

**MINUTES**  
**CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY**  
**December 13, 2011**

**CALL TO ORDER**

SPECIAL PRESENTATIONS

- [1. A Child's Place and Time for Tots Holiday Singers](#)
- [2. Presentation by The Gas Company/Sempra Utilities to the Moreno Valley Black Chamber of Commerce Community Foundation for Project Green Energy Technology and Math Academy "GETMA"](#)
- [3. Moreno Valley Chamber of Commerce Donation to the Boy Scouts of America](#)
- [4. "Business Spotlight"](#)

**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  
December 13, 2011**

**CALL TO ORDER**

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:39 p.m. by Mayor Richard A. Stewart in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member William H. Batey II

**INVOCATION - Reverend Martin Finau - Moreno Valley United Methodist 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 (via teleconference)

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
Rick Hartmann	Interim Public Works Director
Barry Foster	Community and Economic Development Director
Tom DeSantis	Interim 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 Deanna Reeder (A10, A6, A7, A13, A19, and A22).

**A. CONSENT CALENDAR-CITY COUNCIL**

A.1 ORDINANCES - READING BY TITLE ONLY

**Recommendation:** Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF NOVEMBER 22, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**

Approve as submitted.

A.3 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES](#)

**Recommendation:**

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

A.4 [APPROVE THE APPROPRIATION OF \\$77,000 FROM FUND 233 FUND BALANCE TO 23310.6391 FOR THE PURCHASE OF MEDICAL SUPPLIES \(Report of: Fire Department\)](#)

**Recommendation:**

Approve the Appropriation of \$77,000 from Fund 233 Fund Balance to 23310.6391 for the Purchase of Medical Supplies.

A.5 [APPROVE UTILITY AGREEMENT WITH SOUTHERN CALIFORNIA EDISON \(SCE\) FOR THE SR-60/MORENO BEACH INTERCHANGE IMPROVEMENTS PROJECT \(PHASE 1\) -- PROJECT NO. 07-41570024 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Authorize the City Manager to execute a Utility Agreement with Southern California Edison to relocate utilities for the SR-60/Moreno Beach Interchange Improvements project;

2. Authorize the issuance of a Purchase Order to SCE for \$240,472 (\$200,393 plus 20% contingency) for the SR-60/Moreno Beach Interchange Improvements project (Account No. 897.91731); and
3. Authorize the Public Works Director and/or City Engineer to execute any subsequent related amendments to the Utility Agreement with SCE up to, but not exceeding, the contingency amount of \$40,079 subject to the approval of the City Attorney.

A.6 [AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR HEACOCK STREET BRIDGE OVER PERRIS VALLEY STORM DRAIN LATERAL "A" IMPROVEMENT - PROJECT NO. 06-12566825 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Award the construction contract for the Heacock Street Bridge over Perris Valley Storm Drain Lateral "A" Improvement project to KIP, Incorporated, 25740 Washington Avenue, Murrieta, CA 92562, the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with KIP, Incorporated;
3. Authorize the issuance of a Purchase Order to KIP, Incorporated in the amount of \$2,217,783 (\$2,016,166 base bid amount plus 10% contingency) when the contract has been signed by all parties;
4. Authorize the Public Works Director and/or the City Engineer to execute any subsequent change orders to the contract with KIP, Incorporated, up to but not to exceed the Purchase Order contingency of \$201,617, subject to approval of the City Attorney;
5. Authorize a full road closure of Heacock Street between Iris Avenue and Cardinal Avenue, including adjacent side streets, as necessary, for the construction of bridge and roadway improvements from January 2012 to October 1, 2012; and
6. Authorize the Public Works Director and/or the City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.7 [AUTHORIZATION TO ISSUE PURCHASE ORDER TO SOUTHERN CALIFORNIA EDISON \(SCE\) FOR RELOCATION OF UTILITIES FOR THE STREET IMPROVEMENTS ALONG CACTUS AVENUE BETWEEN LASSELLE STREET AND NASON STREET - PROJECT NO. 12-12599520](#)

(Report of: Public Works Department)

**Recommendation:**

1. Authorize the issuance of a Purchase Order to SCE in the amount of \$936,000 (\$780,000 plus 20% contingency) from Account No. 412.99532.7200; and
2. Authorize payment to SCE in an amount up to \$936,000 for relocation of SCE facilities associated with the street improvements on Cactus Avenue and Nason Street.

A.8 ACCEPTANCE OF CALTRANS HSIP CYCLE 4 GRANT AND FUNDING APPROPRIATION FOR ALESSANDRO MEDIAN BETWEEN INDIAN AND PERRIS PROJECT (Report of: Public Works Department)

**Recommendation:**

1. Accept the California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 4 grant award of up to \$900,000 in funds for the Alessandro Boulevard Median between Indian Street and Perris Boulevard project; and
2. Authorize the \$1,000,000 appropriation of unencumbered Measure "A" funds (Fund 125) for the design and construction costs of the Alessandro Boulevard median between Indian Street and Perris Boulevard project.

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN STREET BICYCLE LANES FROM IRIS AVENUE TO KATRINA AVENUE PROJECT - PROJECT NO. 11-12556331 (Report of: Public Works Department)

**Recommendation:**

1. Award the construction contract for the Indian Street Bicycle Lanes from Iris Avenue to Katrina Avenue Project to Elite Companies US, Inc., the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with Elite Companies US, Inc.;
3. Authorize the issuance of a Purchase Order to Elite Companies US, Inc. for a total amount of \$115,280.10 (\$96,066.75 base bid amount plus 20% contingency) when the contract has been signed by all parties; and
4. Authorize the Public Works Director to execute any subsequent change orders to the contract with Elite Companies US, Inc., up to

but not to exceed the Purchase Order's total contingency of \$19,213.35, subject to the approval of the City Attorney.

A.10 [AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL DESIGN AND PROJECT MANAGEMENT CONSULTANT SERVICES FOR THE STREET IMPROVEMENTS FOR NASON STREET FROM CACTUS AVENUE TO FIR AVENUE PROJECT – PROJECT NO. 15-12185820 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Approve the Agreement for Professional Design and Project Management Services with Proactive Engineering Consultants, for Street Improvements for Nason Street from Cactus Avenue to Fir Avenue;
2. Authorize the City Manager to execute the Agreement for Professional Design and Project Management Services with Proactive Engineering Consultants;
3. Authorize the issuance of a Purchase Order to Proactive Engineering Consultants in the amount of \$998,716.00 when the Agreement has been signed by all parties; and
4. Authorize the Public Works Director to execute any subsequent amendments to the Agreement with Proactive Engineering Consultants, up to but not to exceed the Purchase Order amount, subject to the approval of the City Attorney.

Item A.10 was discussed under Section F.

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

**Motion to Approve Item A.10 by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II**  
**Approved by a vote of 4-1, Council Member Robin N. Hastings opposed.**

A.11 [APPROVAL OF RESOLUTION NO. 2011-116 ADOPTING AN INTERNAL COMPLIANCE PROGRAM \(ICP\) GOVERNING MORENO VALLEY UTILITY'S COMPLIANCE WITH NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION \(NERC\) RELIABILITY STANDARDS APPLICABLE TO ALL USERS, OWNERS, AND OPERATORS OF THE BULK POWER SYSTEM \(Report of: Public Works Department\)](#)

**Recommendation:**

Adopt Resolution No. 2011-116 and the Internal Compliance Program governing Moreno Valley Utility's compliance with NERC Reliability Standards applicable to all users, owners, and operators of the bulk power system and authorizing the Public Works Director and/or City Engineer to make certain revisions to the program.

Resolution No. 2011-116

A Resolution of the City Council of the City of Moreno Valley, California, Adopting a Moreno Valley Utility Internal Compliance Program to Ensure Compliance with the North American Electric Reliability Corporation Reliability Standards and Authorizing the Public Works Director and/or City Engineer to make Certain Revisions to the Program

A.12 [RECEIVE THE ANNUAL REPORT ON DEVELOPMENT IMPACT FEES FOR FISCAL YEAR 2010-2011 \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation:**

1. Approve and accept the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006; and
2. Approve the finding that staff has demonstrated a continuing need to hold unexpended Development Impact Fees.

A.13 [APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR PARTIAL ACQUISITION OF APNS 478-120-003 & -004 FOR THE REDLANDS BOULEVARD FIRE STATION PROJECT – PROJECT NO. 11-43467830 \(Report of: Public Works Department/CPD\)](#)

**Recommendation:**

1. Approve the Agreement for Conveyance of Property for the partial acquisition of APNs 478-120-003 & -004 for the Redlands Boulevard Fire Station Project;
2. Authorize a total purchase price of \$1,262,400, to be comprised of a combination of cash and fee credits;
3. Authorize the payment of \$276,000 representing the down payment plus escrow fees, consisting of \$55,200 from the Fire Capital Projects Fund (Account No. 434.67830) and \$220,800 from the Future Park Sites Land Acquisition Fund (Account No. 461.68227) when the Agreement has been signed by all parties;
4. Authorize establishment of an entitlement fund in the amount of \$130,000 to cover City entitlement fees and costs. The entitlement

fund consists of \$26,000 from the Fire Capital Projects Fund (Account No. 434.67830) and \$104,000 from the Future Park Sites Land Acquisition Fund (Account No. 461.68227); and

5. Authorize the City Manager to execute the Agreement upon concurrence by the property owners, and authorize the Public Works Director and/or City Engineer to approve any changes that may be requested by the property owners or the City, subject to the approval of the City Attorney.

- A.14 [PA07-0090 – EXONERATION OF EROSION CONTROL AGREEMENT AND SECURITY, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Community & Economic Development Department\)](#)

**Recommendation:**

Authorize the City Engineer to execute the exoneration of the Faithful Performance security associated with the project PA07-0090 erosion control improvements.

- A.15 [PA07-0090 – EXONERATION OF MONUMENTATION SECURITY, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA 92553 \(Report of: Community & Economic Development Department\)](#)

**Recommendation:**

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor security associated with the project PA07-0090 monumentation improvements.

- A.16 [RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED SEPTEMBER 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.17 [APPROVE JOINT USE AGREEMENT FOR REPLACEMENT OF RIGHTS FOR DISTRIBUTION FACILITIES FOR SR-60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT - PROJECT NO. 07-41570024 \(Report of: Public Works Department\)](#)

**Recommendation:**



1. Approve a Joint Use Agreement with Southern California Edison (SCE) to relocate SCE's facilities for the SR-60/Nason Street Overcrossing Improvements Project;
2. Authorize the City Manager to execute a Joint Use Agreement with SCE upon concurrence by SCE and the City subject to the approval of the City Attorney; and
3. Authorize the Public Works Director and/or City Engineer to execute any subsequent related amendments to the agreement with SCE subject to the approval of the City Attorney.

A.18 [APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/MORENO BEACH INTERCHANGE PROJECT \(PHASE 1\) - PROJECT NO. 07-41570024 \(Report of: Public Works Department\)](#)

**Recommendation:**

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1514)" with the State of California for the construction phase of the SR-60/Moreno Beach Interchange (Phase 1) project;
2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1514)" with the State of California; and
3. Authorize the Public Works Director and/or City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1514)," if needed, subject to the approval of the City Attorney.

A.19 [SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND \(SLESF\) EXPENDITURE PLAN FOR FY 2011-12 \(Report of: Financial & Administrative Services Department\)](#)

**Recommendation:**

1. Approve the Supplemental Law Enforcement Services Fund (SLESF) Expenditure Plan for FY 2011-12;
2. Approve an increase of \$48,967 to the SLESF Grant Fund FY 2011-12 revenue budget (account 130.1300.4611) to reflect the total FY 2011-12 allocation of \$248,967; and
3. Approve an increase of \$48,967 to the SLESF Grant Fund FY 2011-12 expenditure budget (account 130.62890.6251.252) to reflect the

FY 2011-12 planned expenditure of \$248,967.

A.20 [APPROVE COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) APPROPRIATION IN THE AMOUNT OF \\$943,839 FOR FISCAL YEAR 2011-12 BUDGET \(Report of: Community & Economic Development Department\)](#)

**Recommendation:**

Approve the budget appropriation increase of \$943,839 (representing the carryover of certain projects not completed in the prior Fiscal Year) from the Community Development Block Grant (CDBG) Fund fund balance to Business Unit 73952 (CDBG Social Programs).

A.21 [GRANT OF EASEMENT TO EASTERN MUNICIPAL WATER DISTRICT FOR SEWER IMPROVEMENTS WITHIN CITY-OWNED PROPERTY LOCATED ON THE SOUTHWEST CORNER OF COTTONWOOD AVENUE AND NASON STREET \(Report of: Community & Economic Development Department\)](#)

**Recommendation:**

1. Approve the Grant of Easement to Eastern Municipal Water District for sewer improvements to be located within City-owned property;
2. Authorize the Mayor to execute the Grant of Easement on behalf of the City; and
3. Direct the City Clerk to forward the City executed Grant of Easement to Eastern Municipal Water District for execution.

A.22 [REVISIONS TO THE LIST PRICES FOR NINE SINGLE-FAMILY PROPERTIES IN THE RESIDENTIAL ACQUISITION, REHABILITATION AND RESALE PROGRAM \(Report of: Community & Economic Development Department\)](#)

**Recommendation:**

Approve the reduction in the list prices for nine properties in the Neighborhood Stabilization Program Single-Family Residential Acquisition, Rehabilitation and Resale (NSP-ARR); and authorize the City Manager to approve additional list price adjustments, if necessary, based upon market conditions.

A.23 [PARTICIPATION IN THE RIVERSIDE COUNTY MORTGAGE CREDIT CERTIFICATE PROGRAM \(Report of: Community & Economic Development Department\)](#)

**Recommendation:**

1. Adopt Resolution No. 2011-118 authorizing the City's participation in Riverside County's Mortgage Credit Certificate Program; and

Resolution No. 2011-118

A Resolution of the City Council of the City Of Moreno Valley, California Approving Participation in the Riverside County Mortgage Credit Certificate (MCC) Program.

2. Authorize the Community & Economic Development Director to certify the status of the City's Housing Element.

## **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 NOVEMBER 22, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**

Approve as submitted.

- B.3 [CERTIFICATION OF SPECIAL ELECTION RESULTS FOR COMMUNITY FACILITIES DISTRICT NO. 1—ANNEXATION 2011-31 \(Report of: Public Works Department\)](#)

**Recommendation:**

Acting in its capacity as President and Members of the Board of Directors of the CSD and as the legislative body of Community Facilities District No. 1 approve and adopt Resolution No. CSD 2011-25; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1" or "District") for Annexation No. 2011-31.

Resolution No. CSD 2011-25

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Result of an Election and Adding Property to Community Facilities District No. 1

## **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 NOVEMBER 22, 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 NOVEMBER 22, 2011 \(Report of: City Clerk Department\)](#)

**Recommendation:**

Approve as submitted.

**Motion to Approve Joint Consent Calendar Items A.1 through D.2, except Item A.10, which was pulled for a separate vote. by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 5-0.**

**E. PUBLIC HEARINGS**

E.1 [PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR APNS 481-281-059 and 481-281-060 BALLOTING FOR NPDES \(Report of: Public Works Department\)](#)

**Recommendation: That the City Council:**

1. After conducting the Public Hearing and accepting public testimony, direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Assessor Parcel Numbers (APNs) 481-281-059 and 481-281-060;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet;
3. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
4. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to APNs 481-281-059 and 481-281-060.

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

**Motion to Approve Recommendation No. 1 by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina Approved by a vote of 5-0.**

The City Clerk announced the following:

APN 481-281-059- "Yes" vote; passes

APN 481-281-060- "Yes" vote; passes

**Motion to Approve Recommendations Nos. 2, 3 and 4 by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina Approved by a vote of 5-0.**

E.2 [ADOPTION OF FY 2012-2013 CDBG AND HOME PROGRAM OBJECTIVES AND POLICIES \(Report of: Community & Economic Development Department\)](#)

**Recommendation: That the City Council:**

1. Conduct a Public Hearing to allow for the community to comment on the needs of low-to-moderate income residents in Moreno Valley, including the CDBG Target Areas; and
2. Approve the proposed CDBG and HOME Program Objectives and Policies for the 2012-2013 Program Year.

Mayor Richard A. Stewart opened the public testimony portion of the public hearing. Public testimony was 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 5-0.**

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

Item A.10 was pulled for separate discussion.

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

**G. REPORTS**

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

- a. Council Member Council Member William H. Batey II report on Riverside

County Habitat Conservation Agency (RCHCA)

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

Council Member William H. Batey II announced that he was elected chair of the Riverside County Habitat Conservation Agency for the year 2012.

G.2 [PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR ASSESSOR PARCEL NUMBERS ASSOCIATED WITH TENTATIVE PARCEL MAP 34577 BALLOTING FOR NPDES \(Report of: Public Works Department\)](#)

**Recommendation: That the City Council:**

Accept public comments regarding the mail ballot proceeding for Assessor Parcel Numbers (APNs) 316-170-004, 316-170-006, 316-170-007, 316-170-010, 316-170-013, 316-170-015, 316-170-016, and 316-170-017 (the Parcels) 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.3 [JULY 4TH UPDATE \(ORAL PRESENTATION\) \(Report of: Parks and Community Services Department\)](#)

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

No action required.

G.4 [REPEAL RESOLUTION NO. 2003-17 AND ADOPT AMENDED AND RESTATED RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES \(Report of: CITY ATTORNEY\)](#)

**Recommendation: That the City Council:**

Adopt Resolution No. 2011-117, repealing Resolution No. 2003-17 and adopting amended and restated Rules of Procedure for Council Meetings and Related Functions and Activities, attached to the Resolution as Exhibit 1.

Resolution No. 2011-117

A Resolution of the City Council of the City of Moreno Valley, California, Repealing Resolution 2003-17, and Adopting Amended and Restated Rules of Procedure for City Council Meetings and Related Functions and Activities

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

**Motion to Approve, with Exhibit 1 as amended by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Marcelo Co**  
**Approved by a vote of 5-0.**

G.5 [INTRODUCTION OF ORDINANCE REGARDING TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM AMENDMENT \(Report of: Community & Economic Development Department\)](#)

**Recommendation: That the City Council:**

Introduce the proposed Ordinance No. 835, repealing and re-enacting Sections 3.44.010, 3.44.020A, and 3.44.050 of the City of Moreno Valley Municipal Code, facilitating the processing of developer reimbursements.

Ordinance No. 835

An Ordinance of the City of Moreno Valley, California, Repealing and Re-Enacting Sections 3.44.010, 3.44.020A and 3.44.050 of Title 3 of the City of Moreno Valley Municipal Code

Mayor Richard A. 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 5-0.**

G.6 [APPOINTMENT TO THE ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD \(Report of: City Clerk Department\)](#)

**Recommendation: That the City Council:**

1. After reviewing the ballot provided by the City Clerk, appoint one member to the Environmental and Historical Preservation Board with a term expiring June 30, 2012; or
2. If 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 Carla Thornton for a term expiring June 30, 2012 by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina**  
**Approved by a vote of 5-0.**

G.7 [CITYWIDE CAMERA SURVEILLANCE SYSTEM \(Report of: Police Department\)](#)

**Recommendation: That the City Council:**

1. Authorize the transfer of \$1,900,000 from the General Fund to the Technology Services Fund to fund the Citywide Camera Surveillance System (fund balance in the General Fund is from the Police Department's Fiscal Year 2010-11 savings of over \$2,700,000); and
2. Approve the budget appropriation of \$1,900,000 from the Technology Services Fund fund balance to a new capital project account to fund the Citywide Camera Surveillance System.

Mayor Richard A. Stewart opened the agenda item for public comments, which received from Deanna Reeder, Pete Bleckert, Pete Cervantes, and Daryl Terrell.

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

G.8 [DEVELOPMENT IMPACT FEE PROGRAM UPDATE \(Report of: Community & Economic Development Department\)](#)

**Recommendation: That the City Council:**

Receive and file this update on several considerations relating to the Development Impact Fee Program and provide further direction for consideration at an upcoming Council meeting.

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

Received and filed.

G.9 [CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR AND MAYOR PRO TEM \(Report of: City Clerk's Department\)](#)

**Recommendation: That the City Council:**

Conduct the reorganization of the City Council by selecting two Council Members to serve one-year terms respectively as Mayor and Mayor Pro



Tem.

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

Mayor Pro Tem Jesse L. Molina withdrew from nominations.

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

The City Clerk opened nominations for Mayor.

Council Member William H. Batey II made a motion to nominate Council Member Robin N. Hastings

Mayor Pro Tem Jesse L. Molina nominated Mayor Richard A. Stewart.

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

The votes were as follows:

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

Mayor Richard A. Stewart was selected as Mayor by a vote of 3-2.

The City Clerk opened nominations for Mayor Pro Tem.

Council Member Marcelo Co nominated William H. Batey II.

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

The votes were as follows:

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

Council Member William H. Batey II was selected as Mayor Pro Tem by a vote of 5-0.

- G.10 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#) - none

## H. LEGISLATIVE ACTIONS

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

- H.1 .1 [ORDINANCE AMENDING SECTION OF 12.36.010 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF TRUCK ROUTES \(Report of: Public Works Department\)](#)

#### **Recommendation: That the City Council:**

Introduce Ordinance No. 836, amending Section 12.36.010 of Chapter 12.36 of Title 12 of the Municipal Code to remove Redlands Boulevard from Alessandro Boulevard to the SR-60 eastbound on/off ramp as a designated "Truck Route."

Ordinance No. 836

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.36.010 of Chapter 12.36 of Title 12 of the City of Moreno Valley Municipal Code, Revising the Designation of Truck Routes

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

Recess;

Reconvened

**Motion not to introduce the ordinance by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings**  
**Motion Failed by a vote of 2-3, Mayor Richard A. Stewart, Mayor Pro Tem Jesse L. Molina, and Council Member Marcelo Co opposed.**

**Motion to Approve by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Marcelo Co**  
**Approved by a vote of 3-2, Council Member William H. Batey II, and Council Member Robin N. Hastings opposed.**

Council's direction was not to place this item on the Consent Calendar for the second reading.

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.

Louise Palomarez

1. Cactus and Nason project
2. Development projects

Oscar Valdepena

1. Constructions in the City

Daryl Terrell

1. Funding of medical campus project

Pete Blekert

1. Cameras - revenue enhancement
2. Utility tax

Victoria Baca

1. Economic Development plan
2. Pulling items from Consent Calendar

Adam Sands (representing Housing Opportunities Collaboration of the Inland Empire)

1. Foreclosure prevention; announced upcoming foreclosure summit

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

Council Member Robin N. Hastings

1. Stated that we all vote according to people we represent and to the best

use of resources and the funding; voted against Item A.10 questioning committing million dollars now when we don't have any guarantee of funding; we have to do what is in the best interest of all the people we represent

2. Attended the March Field Museum Holiday party - a great event; commended its staff for a great job

3. Wished everyone happy holidays

#### Council Member Marcelo Co

1. Stated that we represent entire Moreno Valley, not just our own district and we have to think if it is going to benefit the majority of the people; emphasized that his main and only goal is to bring jobs to the City and he doesn't have vested interest in anything

2. Appreciates that we will help people again to salvage their homes, as we have too many foreclosed houses; will attend foreclosure summit, organized by Adam Sands

3. The City needs to build infrastructure in order for the projects to be developed; it needs to provide means for businesses to come in to the City and bring jobs; good businesses will benefit the City and residents

4. If we think the economy will get better, then it will get better - we need to do something toward it now; when prices go up, we will not be able to afford it

#### Mayor Pro Tem Jesse L. Molina

1. We need to be proactive and build infrastructure. We are on the right path, and the City will go forward; the goal is to make the City prosper, and infrastructure is essential for future development

2. Would like to put limits on cameras so that they do not impose on privacy

3. We have to spend money in order to make money; we are here to improve lives of citizens

4. Thanked staff for working hard; wished everybody happy holidays

#### Council Member William H. Batey II

1. Announced that Chief Curly was promoted, and tonight is his last meeting; congratulated him and thanked him for his service for the City. Chief Abdul Ahmad will be taking over temporarily

2. Wished everyone happy holidays

Mayor Richard A. Stewart

1. Last night attended the Blue Light ceremony in honor of all fallen officers in Riverside County; was very honored to be invited by the Sherrif to read names of the fallen officers; this was one of the largest attendance of family members of the fallen officers; a very somber event
2. Attended creche festival at Latter-Saints church on Old Lake Drive; a very wonderful, open to the community event with music from different organizations
3. Congratulated Chief Curly on well deserved promotion
4. Stated that the City didn't build a new library because of operating cost
5. Stated that we haven't seen any client at MarchLife Care; it's a tough economy
6. Regarding pulling items from Consent Calendar - Ms. Reeder spends her time to read the agenda packets, and the idea was to get the questions answered; if there are a lot of questions regarding an item, it is appropriate to pull the item
7. Explained that we pulled back from the lawsuit with two other cities because those cities didn't have a challenger as we did; if we stayed, their project would be delayed; we will re-submit it

**CLOSED SESSION** - canceled

## ADJOURNMENT

**Motion to Adjourn: there being no further business to conduct, the meeting was adjourned at 10:22 p.m. by unanimous informal consent. by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Marcelo Co 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

enl