

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
April 24, 2012

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of the 2012 Mayor Pro Tem William H. Batey II Annual Reading Contest Winners
2. Proclamation Recognizing DMV/Donate Life California Month - April 2012
3. Proclamation Recognizing April is National Fair Housing Month
4. Employee of the Quarter Recognition - First Quarter 2012, Dorathy Haun, Lead Animal Care Technician, Finance & Administrative Services Department

**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
April 24, 2012**

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 6:49 p.m. by Mayor Pro Tem William H. Batey II in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jesse Molina

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

ROLL CALL

Council:

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

Staff:

Kathy Gross	Executive Assistant
Jane Halstead	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
Abdul Ahmad	Fire Chief
Ahmad Ansari	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 Pro Tem William H. Batey II opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (A.3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF APRIL 10, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

A.3 [APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2012 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2012-23, approving the Check Register for the month of February, 2012 in the amount of \$10,299,738.78.

Resolution No. 2012-23

A Resolution of the City Council of the City of Moreno Valley, California
Approving the Check Register for the Month of February, 2012

A.4 [ANNUAL STATEMENT OF INVESTMENT POLICY \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

The Finance Sub-committee of the City Council recommends that the City Council adopt the Annual Statement of Investment Policy.

A.5 [2011 ANNUAL REPORT OF THE PLANNING COMMISSION \(Report of: Community & Economic Development Department\)](#)

Recommendation:

1. RECEIVE AND FILE the 2011 Annual Report of the Planning Commission; and
2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.6 [ALCOHOL BEVERAGE CONTROL \(ABC\) GRANT "GRANT ASSISTANCE PROGRAM" \(Report of: Police Department\)](#)

Recommendation:

1. Approve the grant application and authorize acceptance (if awarded) from the California's Department of Alcohol Beverage Control (ABC) in the amount of \$73,355.00 for the ABC Grant Assistance Program; and
2. Authorize the revenue and expense budgets in the ABC – Police Grant Fund (Fund 128) for the ABC Grant Assistance Program in the amount not to exceed \$73,355.00, respectively, upon approval and acceptance of the grant from the Department of Alcohol Beverage Control.

A.7 [RATIFY THE AGREEMENT FOR REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRICAL FACILITIES WITH SOUTHERN CALIFORNIA EDISON \(SCE\) FOR THE CACTUS AVENUE/NASON STREET IMPROVEMENT PROJECT - PROJECT NO. 12-12599520 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Ratify the Agreement for Replacement of Overhead with Underground Electrical Facilities with Southern California Edison (SCE) for the Cactus Avenue/Nason Street Improvement Project;
2. Authorize the City Manager to execute the future Joint Use Agreement with SCE, and any other Agreements with SCE not currently identified, subject to the approval of the City Attorney; and
3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the agreements with SCE up to, but not exceeding, the existing purchase order contingency, subject to the approval of the City Attorney.

A.8 [RESOLUTION FOR THE ABATEMENT OF PUBLIC NUISANCES \(Report of: Fire Department\)](#)

Recommendation:

Adopt Resolution No. 2012-24 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List in the staff report for the abatement of nuisances.

Resolution No. 2012-24

A Resolution of the City Council of the City of Moreno Valley, California, Confirming Statements of Costs Against Real Property Located in the City of Moreno Valley, for Abatements of Public Nuisances and Direction that said Statements of Costs Constitute a Lien Upon Said Properties

- A.9 [APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN \(CIP\) AND MAINTENANCE OF EFFORT \(MOE\) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION \(RCTC\) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR \(FY\) 2013-2017 \(Report of: Public Works Department/CPD\)](#)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2013-2017;
2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2013-2017; and
3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2012-2013 budget approval process.

- A.10 [APPROVE THE APPROPRIATION OF \\$96,000 FOR GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP FOR LEGAL SERVICES FOR THE SUNNYMEAD BOULEVARD PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD - PROJECT NO. 04-89280221 \(Report of: Public Works/CPD\)](#)

Recommendation:

1. Serving as the Successor Agency for the Redevelopment Agency of the City of Moreno Valley:

Authorize an appropriation of \$96,000 from Fund 792 fund balance (Successor Agency Capital Projects) to 792.79221.7200 Job Contractual for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard;

2. Acting as the Successor Agency, authorize the City Manager to access agency funds, subject to Oversight Board approval;
3. Authorize the City Manager to sign a Purchase Order for Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to \$96,000 for legal services, subject to City Council approval of the appropriation; and
4. Authorize payment to Gibbs, Giden, Locher, Turner & Senet, LLP in an amount of up to \$96,000 on this Purchase Order for legal services for the Sunnymead Boulevard project.

A.11 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk's Department\)](#)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of April 4-17, 2012.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B.2 [MINUTES - REGULAR MEETING OF APRIL 10, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 [MINUTES - REGULAR MEETING OF APRIL 10, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

Motion to Approve Joint Consent Calendar Items A.1 through D.2 by

m/Council Member Robin N. Hastings, s/Council Member Marcelo Co

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D.2 [MINUTES - REGULAR MEETING OF APRIL 10, 2012 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

E. PUBLIC HEARINGS

E.1 [PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2012-13 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2012-13; and
2. Adopt Resolution No. 2012-25, approving the Fee Schedule for FY 2012-13.

Resolution No. 2012-25

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2012-13 and Repealing Prior Resolutions that may be in Conflict

Mayor Pro Tem William H. Batey II opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina

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

None

G. REPORTS

G.1 [MID-YEAR BUDGET REVIEW AND APPROVAL OF THE AMENDMENTS TO THE OPERATING BUDGET FOR FISCAL YEARS 2011/12 AND](#)

[2012/13 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation: That the City Council:

Adopt Resolution No. 2012-26, approving the Amendments to the Operating Budget for the City of Moreno Valley for FY 2011/12 – 2012/13, pursuant to the appropriations presented in Exhibits A-E to the Resolution, which includes the Position Control Roster; and

Resolution No. 2012-26

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

Recommendation: That the CSD:

Adopt Resolution No. CSD 2012-01, approving the Amendments to the Operating Budget for the Moreno Valley Community Services District for FY 2011/12 – 2012/13, pursuant to the appropriations presented in Exhibits A-E to the Resolution, which includes the Position Control Roster.

Resolution CSD No. 2012-01

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

Mayor Pro Tem William H. Batey II opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Robin N. Hastings

Approved by a vote of 4-0-0-1, Mayor Richard A. Stewart absent.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina

G.2 [DEVELOPMENT PARTNERS SELECTION FOR THE NEIGHBORHOOD STABILIZATION PROGRAM 3 \(NSP3\) \(Report of: Community & Economic Development Department\)](#)

Recommendation: That the City Council:

1. Approve amended NSP Single-Family Residential Acquisition, Rehabilitation and Resale (SFR-ARR) Program Guidelines and Procedures Manual;

2. Approve amended NSP Multi-Family Residential Acquisition, Rehabilitation and Rental (MFR-ARR) Program Guidelines and Procedures Manual;
3. Authorize the City Manager to approve non-substantive changes to the NSP Program Guidelines;
4. Authorize the City Manager to execute Participation Agreements with recommended Development Partners; and
5. Authorize the City Manager to execute purchase agreements and Affordable Housing Agreements for the acquisition of foreclosed properties per the provisions of the Neighborhood Stabilization Program and Moreno Valley ARR Program Guidelines.

Mayor Pro Tem William H. Batey II opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve Recommendation Nos. 1-5 by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-0-1, Mayor Richard A. Stewart absent.

G.3 [APPOINTMENTS TO THE RECREATIONAL TRAILS BOARD AND THE TRAFFIC SAFETY COMMISSION \(Report of: City Clerk Department\)](#)

Recommendation: That the City Council:

1. After reviewing the ballot provided by the City Clerk:

Appoint one member to the Recreational Trails Board with a term expiring June 30, 2013; and
2. Appoint one member to the Traffic Safety Commission with a term expiring June 30, 2014; or
3. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Pro Tem William H. Batey II opened the agenda item for public comments, which were received from Tom Jerele, Sr. (Support).

Motion to Approve by m/Council Member Jesse L. Molina

G.4 [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. 844 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 3 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 3.12 - PURCHASING \(RECEIVED FIRST READING AND INTRODUCTION ON APRIL 10, 2012 ON A 4-0-1 VOTE, MOLINA ABSENT\) \(Report of: Financial & Administrative Services\)](#)

Recommendation: That the City Council:

Adopt Ordinance No. 844, amending Title 3 of the City of Moreno Valley Municipal Code by repealing and reenacting Chapter 3.12, updating purchasing regulations.

Ordinance No. 844

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 3.12, Purchasing.

Mayor Pro Tem William H. Batey II opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-0-1, Mayor Richard A. Stewart absent.

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

Robert Bugarin

1. Valley Skate Park Renovation

Daryl Terrell

1. Small Business

Jose Chavez

1. Last Meeting

2. County Taxes (Property Values)

Tom Jerele, Sr.

1. Importance of Building Codes

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

Council Member Marcelo Co

1. Why is it that we are changing from Hockey to Soccer? Parks & Community Services Director, Parks & Community Services Director Mike McCarty, responded - No Participation and not enough interest to support a league. The artificial turf recently approved, the land is City owned, not Perris or Riverside.

2. Thanked Daryl Terrell for comments in supporting small businesses. The City welcomes small businesses to come. It's hard to get start up costs, but keep trying different banks because each bank has their own criteria for approving a loan. If one bank denies the loan, it may be an acceptance in another bank.

Robin Hastings

1. Response to Mr. Chavez: Property Tax concerns can be directed to Larry Ward, County Assessor, and can be reached at 951.746.1544 or 951.955.6200, not County Supervisor Ashley.

2. Attended Comfort Care Dentistry Grand Opening & Ribbon Cutting on April 18th followed by Mock Interviews at Canyon Springs High School for their Sophomores. A lot of people showed to interview the kids, evaluate them and help fill out applications.

3. Law Enforcement Appreciation Dinner was held on the 19th at Riverside

Convention Center where some of our own were recognized, like Deputy Chief Anderson, who was promoted the day before. Special thank you to Deputy Chief Anderson for his hard work and dedication to the City and its Citizens and businesses.

4. Moss Bros. test drive event on the 21st - Moss Bros. donated \$20 dollars to Val Verde High School girls softball team for every test drive performed and continued the event again this past weekend.
5. Attended the Relay for Life event, also held on the 21st at Val Verde High School; walked a few laps with Henry Garcia, City Manager, and Deputy Chief Anderson.
6. Attended three Ground Breaking Ceremonies (Moss Bros., Heacock Bridge/Iris Avenue, and Nason Street/Cactus Avenue) all viable projects.
7. WRCOG received an award last week from the Urban League Institute for Outstanding Government Programs regarding Energy Efficiency.
8. Will be providing the "Update" at Wake-Up Moreno Valley tomorrow morning.
9. Also attending Earth Day at Sunnymeadows Elementary School tomorrow.
10. 13th Annual Public Health & Safety Fair will be held this Saturday from 9:00 a.m. - 3:00 p.m. on Motor Way and Moreno Valley Auto Mall - Sponsored by Moss Bros. and Riverside County Regional Medical Center. Encouraged everyone to attend.
11. Announcement went out today that the WRCOG General Assembly will be held on June 21st, and General Colen Powell will be the keynote speaker.

Jesse Molina

1. Will be attending the Victims Candelight Vigil on April 26th - National Crime Victims Week, invites everyone to attend.
2. Attended RTA - like the Ramona Pageant, is there anything we can compete with? Moreno Valley needs an identity, similar to the Temecula's Balloon Festival. This is something they plan to work on in the future.
3. Attended the Sheriff's Honor Awards and was honored to learn he was sitting with the Martinez Family of a Fallen Officer from Cathedral City.
4. Learned that City of Temecula's Original Council Member, Karel

Lindemans passed away.

5. Small Business incentive program - Can the City Council approve a Small Business Incentive Program? City Attorney response - Yes they can, but first they would have to direct staff on how to function; criteria for enrollment or loan; and identify the funding source.

Mayor Pro Tem William H. Batey II

1. Thank you to Chief Anderson for his service and congratulations on promotion to Deputy Chief. Very proud of our City; all our Chiefs have been promoted within the Sheriff's Department. Shows great leadership.

2. Congratulations to the Reading Contest winners

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

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

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

under section 2

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: City Manager Henry T. Garcia](#)
Employee Organization: MVCEA
- b) [Agency Representative: City Manager Henry T. Garcia](#)
Employee Organization: MVMA
- c) [Agency Representative: City Manager Henry T. Garcia](#)
Employee Organization: Moreno Valley Confidential
Management Employees

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

ADJOURNMENT

Motion to Adjourn there being no further business to conduct, the meeting was adjourned at 8:36 p.m. by unanimous informal consent. by m/

There being no further business to conduct, the meeting was adjourned at ____ p.m. by unanimous informal consent.

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