
5. Authorize a full road closure of Davis Street north of Ironwood Avenue for up to a period of ten working days, as necessary, for the construction of roadway improvements between July 2011 and September 2011.

**A.17 ADOPTION OF THE PRIORITIZED GOALS AND ACTION PLAN DEVELOPED IN THE CITY COUNCIL GOAL SETTING WORKSHOP (Report of: City Manager's Office)**

**Recommendation:**

Adopt the prioritized goals and action plan developed in the City Council Goal Setting Workshop.

**A.18 GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54 – FUND BALANCE CLASSIFICATIONS (Report of: Financial & Administrative Services Department) (ALSO LISTED AS B7 & C3)**

**Recommendation:**

1. Adopt Resolution No. 2011-62, classifying the various components of fund balance as defined in GASB Statement No. 54; and

Resolution No. 2011-62

A Resolution of the City Council of the City of Moreno Valley, California, Classifying the Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement No. 54

2. Designate the Financial & Administrative Services Director as the City official to determine and define the amounts of those components of fund balance that are classified as "Assigned" fund balance for inclusion in the annual financial reports.

**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 24, 2011 (Report of: City Clerk Department)**

**Recommendation:**

Approve as submitted.

**B.3 APPROVAL AND ACCEPTANCE OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2011/12 (Report of: Public Works Department)**

**Recommendation:**

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 2011-08 to accept and approve the CFD No. 1 Annual Special Tax Report for fiscal year 2011/12, which is 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. 1.

Resolution No. CSD 2011-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Community Facilities District No. 1 Annual Special Tax Report for Fiscal Year 2011/12

**B.4 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-1/11 – MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION FOR ZONES E-1 (TOWNGATE) AND E-1A (RENAISSANCE PARK) (Report of: Public Works Department)**

**Recommendation:**

1. Approve the Agreement for CSD Project E-1/11 (the “Agreement”) with Marina Landscape Inc.;
2. Authorize the President of the CSD Board to execute said Agreement with Marina Landscape Inc., and;
3. Authorize the Purchasing Division Manager, to issue purchase orders on July 1, 2011 to Marina Landscape Inc., in the amounts of:

NINETY-SEVEN THOUSAND NINE HUNDRED AND SIX AND 80/100 DOLLARS (\$97,906.80) for twelve (12) months of base maintenance services and;

NINE THOUSAND SEVEN HUNDRED NINETY AND 68/100 DOLLARS (\$9,790.68) for anticipated Additional Work, per Exhibit C, Section 2, paragraph E. of the Agreement.

**B.5 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-4/11 – MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION FOR ZONES E-4 (MORENO VALLEY**

**RANCH - EAST) AND E-4A (DAYBREAK) (Report of: Public Works Department)**

**Recommendation:**

1. Approve the Agreement for CSD Project E-4/11 (the "Agreement") with TruGreen Landcare;
2. Authorize the President of the CSD Board to execute said Agreement with TruGreen Landcare, and;
3. Authorize the Purchasing Division Manager, to issue purchase orders on July 1, 2011 to TruGreen Landcare, in the amounts of:

ONE HUNDRED SEVENTY-NINE THOUSAND FIVE HUNDRED AND SIXTY-FOUR AND 76/100 DOLLARS (\$179,564.76) for twelve (12) months of base maintenance services and;

FOURTEEN THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$14,800.00) for anticipated Additional Work, per Exhibit C, Section 2, paragraph E. of the Agreement.

**B.6 FIRST EXTENSION OF CONTRACT - PROJECT NO. E-3/10 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH-WEST (ZONE E-3) AND LASSELLE POWERLINE PARKWAY (ZONE E-3A) (CONTINUED FROM MAY 24, 2011) (Report of: Public Works Department)**

**Recommendation:**

1. Approve the first Extension Agreement for CSD Project No. E-3/10 to extend the term of the contract for an additional one-year period;
2. Authorize the President of the CSD Board to execute said first Extension Agreement with Bemus Landscape, Inc., San Clemente, California; and
3. Authorize the Purchasing Manager, on July 1, 2011, to issue open purchase orders to Bemus Landscape, Inc., in the amounts of:

a.) ONE HUNDRED THIRTY NINE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$139,500.00) for twelve months of base maintenance service, and

b.) THIRTEEN THOUSAND TWO HUNDRED SIXTY AND 00/100 DOLLARS (\$13,260.00) for anticipated Additional Work per Section 5 of the first Extension Agreement.

**B.7 GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54 – FUND BALANCE CLASSIFICATIONS (Report of: Financial & Administrative Services Department) (ALSO LISTED AS A18 & C3)**

**Recommendation:**

Adopt Resolution No. CSD 2011-22, classifying the various components of fund balance as defined in GASB Statement No. 54.

Resolution No. CSD 2011-22

A Resolution of the Moreno Valley Community Services District, Classifying the Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement No. 54

**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 24, 2011 (Report of: City Clerk Department)**

**Recommendation:**

Approve as submitted.

**C.3 GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54 – FUND BALANCE CLASSIFICATIONS (Report of: Financial & Administrative Services Department) (ALSO LISTED AS A18 & B7)**

**Recommendation:**

Acting in its capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. 2011-09, classifying the various components of fund balance as defined in GASB Statement No. 54.

Resolution No. RDA 2011-09

A Resolution of the Moreno Valley Community Services District, Classifying the Various Components of Fund Balance as Defined in

**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 24, 2011 (Report of: City Clerk Department)**

**Recommendation:**

Approve as submitted.

**Motion to Approve Joint Consent Calendar Items A1 through D2 by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**

**Approved by a vote of 5-0.**

**AGENDA ORDER**

**G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES**

**a) Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Informational Oral Presentation - not for Council action)**

Council Member Hastings reported WRCOG will conduct a hearing on July 1, regarding AB811, and it is anticipated applications will be accepted by the end of July for the energy efficiency and water conservation program. Announced Dr. Condoleezza Rice is the keynote speaker at the WRCOG General Assembly meeting on June 23; VIP reception invitations will be distributed to the Council Members.

**G.2 RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) 60/215 EAST JUNCTION CONSTRUCTION PROJECT (Informational Oral Presentation - Not for Council Action)**

Dennis Green, President, Green.Com.Inc., Public Affairs Coordinator, presented the update.

**AGENDA ORDER**

**G.5 ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE YEARS HIGHEST AVERAGE COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON AUGUST 19, 2011, AND CONDUCT THE**

**FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CALPERS (Report of: Human Resources Department)**

**Recommendation: That the City Council:**

Adopt Resolution No. 2011-59 , to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council City of Moreno Valley

Resolution No. 2011-59

A Resolution of the City Council of the City of Moreno Valley, California, to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council City of Moreno Valley

Ordinance No. 828

An Ordinance of the City of the City Council of the City of Moreno Valley, California Authorizing an Amendment to the Contract Between the City of Moreno Valley and the Board of Administration of the California Public Employees' Retirement System

**Motion to Continue to date uncertain by m/Council Member William H. Batey II, s/ Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 5-0.**

**AGENDA ORDER**

**H.1 ORDINANCES - 1ST READING AND INTRODUCTION**

- H.1 .1 INTRODUCTION OF ORDINANCE NO. 827 AMENDING TITLE 8 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 8.10 STORM WATER/URBAN RUNOFF MANAGEMENT AND DISCHARGE CONTROLS, AND CHAPTER 8.21 GRADING REGULATIONS (Report of: Public Works Department)

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

**Recommendation: That the City Council:**

Waive the reading of Ordinance No. 827, in its entirety and read by title only (roll call required) and introduce Ordinance No. 827 an Ordinance of the City Council of the City of Moreno Valley, California



amending Title 8 of the City of Moreno Valley Municipal Code (MVMC), repealing and reenacting Chapter 8.10 Storm Water/Urban Management and Discharge Controls and Chapter 8.21 Grading Regulations.

Ordinance No. 827

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 8 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 8.10 Storm Water/Urban Runoff Management and Discharge Controls and Chapter 8.21 Grading Regulations

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

**AGENDA ORDER**

**G.8 4TH OF JULY PARADE AT A REDUCED COST (STEWART)**

**Motion to bring back as a subcommittee by m/Council Member  
William H. Batey II;  
Motion withdrawn by Council Member William H. Batey II**

The City Manager announced he will provide the first \$1,000 towards next year's 4<sup>th</sup> of July Celebration

**City Manager will present a report at the July 12, 2011 Regular City  
Council Meeting for Council action;  
By unanimous informal consent**

**G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)**

None

**AGENDA ORDER**

**G.6 ADOPTION OF FY2011/12-2012/13 OPERATING BUDGET (Report of: Financial & Administrative Services Department)**

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

**Recommendation: That the City Council:**

1. Adopt Resolution No. 2011-60, approving the Operating Budget for the City of Moreno Valley for FY 2011/12 – 2012/13, pursuant to the appropriations presented in the Budget Book presented as Attachment A;

Resolution No. 2011-60

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Years 2011/12 – 2012/13

**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. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2011-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2011/12 – 2012/13, pursuant to the appropriations presented in the Budget Book presented as Attachment A;

Resolution No. CSD 2011-20

A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Years 2011/12-2012/13

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

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2011-07, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2011/12 – 2012/13, pursuant to the appropriations presented in the Budget Book presented as Attachment A;

Resolution No. RDA 2011-07

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Years 2011/12-2012/13

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

4. Approve the position control as detailed on pages 3-7 in the Proposed Operating Budget Book presented as Attachment A; 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.**

5. Approve the elimination of Fire Truck 58 in FY 2011/12 and direct staff to reserve the additional \$1.2 million in savings for the purchase of a fire engine and the balance of savings for the operating costs to open the Morrison Park Fire Station.

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

**G.7 ADOPTION OF FY 2011/12 CAPITAL IMPROVEMENT PLAN (Report of: Public Works Department)**

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

**Recommendation: That the City Council:**

1. Adopt Resolution No. 2011-61, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2011-12, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2011-61

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2011-12

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

2. Acting in its capacity as the President and Board of Directors of

the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2011-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2011-12, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2011-21

A Resolution of the Moreno Valley Community Services District, Adopting the Capital Improvement Plan for Fiscal Year 2011-12

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 5-0.**

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2011-08, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2011-12, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2011-08

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting the Capital Improvement Plan for Fiscal Year 2011-12

**Motion to Approve by m/Agency Member William H. Batey II, s/Vice-Chairman Jesse L. Molina**  
**Approved by a vote of 5-0.**

**ADJOURNED SPECIAL MEETING  
CONVENED REGULAR MEETING**

**AGENDA ORDER**

**E. PUBLIC HEARINGS**

**E.1 FIRST AMENDMENT - AQUABELLA DEVELOPMENT AGREEMENT (P11-029) (Report of: Community & Economic Development Department)**

Applicant Iddo Benzeevi spoke on behalf of the development.

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder.

**Recommendation: That the City Council:**

Conduct a public hearing and subsequently introduce Ordinance No. 825, for adoption of the First Amendment to the Aquabella Development Agreement (P11-029).

Ordinance No. 825

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a First Amendment to the Aquabella Development Agreement (P11-029) to Remove Planning Area 2

**Motion to Approve and Waive the Reading of the Ordinance by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**

**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

**E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2011/12 (Report of: Public Works Department)**

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

**Recommendation: That the CSD:**

1. Conduct a Public Hearing to approve and adopt the following proposed resolutions:

Resolution No. CSD 2011-09

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 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**

**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

2. Approve and adopt the proposed Resolution No. CSD 2011-10;  
Resolution No. CSD 2011-10

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 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

3. Approve and adopt the proposed Resolution No. CSD 2011-11 (Zone C);

Resolution No. CSD 2011-11

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 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

4. Approve and adopt the proposed Resolution No. CSD 2011-12 (Zone D);

Resolution No. CSD 2011-12

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 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

5. Approve and adopt the proposed Resolution No. CSD 2011-13 (Zone E);

Resolution No. CSD 2011-13

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 (Extensive Landscape Maintenance) Services During Fiscal Year 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

6. Approve and adopt the proposed Resolution No. CSD 2011-14 (Zone E-1A);

Resolution No. CSD 2011-14

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 – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

7. Approve and adopt the proposed Resolution No. CSD 2011-15 (Zone E-3A);

Resolution No. CSD 2011-15

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 Internal Parkway Landscape Maintenance) Services During Fiscal Year 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

8. Approve and adopt the proposed Resolution No. CSD 2011-16 (Zone E-4A);

Resolution No. CSD 2011-16

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 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

9. Approve and adopt the proposed Resolution No. CSD 2011-17 (Zone M);

Resolution No. CSD 2011-17

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 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

10. Approve and adopt the proposed Resolution No. CSD 2011-18 (Zone S);

Resolution No. CSD 2011-18

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 2011/2012

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**  
**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**



**E.3 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) 2011/2012 ANNUAL RATES (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 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. 2011-56, 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. 2011-56**

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

**Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

**E.4 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2011-12 (Report of: Financial & Administrative Services 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 receive public comments on the City's appropriations limit for Fiscal Year 2011-12; and
2. Adopt Resolution No. 2011-57 establishing the appropriations limit at \$89,463,807 for the City of Moreno Valley for Fiscal Year 2011-12.

Resolution No. 2011-57

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2011-12

**Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**

**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

**E.5 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2011-12 (Report of: Financial & Administrative Services Department)**

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

**Recommendation: That the CSD:**

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2011-12; and
2. Adopt Resolution No. CSD 2011-19 establishing the appropriations limit at \$14,416,480 for the Moreno Valley Community Services District for Fiscal Year 2011-12.

Resolution No. CSD 2011-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2011-12

**Motion to Approve by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina**

**Approved by a vote of 4-0-1, Board Member Robin N. Hastings absent.**

**E.6 A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE MUNICIPAL CODE (PA10-0035) TO IMPLEMENT NEW DESIGN**

**STANDARDS TO COMPLY WITH THE 2010 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (Report of: Community and Economic Development 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. RECOGNIZE that PA10-0035 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and
2. Introduce Ordinance No. 826 approving PA10-0035, amending sections 9.03 Residential Development, 9.08 Grading, 9.11 Parking, Pedestrian and Loading, 9.16 Design Guidelines and 9.17 Landscape Requirements of Title 9 of the City of Moreno Valley Municipal Code (Attachment 3) and Landscape Standards (Attachment 4).

Ordinance No. 826

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code Regarding Sections 9.03 Residential Development, 9.08 Grading, 9.11 Parking, Pedestrian and Loading, 9.16 Design Guidelines and 9.17, Landscape Requirements and Landscape Standards

**Motion to Approve and Waive the Reading of the Ordinance by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

**E.7 HEARING ON PROPOSED RESOLUTION OF NECESSITY, TO MAKE FINDING AND DETERMINATION AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT OF WAY FOR THE PERRIS BOULEVARD WIDENING FROM IRONWOOD AVENUE TO MANZANITA AVENUE PROJECT - PROJECT NO. 11-41570225 (Report of: Public Works Department)**

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Pete Bleckert.

**Recommendation: That the City Council:**

1. Conduct hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing;
2. Approve and adopt the Planning Division's finding that the Project is consistent with the General Plan;

**Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

3. Find the adoption of the proposed Resolution of Necessity and acquisition of the roadway easements necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Mitigated Negative Declaration (MND) prepared for the Project, that there have been no changes to the approved Project since the approval of the MND, and no changes to the circumstances under which the Project is to be undertaken that would alter the determination the Project is exempt;

**Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

4. Find that the proposed "Factual Summary to Support Findings Required in the Resolution," is true and correct as to the proposed Resolution of Necessity;

**Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

5. Find and determine that the statement, finding, and fact in the proposed Resolution of Necessity are true and correct;

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

**Pro Tem Jesse L. Molina**

**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

6. Adopt the following Resolution by a vote of two-thirds of all members of the City Council, Resolution No. 2011-58, A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Necessity Require the Acquisition of Property for Public Street and Highway Purposes Including Related Improvements and Facilities; That the Acquisition and Taking of the Easements In the Herein-Described Property is Necessary for the Project; That the Project is Planned in a Manner that is Most Compatible with the Greatest Public Good and the Least Private Injury; Authorizing Proceedings to be Commenced in Eminent Domain; and Authorizing the Deposit of Necessary Funds and the Payment of Necessary Expenses and Fees for Acquisition of Said Property; and Authorizing Counsel to Obtain an Order for Prejudgment Possession of the Subject Properties [APN NOs: 474-064-001, 474-120-008, and 474-120-024]; and

Resolution No. 2011-58

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Necessity Require the Acquisition of Property for Public Street and Highway Purposes Including Related Improvements and Facilities; that the Acquisition and Taking of the Easement in the Herein-Described Property is Necessary for the Project; that the Project is Planned in a Manner that is Most Compatible with the Greatest Public Good and the Least Private Injury; Authorizing Proceedings to be Commenced in Eminent Domain; and Authorizing the Deposit of Necessary Funds and the Payment of Necessary Expenses and Fees for Acquisition of Said Property; and Authorizing Counsel to Obtain an Order for Prejudgment Possession of the Subject Property

**Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**

**Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.**

7. Direct the City Attorney or retained counsel for the City to file appropriate actions in Eminent Domain, including Making Deposits of Probable Compensation and for Orders for Prejudgment Possession and for all other appropriate orders.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina  
Approved by a vote of 4-0-1, Council Member Robin N. Hastings absent.

**ADJOURNED REGULAR MEETING  
RECONVENED SPECIAL MEETING**

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

None

**AGENDA ORDER**

**PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

Radene Ramos Hiers

1. City Manager's salary
2. Soil contamination in District 4
3. Shift of financial responsibility from developers to taxpayers

Marcia Amino

1. City Manager's salary
2. *Bloomberg* article
3. Economic Development Plan

Kenny Bell

1. Jobs
2. Public outbursts at City Council meetings
3. Housing inspections

Pete Bleckert

1. Road Commissioner
2. Edgemont representation
3. Perris Blvd. improvements
4. Electric company missing documents
5. Will do what is necessary to save his reputation

Scott Heveran

1. Public safety
2. Checkpoints
3. Graffiti Removal Program

4. Red light cameras
5. Important to look after our children

Sue Gilchrist

1. Moreno Valley Equestrian Center sound study
2. Roy Rogers Rangers event
3. Claim filed with City Clerk

Deanna Reeder

1. Aquabella Project
2. Skechers
3. Right to speak

## AGENDA ORDER

### G. REPORTS

**G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)**

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

**Recommendation: That the City Council:**

Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 19862, 19912, 20941, 21737, 22371, and 31591.

**G.4 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED SUB-ZONES FOR A PROPOSED INCREASE IN THE CSD ZONE E (EXTENSIVE LANDSCAPE MAINTENANCE) ANNUAL PARCEL CHARGE (Report of: Public Works Department)**

President Stewart opened the agenda item for public comments, which were received from Jeff Giba (Hidden Springs), Aja Smith (Moreno Valley Ranch), Deanna Reeder (All zones, E3), and Marcia Amino (Hidden Springs).

**Recommendation: That the City Council:**

Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for the proposed increase in the

CSD Zone E annual parcel charge for Zone E-1 (TownGate), Zone E-2 (Hidden Springs), Zone E-3A (Lasselle Powerline Parkway), and Zone E-4 (Moreno Valley Ranch-East) landscape areas.

## **H. LEGISLATIVE ACTIONS**

**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 Batey

None

Mayor Pro Tem Molina

None

Council Member Co

None

Mayor Stewart

1. Recent murder is suspected to be gang related; extra gang officers have been assigned
2. Hidden Springs Residents Committee meetings
3. Look at cap for CSD zone administrative and inspection fees
4. Landscaping is a local tract issue
5. Congratulated Pete Bleckert for his recent Masonic recognition

**CLOSED SESSION - NONE**



## ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:39 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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Richard A. Stewart, Mayor  
President, Moreno Valley Community Services District  
Chairperson, Community Redevelopment Agency of the City of Moreno Valley  
Chairperson, Board of Library Trustees