

**MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
JUNE 28, 2011**

CALL TO ORDER

SPECIAL PRESENTATIONS

[1. Recognition of Morning Optimist Club of Moreno Valley](#)

[2. Volunteers of the Year 2010 - Steven Morel, Jarrett Wegelin, Trent Terrell, Jarred Endres, Kyle Dagenhart, and Tim Barnes](#)

[3. Spotlight Business](#)

MINUTES
REGULAR MEETING OF 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 OF MORENO VALLEY PUBLIC FACILITIES FINANCING
CORPORATION (MVPFFC)

JUNE 28, 2011 - 6:30 PM

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – Pledge of Allegiance was led by Mayor Stewart

INVOCATION - Deacon Richard Heames, St. Patrick's Roman Catholic Church

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem (left at 9:45 p.m.)
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	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
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 Pete Bleckert.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF JUNE 14, 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 June 8-21, 2011.

A.4 [WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2011/2012 RATE ADJUSTMENT \(Report of: Public Works Department\)](#)

Recommendation:

Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2011/2012 Rate Adjustment.

A.5 [NOTICE OF COMPLETION AND ACCEPTANCE OF THE DRACAEA AVENUE SIDEWALK IMPROVEMENTS BETWEEN MORRISON STREET AND MASCOT LANE PROJECT NO. 10-12567129 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the work as complete for the Dracaea Avenue Sidewalk Improvements between Morrison Street and Mascot Lane, constructed by Mamco, Inc., 16840 Van Buren Boulevard, Suite 200, Riverside, CA 92504;
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 Mamco, Inc., 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 road system.

A.6 [APPROVAL OF CHECK REGISTER FOR APRIL, 2011 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2011-63, approving the Check Register for the month of April, 2011 in the amount of \$13,104,818.91.

Resolution No. 2011-63

A Resolution of the City Council of the City of Moreno Valley, California, approving the Check Register for the Month of April, 2011

A.7 [RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE \\$91,557 ALLOCATION TO THE CITY \(Report of: Community and Economic Development Department\)](#)

Recommendation:

Approve Resolution No. 2011-64 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the \$91,557 allocated to the City.

Resolution No. 2011-64

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the \$91,557 Allocation

A.8 [ORDINANCE NO. 827 - AN ORDINANCE 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 \(RECEIVED FIRST READING AND INTRODUCTION ON JUNE 14, 2011, BY A 5-0 VOTE\) \(Report of: Public Works Department\)](#)

Recommendation:

Adopt 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

A.9 [SECOND AMENDMENT OF INDEPENDENT CONTRACTOR AGREEMENT FOR PLAN CHECK SERVICES - MELAD & ASSOCIATES \(Report of: Community & Economic Development Department\)](#)

Recommendation:

1. Approve the Second Amendment of Independent Contractor Agreement with Melad & Associates for Plan Check Services;
2. Authorize the Mayor to execute the Amendment;
3. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and
4. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to Melad & Associates to cover the estimated costs for providing services for the Building & Safety Division for FY2011/2012.

A.10 [THIRD AMENDMENT OF INDEPENDENT CONTRACTOR AGREEMENT FOR PLAN CHECK SERVICES - WILLDAN \(Report of: Community & Economic Development Department\)](#)

Recommendation:

1. Approve the Third Amendment of Independent Contractor Agreement with Willdan for Plan Check Services;
2. Authorize the Mayor to execute the Amendment;
3. Authorize the City Manager to approve the annual purchase orders

through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and

4. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to Willdan to cover the estimated costs for providing services for the Building & Safety Division for FY2011/2012.

A.11 APPROVAL OF AN AGREEMENT WITH DATATICKET, INC. FOR PARKING CONTROL PROGRAM SERVICES; AUTHORIZE THE CITY MANAGER TO APPROVE ANNUAL PURCHASE ORDERS THROUGH THE TERM OF THE AGREEMENT; AND AUTHORIZE THE PURCHASING & FACILITIES MANAGER TO ISSUE ANNUAL PURCHASE ORDERS (Report of: Community & Economic Development Department)

Recommendation:

1. Approve the Agreement with DataTicket, Inc. for Parking Control Program Services for the City of Moreno Valley;
2. Authorize the City Manager to approve the annual purchase orders through the term of the Agreement at the budget amount approved by the City Council during the annual budget process; and
3. Upon approval of the annual purchase order by the City Manager, authorize the Purchasing & Facilities Division Manager to issue the purchase order to DataTicket, Inc. to cover the estimated costs for ticket processing, ticket printing, and other miscellaneous costs associated with the Parking Control Program for FY 2011/2012 and future years under the Agreement.

A.12 PA07-0090 – EXONERATION OF ROUGH GRADING AGREEMENT AND BOND, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Contingent upon completion of the remaining public improvements, authorize the City Engineer to execute the exoneration of the Faithful Performance security associated with the project PA07-0090 rough grading improvements.

A.13 AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR CYCLE 3 OF

THE FEDERAL SAFE ROUTES TO SCHOOL GRANT PROGRAM (Report of: Public Works Department)

Recommendation:

1. Review and approve project recommendations for Cycle 3 of the federal Safe Routes to School (SRTS) grant program; and
2. Adopt Resolution No. 2011-71 authorizing the submittal of applications for Cycle 3 of the federal Safe Routes to School (SRTS) Grant Program.

Resolution No. 2011-71

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Submittal of Applications for Cycle 3 of the Federal Safe Routes to School (SRTS) Grant Program

- A.14 PA07-0090 – REDLANDS ROUGH GRADING – REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE REDLANDS DRAINAGE IMPROVEMENTS AS COMPLETE AND INTO THE CITY’S MAINTAINED SYSTEM, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Contingent upon completion of the remaining public improvements, adopt the proposed Resolution authorizing the acceptance of the Redlands Drainage public improvements within project PA07-0090 as complete and into the City’s maintained system.; and

Resolution No. 2011-67

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Project Number PA07-0090 and Accepting the Redlands Drainage Improvements Associated with the Project into the City’s Maintained System

2. Authorize the City Engineer, upon approval and acceptance of the improvements, 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.15 [PA07-0090 – EUCALYPTUS ELECTRICAL IMPROVEMENTS – ELECTRICAL UTILITY INFRASTRUCTURE – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE ELECTRICAL UTILITY INFRASTRUCTURE AS COMPLETE AND ACCEPTING THE UTILITY ELECTRICAL INFRASTRUCTURE INTO THE CITY’S MAINTAINED SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Adopt the proposed Resolution accepting into the City’s maintained system the Electrical Utility Infrastructure for PA07-0090 - Eucalyptus Electrical Improvements upon acceptance by the City Engineer as complete; and

Resolution No. 2011-68

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Utility Electrical Infrastructure for the Eucalyptus Electrical Improvements as Complete Within Project PA07-0090, and Accepting the Utility Electrical Infrastructure into the City’s Maintained System

2. Authorize the City Engineer, upon approval and acceptance of the improvements by 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.16 [PA07-0090 – THEODORE STREET IMPROVEMENTS - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THEODORE STREET INTO THE CITY’S MAINTAINED STREET SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THE THEODORE STREET - DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Adopt the proposed Resolution accepting into the City’s maintained street system the Theodore Street public improvements within project PA07-0090 upon acceptance by the City Engineer as complete; and

Resolution No. 2011-69

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Project Number PA07-0090 and Accepting the Portion of Theodore Street Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer, upon approval and acceptance of the improvements by 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.17 [PA07-0090 – SINCLAIR OFF-SITE WATER IMPROVEMENTS – REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PUBLIC IMPROVEMENTS AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Contingent upon completion of the remaining public improvements, accept the Sinclair Off-Site Water Improvements as complete but not into the City's maintained street system within project PA07-0090; and
2. Authorize the City Engineer, upon approval and acceptance of the improvements, 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.18 [PA07-0090 – REDLANDS SEWER IMPROVEMENTS – REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PUBLIC IMPROVEMENTS AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Contingent upon completion of the remaining public improvements, accept the Redlands Sewer Improvements as complete but not into the City's maintained street system within project PA07-0090; and
2. Authorize the City Engineer, upon approval and acceptance of the improvements, 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.19 [PA07-0090 – REDLANDS WATER IMPROVEMENTS – REDUCE FAITHFUL PERFORMANCE BOND AND ACCEPT THE PUBLIC IMPROVEMENTS AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Contingent upon completion of the remaining public improvements, accept the Redlands Water Improvements as complete but not into the City's maintained street system within project PA07-0090; and
2. Authorize the City Engineer, upon approval and acceptance of the improvements, 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.20 [PA07-0090 \(PM 35629\) – ACCEPT DEVELOPMENT IMPACT FEE \(DIF\) IMPROVEMENT CREDIT AGREEMENT #D11-001 FOR PARCEL MAP NO. 35629 PHASE 1 IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D11-001 (DIF Agreement) for Parcel Map No. 35629 Phase 1 improvements and right-of-way dedications; and
2. Authorize the Mayor to execute the DIF Agreement.

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 JUNE 14, 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 JUNE 14, 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 JUNE 14, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

Motion to Approve Joint Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Marcelo Co Approved by a vote of 5-0.

ADJOURNED 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 TO THE SPECIAL MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)

SPECIAL MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)

CALL TO ORDER

CALL TO ORDER - The Special meeting of the Moreno Valley Public Facilities Financing Corporation was called to order at 6:50 p.m. by President Stewart in the Council Chamber located at 14177 Frederick St.

ROLL CALL

Board of Directors:

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

PUBLIC COMMENTS ON THE SPECIAL MEETING AGENDA

President Stewart opened the agenda item for public comments, which were received from Pete Bleckert.

G. REPORTS

- G.1 [CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD; DEVELOPER: CITY OF MORENO VALLEY \(Report of: Public Works Department\)](#)

Recommendation:

1. Authorize the President of the Board of Directors of the Moreno Valley Public Facilities Financing Corporation (MVPFFC) to execute the Offer of Dedication on Santiago Drive east of Perris Boulevard; and
2. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate and to transmit the Offer of Dedication with Acceptance Certificate to the County Recorder's office for recordation.

Motion to pull the item from the agenda by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

ADJOURNED THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC) 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 AT 6:53 P.M.

RECONVENED 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 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 public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes).

Recommendation: That the CSD:

1. After conducting the public hearing for Tracts 19862, 19912, 20941, 21737, 22371, and 31591:

Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charges for Tracts 19862, 19912, 20941, 21737, 22371, and 31591;

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

Item continued to a later time in the Council meeting to give the City Clerk the opportunity to tabulate the ballots.

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charges for Tracts 19862, 19912, 20941, 21737, 22371, and 31591.

E.2 [PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE CSD ZONE E \(EXTENSIVE LANDSCAPE MAINTENANCE\) ANNUAL PARCEL CHARGE FOR SELECTED SUB-ZONES \(Report of: Public Works Department\)](#)

President Stewart opened the public testimony portion of the public hearing. Public testimony was received from Jeffrey Giba and Deanna Reeder.

Recommendation: That the CSD:

1. After conducting the public hearing for Zone E-1 (Towngate), Zone E-2 (Hidden Springs), Zone E-3A (Lasselle Powerline Parkway), and Zone E-4 (Moreno Valley Ranch-East):

Direct the Secretary of the CSD Board (City Clerk) to tabulate the returned ballots for the proposed increase in the CSD Zone E annual charges for Zone E-1, Zone E-2, Zone E-3A, and Zone E-4;

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

Item continued to a later time in the Council meeting to give the City Clerk the opportunity to tabulate the ballots.

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the proposed increase in the CSD Zone E annual charges for Zone E-1, Zone E-2, Zone E-3A, and Zone E-4.

E.3 [PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2011/2012 Riverside County property tax roll for collection; and
2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health

and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

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

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

- E.4 [A PUBLIC HEARING FOR AN APPEAL OF A PLANNING COMMISSION DENIAL OF PA09-0027, A CONDITIONAL USE PERMIT REQUEST TO SELL ALCOHOL AND BEER AT A AN EXISTING CONVENIENCE STORE AT 21748 COTTONWOOD AVENUE. THE APPLICANT IS SOON-YI CHOI. \(Report of: Community and Economic Development Department\)](#)

Recommendation: That the City Council:

Adopt Resolution No. 2011-66 approving PA09-0027, a Conditional Use Permit based on the findings in the Resolution.

Resolution No. 2011-66

Resolution of the City Council of the City of Moreno Valley Approving PA09-0027, A Conditional Use Permit to Allow Alcohol Sales (Beer and Wine) at the Existing Convenience Store Located at 21748 Cottonwood Avenue APN # 263-160-037

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Bob Walker (opposes), Maricela Lopez (opposes), and Justin Kim (representing applicant).

RECESS
RECONVENED

Motion to Approve as amended to allow alcohol sale during the hours between 8:00 a.m. and 8:30 p.m. by m/Council Member William H. Batey II, s/Council Member Marcelo Co
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 that a nice reception for Mr. Holland, Deputy Secretary of the Air Force for Facilities, was held at Supervisor Marion Ashley's home; Mr. Holland was given a tour of March Joint Powers area and the base; a formal meeting with wing commander and military personnel, Joint Powers members and civil engineers will be held to discuss several issues, including the potential for the developer to actually relocate BX and the commissary to inside the base at the developer's expense and use that area for expansion of medical facilities.

G.2 [APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS \(Report of: City Clerk's Department\)](#)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or
2. Appoint those applicants who received majority vote by the City Council;
3. If vacancies are not filled by a majority vote of the City Council, authorize the City Clerk to re-advertise the positions as vacant and carry over the current applications for reconsideration of appointment at a future date.

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

Motion to make following appointments for terms expiring June 30, 2014:

The Arts Commission: Lorna Kendrick, Laretta Phillips and Nina Heirs;
The Environmental & Historical Preservation Board: Gerald Michael Budlong and Gregory A. Hagans;
The Library Commission: Beverly A. Crockett, Kristina Dixon and Cathy Merkt;
The Parks & Recreation Commission: Bill Alvarez and George Brummer;
The Recreational Trails Board: Margie Breikreuz and Gilbert Brooks;
The Senior Citizens' Board: Delorise Anderson, Donna Annetta and Thelma Dunn;
The Traffic Safety Commission: Lawrence Baird, Mary C. Cole and Arthur W. Higgs.

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

- G.3 [PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029](#) [BALLOTING FOR NPDES AND CSD ZONE M \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

Accept public comments regarding the mail ballot proceeding for First Industrial—Assessor Parcel Numbers (APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

Recommendation: That the CSD:

Accept public comments regarding the mail ballot proceeding for First Industrial—APNs 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029 for inclusion into and approval of the annual charges 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 [AFFORDABLE HOUSING AGREEMENT BY AND BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV HEMLOCK LP \(Report of: Community & Economic Development Department\)](#)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-70 consenting to the approval by the Community Redevelopment Agency of the City of Moreno Valley of an Affordable Housing Agreement by and between the Agency and MV Hemlock LP, a limited partnership; and

Resolution No. 2011-70

A Resolution of the City Council of the City of Moreno Valley Consenting to the Approval by the Community Redevelopment Agency of the City of Moreno Valley with MV Hemlock Limited Partnership, a California Limited Partnership and Approving and Authorizing Execution of an Affordable Housing Agreement (Home) Between the City and MV Hemlock Limited Partnership, a California Limited Partnership

Motion to approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 5-0.

2. Approve an Affordable Housing Agreement for HOME by and between the City of Moreno Valley and MV Hemlock LP, a limited partnership; and

Recommendation: That the RDA:

Adopt Resolution No. RDA 2011-10 approving an Affordable Housing Agreement by and between the Agency and MV Hemlock LP.

Resolution No. RDA 2011-10

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Affordable Housing Agreement by and Between the Agency and MV Hemlock Limited Partnership, a California Limited Partnership

Motion to approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co
Approved by a vote of 5-0.

- G.5 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#) - none

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

- H.2 .1 [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 \(RECEIVED FIRST READING AND INTRODUCTION ON JUNE 14, 2011 ON A 4-0-1 VOTE, HASTINGS ABSENT\)](#) (Report of:

[Community & Economic Development Department](#)

Recommendation: That the City Council:

Adopt 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

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

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 abstained.

H.2 .2 [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 \(RECEIVED FIRST READING AND INTRODUCTION ON JUNE 14, 2011 ON A 4-0-1 VOTE, HASTINGS ABSENT\) \(Report of: Community and Economic Development Department\)](#)

Recommendation: That the City Council:

Adopt 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

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

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 abstained.

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

Marie Hyta

1. Spending priorities; building a new fire station on Morrison; Station 58; salary of city administrator

Deanna Reeder

1. Redevelopment fund for the Aquabella project
2. Conduct during council meetings

Alicia Espinoza

1. DUI check points

Kenny Bell

1. Meetings of Home Owners Associations
2. Citizens' input/contributions

Librada Murillo

1. in Spanish

Jeffrey Giba

1. Increase of theft from recycle bins; thanked police officers for great job

Sue Gilchrist

1. Residents' contribution/input
2. Retirement benefits
3. Rancho Belago signs

Louise Palomarez

1. Red light camera on Day Street
2. Commended the Council for awarding alcohol business license and for supporting businesses
3. Rancho Belago signs

Victoria Baca

1. Fourth of July celebration
2. Cultural events in the City
3. Wished everyone a safe and happy 4th of July

Joe Bautista

1. Budget - reorganization in the City Clerk's Office

Pete Bleckert

1. Gate at Hemlock Street

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

Council Member Batey

1. Congratulated Council Member Hastings for being installed as the new Chair of the Western Riverside Council of Governments

Council Member Co

1. Inquires about the incident with the tow truck company and a lost car
2. Attended WRCOG General Assembly reception with Condoleezza Rice as a speaker; was very impressed with the speaker, who talked about real things in life, is very humble and direct when talking to people

Council Member Hastings

1. Thanked Mr. Bell for his kind comments and for attending the Moreno Valley Crime Prevention meeting; thanked Chief Anderson for attending the meeting to address concerns about the crime, and what can be done about it; it was a very productive and well-attended meeting; appreciates the opportunity to meet with residents
2. Will be participating in the July 12 City Council meeting via teleconference; will attend a WRCOG meeting in Washington, DC, for the AB 811 program; more information about the program can be found on WRCOG Web site; anticipates that applications will be available at the end of this month
3. Appreciates the support for the 4th of July program; Thanked City Manager Garcia for the seed money; encouraged residents to volunteer
3. Addressed speaker's comments opposing shooting rangers – stated that this is a valuable program - payment of fees will allow the center to stay open; emphasized that residents' comments are not ignored and they are appreciated

Mayor Stewart

1. Responded to speaker's comment regarding Redevelopment Agency's support for the Burlington Coat Factory; said that the City is assisting new and existing businesses, as businesses generate sales tax revenue; the Economic Development Plan was developed to improve infrastructure and to retain existing

businesses

2. Fourth of July celebration with fireworks is expensive; the City is going to work very hard to have the celebration the next year

3. Regarding concerts - last concert he attended a few weeks ago was a patriotic concert at the Conference and Recreation Center, and it was a standing room only; it is provided for free four times a year; other cultural events are also held in the City

4. The Council received only three applications for three openings on the Arts Commission - encouraged residents to apply, get involved and help out

5. Addressed comments regarding clapping during council meetings - we don't allow outburst of support or opposition, as it is intimidating to speakers

Adjourned to Closed Session at 9:41 p.m.

CLOSED SESSION

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

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

The Closed Session will be held 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

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential
Management Employees

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

None

RECONVENED Regular City Council Meeting at 10:02 p.m.

E.1 PUBLIC HEARING 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)

The Secretary announced the results as follows:

Tract 19862:	“Yes” - 3;	“No” - 6;	Invalid - 7	-failed
Tract 19912:	“Yes” - 7;	“No” - 24;	Invalid - 0	-failed
Tract 20941:	“Yes” - 10;	“No” - 14;	Invalid - 0	-failed
Tract 21737:	“Yes” - 0;	“No” - 3;	Invalid - 1	-failed
Tract 23371:	“Yes” - 3;	“No” - 7;	Invalid - 0	-failed
Tract 31591:	“Yes” - 1;	“No” - 6;	Invalid - 0	-failed

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk’s office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charges for Tracts 19862, 19912, 20941, 21737, 22371, and 31591.

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

E.2 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE CSD ZONE E (EXTENSIVE LANDSCAPE MAINTENANCE) ANNUAL PARCEL CHARGE FOR SELECTED SUB-ZONES (Report of: Public Works Department)

The Secretary announced the results as follows:

Tract No. E-1:	“Yes” - 440;	“No” - 542;	Invalid – 6;	-failed
Tract No. E-2:	“Yes” - 139;	“No” - 257;	Invalid – 11;	-failed
Tract No. E-3A:	“Yes” - 34;	“No” - 66;	Invalid – 2;	-failed
Tract No. E-4:	“Yes” - 212;	“No” - 393;	Invalid – 14;	-failed

2. Verify and accept the results of the mail ballot proceedings as

identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet; and
4. If approved, authorize and impose the proposed increase in the CSD Zone E annual charges for Zone E-1, Zone E-2, Zone E-3A, and Zone E-4.

Motion to approve by m/Board Member William H. Batey II, s/Board Member Robin N. Hastings

Approved by a vote of 4-0-1, Vice President Pro Tem Molina absent.

Motion to Adjourn by m/Council Member William H. Batey II, s/Council Member Marcelo Co. Approved by a unanimous vote.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:10 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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