

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
August 23, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter - Investigator Duke Viveros
2. Employee of the Quarter - Patty Posey
3. Recognition of 2011 Summer Reading Program Super Readers, by Moreno Valley Friends of the Library

**MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 PM
August 23, 2011**

CALL TO ORDER

The 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 6:40 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member Co.

INVOCATION - Pastor O. J. Philpot - Christ Community Church

ROLL CALL

Council:

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

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community 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 Richard A. Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Scott Heveran (A.15), and Deanna Reeder (A10, A17, & A15).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF JULY 12, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

A.3 [MINUTES - SPECIAL MEETING OF JULY 26, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

A.4 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk Department\)](#)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of July 6 - August 16, 2011.

A.5 [AMENDMENT TO THE RULE 20A UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and
2. Approve the reprioritized Rule 20A priority list.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE-MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE-PERRIS BOULEVARD/LASSELLE STREET; LASSELLE STREET-JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET-CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD-MORRISON STREET/MORENO BEACH DRIVE. (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue-Moreno Beach Drive to Quincy Street; John F. Kennedy Drive-Perris Boulevard to Lasselle Street; Lasselle Street-John F. Kennedy Drive to Cactus Avenue; Cactus Avenue-Lasselle Street to Nason Street; Nason Street-Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard-Morrison Street to Moreno Beach Drive. All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536;
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 H & H General Contractors, 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 electric utility system.

A.7 APPROVAL OF CHECK REGISTER FOR MAY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of \$10,409,143.31.

Resolution No. 2011-85

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

A.8 [APPROVAL OF CHECK REGISTER FOR JUNE, 2011 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of \$16,100,598.73.

Resolution No. 2011-86

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

A.9 [RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED JUNE 30, 2011 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

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

A.10 [ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS \(SCAG\) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS \(SCAG\) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY \(Report of: Community & Economic Development Department\)](#)

Recommendation:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and
2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

Resolution No. 2011-87

A Resolution of the City Council of the City of Moreno Valley, California, in Support of and Participation with the Southern California Association of Governments as a Compass Blueprint Strategy Demonstration Community.

A.11 [ADOPT A RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE - PROJECT NO. 08-89791725 \(Report of: Public Works Department\)](#)

Recommendation:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321;

Resolution No. 2011-88

A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intent to Vacate Motor Way Between Auto Mall Drive and Eucalyptus Avenue

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323;
3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323; and
4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

A.12 [ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING –SEPTEMBER 23, 2011 \(Report of: City Clerk's Department\)](#)

Recommendation:

Adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

Resolution No. 2011-89

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2011 Annual Conference

- A.13 [PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT, AND ROLANDA DRIVE \(Report of: Public Works Department\)](#)

Recommendation:

Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

Resolution No. 2011-90

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Pattilyn Drive, Challis Court and Rolanda Drive.

- A.14 [PA06-0152 \(PM 35150\) – ACCEPT DEVELOPMENT IMPACT FEE \(DIF\) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS; BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET DEVELOPER: IDS REAL ESTATE GROUP, LOS ANGELES, CA 90071 \(Report of: Community & Economic Development Department\)](#)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements;
2. Authorize the Mayor to execute the DIF Agreement in the form; and
3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

- A.15 [ORDINANCE NO. 832, AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE \(RECEIVED FIRST READING AND INTRODUCTION ON JULY 26, 2011, BY A 5-0 VOTE\) \(Report of: Community & Economic Development Department\)](#)

Recommendation:

Adopt Ordinance No. 832, an Ordinance of the City of Moreno Valley electing to comply with and participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code.

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

- A.16 [AWARD THE PURCHASE OF LIGHT EMITTING DIODE \(LED\) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS \(IISNS\) AT SIGNALIZED INTERSECTIONS - PROJECT NO. LED-229-80510 \(Report of: Public Works Department\)](#)

Recommendation:

1. Award the contract for the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, CA. 91763; and
2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of \$156,457.00.00, (Account No. 229.80510.7200).

- A.17 [APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12 \(ATTACHMENT A TO BE PROVIDED UNDER SEPARATE COVER\) \(Report of: Human Resources Department\)](#)

Recommendation:

Approve the successor Memoranda of Understanding (MOU's) between

the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

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 JULY 12, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

B.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:

Approve as submitted.

B.4 [EXTENSION OF CONTRACT - APPROVE SECOND AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. \(Report of: Parks and Community Services Department\)](#)

Recommendation:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of \$148,680.00; \$122,760.00 for Community Services District ("CSD") Zone A and \$25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;
2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and
3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS (\$122,760.00) for CSD Zone A for twelve months, and; TWENTY-FIVE THOUSAND NINE HUNDRED

TWENTY AND NO/100 DOLLARS (\$25,920.00) for CFD #1 for twelve months.

B.5 [ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD \(Report of: Parks and Community Services Department\)](#)

Recommendation:

1. Authorize the acceptance of grant money in the amount of \$605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and
2. Adopt Resolution No. CSD 2001-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

Resolution No. CSD 2011-23

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2011/12

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 JULY 12, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

C.3 MINUTES - SPECIAL MEETING OF JULY 26, 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 JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:

Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2 by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING FOR PA11- 0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres;

Resolution No. 2011-91

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Detachment of two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley to allow for Concurrent Annexation to the City of Perris

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels; and

Resolution No. CSD 2011-24

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to request the Riverside Local Agency Formation Commission Initiate Proceedings for a City Boundary Amendment involving a Detachment of Parcels from the Moreno Valley Community Services District

3. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

Resolution No. 2011-92

A Resolution of the City Council of the City of Moreno Valley, California, approving a Property Tax Transfer Agreement between the City of Moreno Valley and City of Perris regarding the Detachment of Two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley and concurrent Annexation to the City of Perris

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

Motion to Approve Recommendation No. 1 by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to Approve Recommendation No. 2 by m/Board Member Robin N. Hastings, s/Board Member William H. Batey II
Approved by a vote of 5-0.

Motion to Approve Recommendation No. 3 by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

- E.2 [PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 \(PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD\) \(Report of: Public Works Department\)](#)

Recommendation:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear

and protest the proposed sale of excess property; and

2. Authorize staff to solicit offers for the purchase of said real property.

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

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.

AGENDA ORDER

Item E.3 discussed after Public Comments

- E.3 [A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE \(PA08-0098\) FROM BUSINESS PARK \(BP\) TO LIGHT INDUSTRIAL \(LI\) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN \(PA08-0097\) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 \(PA09-0022\) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC \(ITEM CONTINUED FROM JULY 12, 2011 BY A 5-0 VOTE\) \(Report of: Community & Economic Development Department\)](#)

Recommendation: That the City Council:

1. Conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

If the City Council elects to uphold the Planning Commission's denial of Zone Change application PA08-0098:

ADOPT City Council Resolution No 2011-76 denying Zone Change application PA08-0098, based on the findings in the Resolution;

Resolution No. 2011-76

A Resolution of the City Council of the City of Moreno Valley, California, Denying a Change of Zone (PA08-0098) from BP

(Business Park) to LI (Light Industrial) for an Approximate 55 acre site, Located within Assessor's Parcel Numbers 488-330-003 through -006 and -026

2. OR

If the City Council elects to overturn the Planning Commission decision, and approve the project:

ADOPT City Council Resolution No. 2011-77 APPROVING AND CERTIFYING that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Attachment 1) has been completed in compliance with the California Environmental Quality Act;

Resolution No. 2011-77

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P08-133), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the West Ridge Commerce Center Project, Generally Located on the South Side of State Route 60, on the North Side of Fir Avenue/Future Eucalyptus Avenue and Approximately 650 Feet West of Redlands Boulevard

3. INTRODUCE Ordinance No. 829 APPROVING Zone Change application PA08-0098 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit A;

Ordinance No. 829

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Zone Change Application PA08-0098 to Change the Zone From Business Park to Light Industrial for a 55 Acre Site (Assessor's Parcel Numbers 488-330-003 Through -006 and -026)

4. INTRODUCE Ordinance No. 830 APPROVING Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial buildings from adjacent residential zones, based on the findings in the City Council Ordinance;

Ordinance No. 830

An Ordinance of the City Council of the City of Moreno Valley,

California, approving Application PA10-0017 Amending the Municipal Code to Make Changes to Chapter 9.05 Industrial Districts

5. ADOPT City Council Resolution No. 2011-78 APPROVING Plot Plan PA08-0097, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2011-78

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Plot Plan PA08-0097 for Development of a 937,260 Square Foot Warehouse Distribution Facility on 55 Acres Located Within Assessor's Parcel Numbers 488-330-003 Through -006 and -026

6. ADOPT City Council Resolution No. 2011-79 APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A

Resolution No. 2011-79

A Resolution of the City Council of the City of Moreno Valley, California, for Approval of Tentative Parcel Map 36207 (PA09-0022) to Combine the Existing Five Parcels Located Within the Project Site into a Single 55 Acre Parcel

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes), Frank Wright (opposes), Mike Rios, Daryl Terrell (supports), Theresa Carson (representing Sierra Club; opposes), Susan Gilchrist (opposes), Pete Bleckert (opposes), and Francisco Cuevas (opposes).

Motion to Continue the meeting past 11:00 p.m. until the completion of the last item by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

Motion to uphold Planning Commission decision and to deny zoning changing application by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Marcelo Co

No action taken - Motion pending.

Substitute Motion:

Substitute motion to continue the item (deliberation and decision only) to the September 6, 2011 special meeting (public testimony was closed) by m/Council Member William H. Batey II, s/Mayor Richard A. Stewart

Approved by a vote of 3-2, Mayor Pro Tem Jesse L. Molina, Council Member Marcelo Co opposed.

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

G. REPORTS

AGENDA ORDER

Item G1 discussed after Item G4.

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

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

Mayor Richard A. Stewart reported on the new education hanger at March Air Base Museum.

AMRO, an aviation-related manufacturing company, will hold a job fair on Thursday, August 25 at 9 a.m. at March Joint Powers Office inside the old base.

Council Member Robin N. Hastings reported that the issue of appointing a representative of Riverside County Office on Education to the executive committee serving as an ex officio, with no voting rights was brought to the attention of the administration of the Finance Committee; asked the Council for the input/opinion; received support from the council.

Item G2 discussed after Item G1.

G.2 [RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS \(Report of: City Clerk's Department\)](#)

Recommendation: That the City Council:

Adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected.

Resolution No. 2011-93

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Criteria to Guide the Process of Revising the Boundaries of the Districts from which Members of the City Council are Elected

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Deanna Reeder, Mike Rios and Tom Jerele Sr.

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.

G.3 [CITIZENS' PARTICIPATION ON-LINE REDISTRICTING \(PRESENTATION BY NATIONAL DEMOGRAPHICS CONSULTANT, ALAN HESLOP\)](#)

Mayor Richard A. Stewart opened the agenda item for public comments, which were received from Mike Rios.

No action required.

AGENDA ORDER

Item G4 discussed after Item E2.

G.4 [APPOINTMENT TO THE PARKS AND RECREATION COMMISSION \(TEENAGE MEMBER\) \(Report of: City Clerk Department\)](#)

Recommendation: That the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or
2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

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

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

AGENDA ORDER

Item G5 discussed after Item G3.

- G.5 [PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNs 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES \(Report of: Public Works Department\)](#)

Recommendation: That the City Council:

Accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

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

No action required.

- G.6 [PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M \(Report of: Public Works Department\)](#)

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 Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

President Richard A. Stewart opened the agenda item for public comments, which were received from Scott Heveran.

No action required.

- G.7 [PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A](#)

MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD (“CSD Board”), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

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

No action required.

AGENDA ORDER

Item G.8 discussed after Item G.9

- G.8 ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON SEPTEMBER 30, 2011 AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CALPERS (Report of: Human Resources Department)

Recommendation:

1. Adopt Resolution No. 2011- 59, to announce the City’s intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after September 30, 2011, and conduct the first reading of the related ordinance as required by CalPERS.

Resolution No. 2011-59

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

2. Introduce Ordinance No. 828.

Ordinance No. 828

An Ordinance 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

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

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

Recess;

Reconvened

AGENDA ORDER

Item G.9 discussed after Item G.7

- G.9 [A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE \(Report of: Community & Economic Development Department\)](#)

Recommendation: That the RDA:

Adopt Resolution No. RDA 2011-12, approving an Enforceable Obligation Payment Schedule.

Resolution No. RDA 2011-12

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Enforceable Obligation Schedule

Chairperson Richard A. Stewart opened the agenda item for public comments, which were received from Tom Jerele Sr.

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

G.10 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

H. LEGISLATIVE ACTIONS

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

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

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Public comments taken after Item G.8.

Pete Bleckert

1. Davis Road closure

Kenny Bell

1. AB 742

2. Pawn shops

Alicia Espinoza

1. Directly elected mayor

2. Pawn shops

Francisco Cuevas

1. Pawn shops

Deanna Reeder

1. Elected mayor issue

Daryl Terrell

1. New directions

Mike Rios

1. Pawn shops

2. Elected mayor

Scott Heveran

1. Elected mayor

2. Redistricting

Tom Jerele Sr.

1. Pawn shops

2. Televised study sessions

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,
COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT
AGENCY - None**

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn: there being no further business to conduct, the meeting was adjourned at 12:04 p.m. by unanimous informal consent. by m/Mayor Richard A. Stewart Approved by a vote of 5-0.

Submitted by:

City Clerk 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:

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

el