

**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 P.M.  
MARCH 14, 2006**

**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 6:38 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was led by Council Member Batey

**INVOCATION** - Pastor Barry E. Knight, Perpetual Praise and Worship Church

**ROLL CALL**

Council:

Bonnie Flickinger	Mayor
Charles R. White	Mayor Pro Tem
William H. Batey, II	Council Member
Richard A. Stewart	Council Member
Frank West	Council Member

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Robert Gutierrez	City Manager
Betsy Adams	Interim Assistant City Manager
Linda Guillis	Community Development Director
William Di Yorio	Police Chief
Abdul Ahmad	Fire Marshall
George Guayante	Interim Public Works Director
Cynthia Pirtle	Director of Library Services
Terry Nielsen	Interim Parks and Recreation Director
Denese Wilson	Human Resources Director
Barry Foster	Economic Development Director

Angela Rushen

Interim Administrative Services Director

**Approved by a 5-0 vote to add the following item to the Closed Session agenda as it has come to the attention of the Council after the agenda was posted. m/Batey, s/White**

SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR –  
PROPERTY ACQUISITION

- a)     Property:                     APN 291-250-005  
       Owner:                     City of Moreno Valley  
       City Negotiators:         Robert Gutierrez

**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, there being none, public comments were closed.

**A.     CONSENT CALENDAR - CITY COUNCIL**

- A1.     ORDINANCES - FIRST READING BY TITLE ONLY  
       Waived reading of all Ordinance Introductions and read by title only.
- A2.     MINUTES - REGULAR MEETING OF FEBRUARY 28, 2006 (Report of: City Clerk's Department)  
       Recommendation: Approve as submitted.
- A3.     TRACT MAP 30476 – SINGLE FAMILY RESIDENTIAL PROJECT, AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), EAST OF LASSELLE STREET, SOUTH OF KRAMERIA STREET IN THE MORENO VALLEY RANCH SPECIFIC PLAN (SP193) AREA, SUBDIVIDER – K. HOVNANIAN FORECAST HOMES, INC. (Report of: Public Works Department)  
       Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 30476; instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and authorize the City Engineer to execute any future amendments to the agreement if the required street improvements are not completed within said timeframe.

- A4. TRACT MAP 30320-1 – SINGLE FAMILY RESIDENTIAL PROJECT, AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTHWEST CORNER OF OLEANDER AVENUE AND LASSELLE STREET, SUBDIVIDER – WL HOMES LLC DBA JOHN LAING HOMES (Report of: Public Works Department)  
Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 30320-1; instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder’s Office for recordation; and authorize the City Engineer to execute any future amendments to the agreement if the required street improvements are not completed within said timeframe.
- A5. TRACT MAP 22377 – SINGLE FAMILY RESIDENTIAL PROJECT, AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), EAST OF LASSELLE STREET AND NORTH OF CAMINO FLORES, SUBDIVIDER – K. HOVNANIAN FORECAST HOMES, INC. (Report of: Public Works Department)  
Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 22377; instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder’s Office for recordation; and authorize the City Engineer to execute any future amendments to the agreement if the required street improvements are not completed within said timeframe.
- A6. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR ARTERIALS TRAFFIC SIGNAL TIMING PLANS, PROJECT NO. 06-13768125 (Report of: Public Works Department)  
Recommendation: Approve the Agreement for Professional Consultant Services to Katz, Okitsu & Associates, Inc., 17852 E. Seventeenth Street, Suite 102, Tustin, California 92780-2142, for professional consultant services for Arterials Traffic Signal Timing Plans; authorize the Mayor to execute said “Agreement for Professional Consultant Services” with Katz, Okitsu & Associates, Inc.; and authorize the issuance of a Purchase Order to Katz, Okitsu & Associates, Inc., in the amount of \$132,539.00 (the proposal amount, plus 10% contingency) when the Agreement has been signed by all parties (Account No. 137.68125.7200).
- A7. APPROVAL OF TRACT MAP 32836 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, EAST SIDE OF NASON STREET, SOUTH OF FIR AVENUE AND WEST OF EUCALYPTUS AVENUE, SUBDIVIDER – BEAZER HOMES HOLDINGS CORP. (Report of: Public Works Department)  
Recommendation: Approve Final Map 32836, authorize the City Clerk to sign the map and transmit said map to the County Recorder’s Office for

recordation; accept the Agreement and Bonds for Public Improvements; authorize the Mayor to execute the Agreement; direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and authorize the City Engineer to execute any future amendments to the agreement if the required street improvements are not completed within said timeframe.

- A8. TRACT 31212 – REQUEST TO EXTEND THE TIME FOR A FULL ROAD CLOSURE FOR THE INSTALLATION OF A TRAFFIC SIGNAL AND CONSTRUCTION OF ROADWAY IMPROVEMENTS AT THE INTERSECTION OF COTTONWOOD AVENUE AND MORRISON STREET FROM MARCH 17, 2006 TO APRIL 10, 2006, SUBDIVIDER – WESTERN PACIFIC HOUSING, INC. (Report of: Public Works Department)  
Recommendation: Authorize an extension of the time for a full road closure for the installation of a traffic signal and construction of roadway improvements at the intersection of Cottonwood Avenue and Morrison Street from March 17, 2006 to April 10, 2006 for Tract 31212.
- A9. APPROVE THE AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND BP IRONWOOD 55, LLC FOR THE ACQUISITION OF CERTAIN PROPERTY FOR PUBLIC RIGHT-OF-WAY IN CONNECTION WITH PROJECT NO. PA02-0133, TRACT MAP 31089, NORTH OF IRONWOOD AVENUE BETWEEN KITCHING STREET AND TUSCOLA STREET, SUBDIVIDER – BP IRONWOOD 55, LLC (Report of: Public Works Department)  
Recommendation: Approve the agreement and authorize the Mayor to execute the agreement.
- A10. AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD - PROJECT NO. 06-50182725 (Report of: Public Works Department)  
Recommendation: Approve the Agreement for Professional Consultant Services with PSOMAS, 3187 Red Hill Avenue, Suite 250, Costa Mesa, CA 92626 to provide engineering services for Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard; authorize the Mayor to execute the Agreement for Professional Consultant Services with PSOMAS; and authorize the issuance of a Purchase Order to PSOMAS, in the not-to-exceed amount of \$664,529 (proposal amount plus 10% contingency) for Account No. 501.82725 when the Agreement has been signed by all parties.
- A11. PA04-0154 – MULTI FAMILY RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHWEST OF MORENO BEACH DRIVE AT AUTO MALL DRIVE,

DEVELOPER – BROADSTONE AT VALLEY VIEW, LLC (Report of: Public Works Department)

Recommendation: Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0154; authorize the Mayor to execute the agreement; direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and authorize the City Engineer to execute any amendments to the agreement if the required public improvements are not completed within said timeframe.

- A12. TRACT 30232 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2006-25, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE PUBLIC RIGHT-OF-WAY IMPROVEMENTS AS COMPLETE AND ACCEPTING ALICANTE AVENUE, BARCELONA COURT, CORDOBA COURT, CANTABRIA COURT, CADIZ COURT, TOLEDO COURT, CATALINA COURT, SEVILLA COURT, VASCO WAY, MADRID AVENUE, AND AVALON AVENUE INTO THE CITY MAINTAINED STREET SYSTEM, SUBDIVIDER – RYLAND HOMES OF CALIFORNIA, INC. (Report of: Public Works Department)

Recommendation: Approve the reduction to the Faithful Performance Bond for Tract 30232; authorize the City Engineer to reduce the Faithful Performance Bond; and adopt Resolution No. 2006-25 authorizing the acceptance of the public right-of-way improvements for Final Map 30232 as complete and accepting Alicante Avenue, Barcelona Court, Cordoba Court, Cantabria Court, Cadiz Court, Toledo Court, Catalina Court, Sevilla Court, Vasco Way, Madrid Avenue, and Avalon Avenue into the City's maintained street system.

#### Resolution No. 2006-25

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 30232, and Accepting Alicante Avenue, Barcelona Court, Cordoba Court, Cantabria Court, Cadiz Court, Toledo Court, Catalina Court, Sevilla Court, Vasco Way, Madrid Avenue, and Avalon Avenue into the City Maintained Street System

- A13. APPROVE 3-YEAR AGREEMENT WITH NEW INDEPENDENT AUDIT FIRM (Report of: Finance Department)

Recommendation: Approve a 3-year agreement with the independent audit firm, Mayer Hoffman McCann, and direct the City Manager to sign the agreement on behalf of the City and its related entities, subject to City Attorney approval as to legal form.

- A14. RESOLUTION NO. 2006-26, APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT NO. BTA 05/06-08-RIV-03, TO ADMINISTER THE LOCAL AGENCY-STATE FISCAL YEAR 05/06 BICYCLE TRANSPORTATION ACCOUNT, AB 1020 GRANT PROGRAM, FOR CLASS II BIKEWAY IMPROVEMENTS ON LASSELLE STREET FROM IRIS AVENUE TO JOHN F. KENNEDY DRIVE, PROJECT NO. 06-12565320 (Report of: Public Works Department)  
Recommendation: Adopt Resolution No. 2006-26, approve and authorize execution of Agreement No. BTA 05/06-08-RIV-03, to administer the Local Agency-State Agreement for the Fiscal Year 05/06 Bicycle Transportation Account Project, AB 1020 Grant Program, for Class II Bikeway Improvements on Lasselle Street from Iris Avenue to John F. Kennedy Drive and authorize the Mayor to execute Agreement No. BTA 05/06-08-RIV-03.

Resolution No. 2006-26

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Agreement No. BTA 05/06-08-RIV-03 to Administer Local Agency-State Agreement for State-Aid Projects Between the State of California Acting by and Through the Department of Transportation, and the City of Moreno Valley

- A15. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE IRIS AVENUE 12KV ELECTRICAL CONDUIT AND STRUCTURE SYSTEM INSTALLATION (PERRIS BOULEVARD TO LASSELLE STREET) PROJECT NO. 06-00100 (Report of: Public Works Department)  
Recommendation: Award the construction contract for the Iris Avenue 12 kV Electrical Conduit and Structure System Installation (Perris Boulevard to Lasselle Street) to HCI, Inc., 3166 Horseless Carriage Drive, Norco, California, 92860; authorize the Mayor to execute a contract with HCI, Inc., 3166 Horseless Carriage Drive, Norco, California, 92860; authorize the issuance of a Purchase Order to HCI, Inc., 3166 Horseless Carriage Drive, Norco, California, 92860, in the amount of \$685,566.22 (the bid amount plus 10% contingency) for the Iris Avenue 12 kV Electrical Conduit and Structure System Installation (Perris Boulevard to Lasselle Street) Project No. 06-00100 when the contract has been signed by all parties.
- A16. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE IRIS AVENUE 12KV ELECTRICAL CABLE IN EXISTING CONDUIT IN IRIS AVENUE (PERRIS BOULEVARD TO LASSELLE STREET) PROJECT NO. 06-00200 (Report of: Public Works Department)  
Recommendation: Award the construction contract for the Iris Avenue 12 kV Electrical Cable in Existing Conduit in Iris Avenue (Perris Boulevard to Lasselle Street) to DeYoung Power Systems, Inc., 2011 West Park Avenue,

Redlands, California, 92373; authorize the Mayor to execute a contract with DeYoung Power Systems, Inc., 2011 West Park Avenue, Redlands, California, 92373; and authorize the issuance of a Purchase Order to DeYoung Power Systems, Inc., 2011 West Park Avenue, Redlands, California, 92373, in the amount of \$198,842.60 (the bid amount plus 10% contingency) for the Iris Avenue 12 kV Electrical Cable in Existing Conduit in Iris Avenue (Perris Boulevard to Lasselle Street) Project No. 06-00200 when the contract has been signed by all parties.

- A17. ACCEPT AND APPROVE THE AGREEMENT TO REIMBURSE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) FUNDS BETWEEN WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) AND CITY OF MORENO VALLEY FOR NASON/SR-60 INTERCHANGE AND THE AGREEMENT TO REIMBURSE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) FUNDS BETWEEN WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) AND CITY OF MORENO VALLEY FOR MORENO BEACH/SR-60 INTERCHANGE PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation: Accept and approve the Agreement to Reimburse Transportation Uniform Mitigation Fee (TUMF) Funds between Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley for Nason/SR-60 Interchange and the Agreement to Reimburse Transportation Uniform Mitigation Fee (TUMF) Funds between Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley for Moreno Beach/SR-60 Interchange; and authorize the Mayor to execute the Agreement to Reimburse TUMF Funds between WRCOG and the City of Moreno Valley for Nason/SR-60 Interchange and the Agreement to Reimburse TUMF Funds between WRCOG and the City of Moreno Valley for Moreno Beach/SR-60 Interchange.

- A18. APPROVAL OF TRACT MAP 32834 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, EAST SIDE OF NASON STREET, NORTH OF DRACAENA AVENUE AND SOUTH OF EUCALYPTUS AVENUE, SUBDIVIDER – BEAZER HOMES HOLDINGS CORP. (Report of: Public Works Department)

Recommendation: Accept the Agreement and Bonds for Public Improvements; authorize the Mayor to execute the Agreement; authorize the City Manager to execute the Public Facilities Fee Credit Agreement for Tract 32834, (#PA04-0120) and Associated CUP/PUD (#PA04-0162), for Lot 'A' Public Park & Lot 'EE' Open Space, upon approval of the Parks and Recreation Director and the City Attorney; approve Final Map 32834, authorize the City Clerk to sign the map and transmit said map to the County

Recorder's Office for recordation upon approval and execution of the Public Facilities Fee Credit Agreement for Tract 32834, (#PA04-0120) and Associated CUP/PUD (#PA04-0162), for Lot 'A' Public Park & Lot 'EE' Open Space; direct the City Clerk to forward the signed Agreements to the County Recorder's Office for recordation; and authorize the City Engineer to execute any future amendments to the Agreement for Public Improvements if the required improvements are not completed within said timeframe.

**B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

- B1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
  
- B2. MINUTES - REGULAR MEETING OF FEBRUARY 28, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
  
- B3. ADOPTION OF THE REVISED NOMINATING POLICY FOR NAMING ATHLETIC FIELDS/FACILITIES (Report of: Parks and Recreation Department)  
Recommendation: Adopt the revised nominating policy for naming athletic fields/facilities.

**Approved by a 5-0 vote to continue to a future date. m/Batey, s/White.**

- B4. EXTENSION OF CONTRACT – PROJECT NO. E-2/05 – MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – HIDDEN SPRINGS (Report of: Public Works Department)  
Recommendation: Approve the Amendment to the Contract Agreement for MVCSD Project E-2/05 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; and authorize the Purchasing Manager, at the start of Fiscal Year 2006/07, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of: ONE HUNDRED FORTY-NINE THOUSAND NINE HUNDRED TWENTY-EIGHT DOLLARS AND 24/100 (\$149,928.24) for twelve months of base maintenance service; and THIRTY-ONE THOUSAND FIVE HUNDRED DOLLARS AND NO/100 (\$31,500.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.



**C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

- C1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- C2. MINUTES - REGULAR MEETING OF FEBRUARY 28, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

**D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

- D1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- D2. MINUTES - REGULAR MEETING OF FEBRUARY 28, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

**Joint Consent Calendar Items A2 - D2 approved by a 5-0 vote with the exception of item B3 which was continued to a future date. m/Batey, s/West.**

**E. PUBLIC HEARINGS**

- E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR: STONEGATE APARTMENTS, APN 291-110-017 - BALLOTTED ITEM: NPDES RATE SCHEDULE; ROBERT K. VOGEL FAMILY TRUST, APNS 316-210-026 & 316-210-069 - BALLOTTED ITEM: NPDES RATE SCHEDULE; CCI SUNNYMEAD MV, APN 482-540-030 - BALLOTTED ITEM: NPDES RATE SCHEDULE AND INCLUSION INTO CSD ZONE M; AND OPT MORENO VALLEY, LLC, APNS 482-180-065 & 482-180-066 - BALLOTTED ITEM: INCLUSION INTO CSD ZONE M (Report of: Public Works Department)  
Recommendation:

- 1. That the Mayor and Members of the City of Moreno Valley City Council, after conducting the public hearing:

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

- a) Tabulate the mail ballots for the NPDES maximum regulatory rate, for Stonegate Apartments – APN 291-110-017 (and any

division thereof), Robert K. Vogel Family Trust – APNs 316-210-026 and 316-210-069 (and any division thereof) and CCI Sunnymead MV – APN 482-540-030 (and any division thereof):

**Directed the City Clerk to tabulate the ballots. Motion carried 5-0. m/White, s/Batey.**

The City Clerk announced the results as follows:

Stonegate Apartments, APN 291-110-017 – Balloted Item: NPDES Rate Schedule – Replacement ballot – “Yes”

Robert K. Vogel Family Trust, APNS 316-210-026 & 316-210-069 – Balloted Item: NPDES Rate Schedule – “Yes”

CCI Sunnymead MV, APN 482-540-030 – Balloted Item: NPDES Rate Schedule and Inclusion into CSD Zone M – “Yes”

OPT Moreno Valley, LLC, APNS 482-180-065 & 482-180-066 – Balloted Item: Inclusion into CSD Zone M – “Yes”

- b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;
- c) Receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and
- d) If approved, authorize and impose the NPDES maximum regulatory rate to the participating projects.

**Approved by a 5-0 vote. m/White, s/Batey.**

- 2. That the Members of the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

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

- a) Tabulate the mail ballots for CSD Zone M, for CCI Sunnymead MV – APN 482-540-030 (and any division thereof) and OPT Moreno Valley, LLC – APNs 482-180-065 and 482-180-066 (and any

division thereof)

The Secretary announced the results as follows:

CCI Sunnymead MV – APN 482-540-030 (and any division thereof) – “Yes”

OPT Moreno Valley, LLC – APNs 482-180-065 and 482-180-066 (and any division thereof) – “Yes”

- b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel listing;
- c) Receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and
- d) If approved, authorize and impose the CSD Zone M parcel charge to the participating projects.

**Approved by a 5-0 vote. m/White, s/Batey.**

E2. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR: TENTATIVE TRACT 31089 - BALLOTTED ITEMS: NPDES RATE SCHEDULE AND INCLUSION INTO CSD ZONE B; TENTATIVE TRACT 31494 - BALLOTTED ITEMS: NPDES RATE SCHEDULE AND INCLUSION INTO CSD ZONE B; AND TENTATIVE TRACT 33437 - BALLOTTED ITEMS: NPDES RATE SCHEDULE AND INCLUSION INTO CSD ZONE B (Report of: Public Works Department)

Recommendation: That the City Council and the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

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

- 1. Tabulate the mail ballots for each described service, for Tentative Tracts 31089, 31494 and 33437 (and all their affected phases);

**Directed the City Clerk to tabulate the ballots. Motion carried 5-0. m/White, s/Batey.**

The City Clerk announced the results as follows:

Tentative Tract 31089 – NPDES & Zone B - “Yes”

Tentative Tract 33437 – NPEDS & Zone B - “Yes”

Tentative Tract 31494 – NPDES & Zone B -(Replacement ballots) – “Yes”

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;
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 CSD Zone B parcel charge and the NPDES maximum regulatory rate to Tentative Tracts 31089, 31494 and 33437 (and all affected phases).

**Approved by a 5-0 vote. m/White, s/Batey.**

- E3. PUBLIC HEARING AND INTRODUCTION OF ORDINANCE NO. CSD 50 TO ESTABLISH COMMUNITY SERVICES DISTRICT ZONE S (SUNNYMEAD BOULEVARD MAINTENANCE) (Report of: Public Works Department)

Recommendation: That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD) (the “CSD Board”):

1. Hear and consider all protests concerning the establishment of CSD Zone S;
2. Hear and consider written requests filed for exclusion of property, or any portion thereof from such Zone; and

Board Member Stewart left the Council Chamber due to a conflict.

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

3. Introduce Ordinance No. CSD 50, for the establishment of Zone S (Sunnymead Boulevard Maintenance). (Roll Call Required)

Ordinance No. CSD 50

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Establishment of Zone S for the Purpose of Furnishing Maintenance Services to Future Improvements to be Constructed by the Redevelopment Agency along Sunnymead Boulevard from Frederick Street to Perris Boulevard

**Approved by a 4-0-1 vote, Stewart recused himself due to a conflict of interest on this item.**

Board Member Stewart returned to the Council Chamber.

E4. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME FY 2006/07 PROPOSED PROJECTS (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and Home Programs to allow the public an opportunity to comment on the proposed projects and programs; and

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Johnnie Manning (representing CASA), Jerry Casillas (representing C.A.P.) and (Ray Carbajal, representing American Red Cross).

2. Select programs and projects for funding as part of the City's Annual Action Plan for FY 2006/07, updating the 5-Year Consolidated Plan.

**Approved staff's recommendation by a 5-0 vote. m/White, s/West.**

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

- a) Report on March Joint Powers Authority by Council Member Stewart

Council Member Stewart reported the first full board meeting will be

held tomorrow morning. Also announced he attended a very productive meeting with representatives from Chevron Air Fuel from Houston, County Fire Marshal, County Environmental Health Services, DHL, March Joint Powers representatives, March Global Port representatives, Wildan Engineering and many others. He got the feeling everyone there was working to find a solution to the fueling problem.

- G2. INTRODUCE ORDINANCE NO. CSD-51 AMENDING ORDINANCE NO. CSD 49, ADDING FEES FOR THE CONFERENCE AND RECREATION CENTER DANCE STUDIO, GYMNASIUM, AND CELEBRATION PARK (Report of: Parks and Recreation Department)  
Recommendation: That the City Council, acting in the capacity as Board of Directors of the Moreno Valley Community Services District, introduce Ordinance No. CSD 51, amending Ordinance No. CSD-49, adding fees for the Conference and Recreation Center Dance Studio, Gymnasium, and Celebration Park to take effect on April 27, 2006 (Roll call required).

Ordinance No. CSD-51

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Amending Ordinance No. CSD-49 by Adding Fees for the Use of the Moreno Valley Conference and Recreation Center Gymnasium, Dance Studio and Celebration Park

**Approved by a 5-0 vote to continue to a future Council meeting. m/Batey, s/White.**

- G3. AUTOMATED PHOTO RED LIGHT ENFORCEMENT SYSTEM (Report of: Public Works Department)  
Recommendation: That the City Council review this information. If Council would like to implement this program, it will need to appropriate funding primarily to cover the cost of police staffing.

Mayor Flickinger opened the agenda item for public comments. Public comments were received from Daryl Terrell.

**Approved by a unanimous vote to continue to a future Study session. m/Batey, s/White.**

- G4. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE MORENO VALLEY VETERANS MEMORIAL, PROJECT NO. 06-41278424

(Report of: Public Works Department)

Recommendation: Adopt the plans and specifications, subject to approval by the Building Official and Interim City Engineer; and authorize the City Clerk to advertise the project for construction bids when it is approved by the Building Official and Interim City Engineer.

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

**Approved by a 5-0 vote. m/Batey, s/West.**

- G5. 2006 LEGISLATIVE UPDATE (Report of: Interim Assistant City Manager)  
Recommendation: Receive and file the informational report.

**Approved by a unanimous vote. m/Stewart, s/Batey.**

- G6. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

City Manager Gutierrez announced that Mayor Bonnie Flickinger, City Clerk Alice Reed and Moreno Valley resident Pat Box are being recognized as “Women of Distinction” by Assemblyman Bill Emmerson of the 63<sup>rd</sup> Assembly district. They will be honored at a luncheon on March 30 in Ontario.

## **H. LEGISLATIVE ACTIONS**

### **ORDINANCES - 1ST READING AND INTRODUCTION**

- H1. ORDINANCE NO. 710 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 2.27 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE TRAFFIC SAFETY COMMISSION (TSC) (CONTINUED FROM FEBRUARY 14, 2006) (Report of: Public Works Department)  
Recommendation: That the City Council introduce Ordinance No. 710; amending Chapter 2.27 of Title 2 of the Municipal Code relating to the Traffic Safety Commission administration to enhance the commission’s composition, function, and rule of procedures in order for TSC to provide better service to the City (Roll call required).

Ordinance No. 710

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 2.27 of the City of Moreno Valley Municipal Code Relating to the Traffic Safety Commission

**Approved by a 5-0 vote to introduce as amended to show the following changes/corrections: Section 2.27.010 shall read “It shall consist of seven (7) City Council-appointed voting members, and eight (8) non-voting members (when possible), serving without...; Section 2.27.020 to remove “Insofar as practicable” from first sentence and D. shall read “a student of the law enforcement explorer post may be appointed by City Council”;and Section 2.27.050 shall read “If there is a lack of substantive agenda items for a regular meeting, and if there are no pending requests from the public for Traffic Safety Commission’s action, such meeting may be cancelled by the chairperson or by a majority of the commission, provided that notice of such cancellation is given to the public at least forty-eight (48) hours prior to the time of the meeting.”, and “Four or more voting members of the commission shall constitute a quorum for the conduct of business, and a majority of such quorum shall be necessary to approve or deny an issue.**

ORDINANCES - 2ND READING AND ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS – NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL ARE AS FOLLOWS:

Daryl Terrell

- 1) Possible Excessive Noise Ordinance
- 2) Parolee homes

Dee Chambless

- 1) Use of Parks & Recreation facility (Cottonwood Golf Center building) being used by Moreno Valley Cultural Arts Foundation
- 2) Read letter from Cathlene Fishman

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



Council Member West

- 1) Thanked Chief DiYorio and Interim Assistant City Manager Betsy Adams for their help with the Public Safety Subcommittee in providing crime stats for District 3 –he will be forming a Crime Prevention Committee in his district

Council Member Batey

- 1) Thanked Pastor Knight for invitation to speak at the Church on Sunday
- 2) Pleased to announce the residents of Shaw St. will be getting speed humps on their street

Mayor Flickinger

- 1) Receiving compliments from residents of Warner Ranch for the City's purchase of Jr. Market – residents very pleased that a satellite police facility will be housed on the site
- 2) Attended the 15<sup>th</sup> Birthday celebration of the Moreno Valley Campus of Riverside City College with Council Member West – the campus will now be called Moreno Valley College
- 3) No Council meeting to be held on March 28 – next meeting will be held on April 11

Council Member Stewart - no comments

Mayor Pro Tem White – no comments

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at to Closed Session at 8:33 p.m. by unanimous informal consent.

**CLOSED SESSION**

**REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY - NONE**

Submitted by:

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Alice Reed, City Clerk  
Secretary, Moreno Valley Community Services District  
Secretary, Community Redevelopment Agency of the City of Moreno Valley  
Secretary, Board of Library Trustees

Approved by:

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Bonnie Flickinger, 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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