

**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**

**REGULAR MEETING – 6:30 P.M.
APRIL 23, 2002**

CALL TO ORDER The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley was called to order at 6:31 p.m. by Mayor White in the Council Chamber located at 14177 Frederick Street

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Mayor Pro Tem Batey

INVOCATION – Pastor Charles Gibson, Breakthrough Church of God in Christ

ROLL CALL

Council:

Charles R. White	Mayor
William H. Batey	Mayor Pro Tem
Bonnie Flickinger	Councilmember
Richard A. Stewart	Councilmember
Frank West	Councilmember

Staff:

Alice Reed	City Clerk
Margaret Ayars	Assistant City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Gene Rogers	City Manager
Barry McClellan	Assistant City Manager
John Terrell	Planning Official
William Di Yorio	Police Chief
Andrew Bennett	Fire Marshall
Trent Pulliam	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services
George Price	Parks and Recreation Director

JOINT CONSENT CALENDARS (SECTIONS A-C) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

Mayor White opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem Batey to approve the Consent Calendars in their entirety, except for Items A3 and A6, which were removed for separate action. Motion carried 5-0. Roll call vote.

A. CONSENT CALENDAR - CITY COUNCIL

- A1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.
- A2. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE ALESSANDRO ENTRYWAY IMPROVEMENTS - PROJECT NO. 98-92777
Adopted the Plans and Specifications on file in the office of the Public Works Director and authorized the City Clerk to advertise this project for construction bids.
- A4. FINAL MAP 24097 – SINGLE FAMILY RESIDENTIAL PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) - WEST SIDE OF VIA DEL LAGO AND SOUTH OF IRIS AVENUE – PACIFIC CENTURY HOMES, INC.
Authorized the Mayor to execute the Amendment to Agreement for Public Improvements and directed the City Clerk to forward the signed Amendment to Agreement for Public Improvements to the County Recorder's office for recordation.
- A5. AGREEMENT WITH RIVERSIDE COUNTY TO PROVIDE VECTOR CONTROL SERVICES
Approved an agreement with the County of Riverside to provide vector control service to the City of Moreno Valley on an as-needed basis during the vector breeding season of each year, which is typically identified as April 1st through October 31st.
- A7. MINUTES – REGULAR MEETING OF MARCH 26, 2002

Approved as submitted.

- A8. MINUTES – SPECIAL MEETING OF APRIL 2, 2002
Approved as submitted.

- A9. WARRANT REPORTS – MARCH 31, 2002
Adopted Resolution No. 2002-28, approving the Warrant Reports, including wire transfers dated March, 2002 in the total amount of \$6,741,452.61.

Resolution No. 2002-28

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Reports Dated March 31, 2002.

- A10. PUBLIC COMPRESSED NATURAL GAS FUELING STATION MEMORANDUMS OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF MORENO VALLEY; THE CITY OF MORENO VALLEY AND THE UNITED STATES POSTAL SERVICE; AND THE CITY OF MORENO VALLEY AND ENRG FUEL USA Approved the Memorandums of Understanding (MOUs) by and between: 1) The County of Riverside and the City of Moreno Valley endorsing their intent to use the Compressed Natural Gas (CNG) Fueling Station and committing \$12,500 of the SB 2766 Subvention Funds toward the infrastructure of this station; 2) United States Postal Service (USPS), San Bernardino Vehicle Maintenance Facility and the City of Moreno Valley endorsing their intent to use the Compressed Natural Gas Station for their local fleet; and 3) ENRG Fuel USA and the City of Moreno Valley agree to a fuel cost for the City that will not exceed ten percent (10%) over the cost of the commodity including transportation, electrical, operation and maintenance costs.

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. EXTENSION OF CONTRACT – PROJECT NO. E-4/99 – MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH EAST
Approved the Amendment to Contract Agreement for MVCSD Project E-4/99 to extend the term of the contract for an additional one-year period and authorized the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of Santa Ana, California; authorized the Purchasing Manager, at the start of Fiscal Year 2002/03, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

One Hundred and Four Thousand One Hundred Eighty-One Dollars and No/100 (\$104,181.00) for twelve months of base maintenance service, and;

Fifteen Thousand Four Hundred Forty Dollars and No/100 (\$15,440.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.

- B3. EXTENSION OF CONTRACT – PROJECT NO. E-2/01 – MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – HIDDEN SPRINGS
Approved the Amendment to the Contract Agreement for MVCSD Project E-2/01 to extend the term of the contract for an additional one-year period and authorized the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. in the amounts of: One Hundred Fourteen Thousand One Hundred Twenty-Seven Dollars and 44/100 (\$114,127.44) for twelve months of base maintenance service, and; Eighteen Thousand Three Hundred Seventy-Five Dollars and No/100 (\$18,375.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.

- B4. NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE STREETLIGHT IN-FILL PROJECT S/L 00/01
Accepted the work for the Citywide Streetlight In-fill Project – S/L 00/01 various locations, constructed by D.B.X., Inc., Temecula, California 92520, as complete; ratified the following Contract Change Orders:

Contract Change Order No. 1 which includes the construction services for the installation of 6 concrete streetlights along Kristen Court; direct the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorize the Director of Finance to release the retention to D.B.X., Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, as required by Section 7107 9c (3) of the California Public Contract Code (Account Nos. 00172.87220.7200 and 00171.87120.7200), and accept the improvements.

- B5. MINUTES – REGULAR MEETING OF MARCH 26, 2002
Approved as submitted.

- B6. REPLACEMENT OF PLAY STRUCTURE COMPONENTS AND REPAIR/REPLACEMENT OF RUBBERIZED SURFACES IN CITY PARKS)
Awarded a purchase order to Miracle Playground Sales, 27464 Commerce Center Drive, Suite 1, Temecula, California 92590 for material and labor to replace play structure components and repair/replace rubberized surfaces on

various surfaces on various parks playgrounds and authorized the Finance Director to execute the necessary documents in an amount not to exceed \$150,000 as appropriated in FY 01/02, in account code 161.76210.6641.648.

B7. 2001/2002 BUDGET APPROPRIATION ADJUSTMENTS FOR CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE)

Approved the 2001/2002 budget appropriation adjustments in the amount of \$46,450 to cover the increase in contract cost for CSD Zone D (Parkway Landscape Maintenance) Full Service Group 1, (D-SG1/01) for the 2001/02 contract year (Account No. 181.78110.6261) and a \$1,460 budget appropriation adjustment from the Zone D fund balance for mulch materials (Account No. 181.78110.6361.362)

B8. APPROVE GRANT APPLICATION FOR PHASE 2 OF THE SPORTS AND COMMUNITY CENTER

Approved the filing of an application for local assistance funds in the amount of \$3,000,000 for Phase 2 of the Sports and Community Center to be funded from the Murray-Hayden Urban Parks and Youth Service Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 and adopted Resolution No. CSD 2002-04 to certify the approval of the governing board to enter into this transaction with the California Department of Parks and Recreation for the purpose of applying for grant funding for Phase 2 of the Sports and Community Service Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2002/03, 2003/04, 2004/05.

Resolution No. CSD 2002-04

A Resolution of the City Council of the City of Moreno Valley, California, Acting in its Capacity as the Board of Directors of the Moreno Valley Community Services District Certifying the Approval of the Governing Board for the City of Moreno Valley Parks and Recreation Department to Apply for Grant Funds Under the Murray-Harden Urban Parks and Youth Service Program Under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act Of 2000 for the Sports and Community Center and to Authorize Designated Personnel to Sign Contract Documents For FY 2002/03, 2003/04 and 2004/2005

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. PALOS VERDES APARTMENTS - SUBORDINATION
Approved the revised Implementation Agreement by and between the Community Redevelopment Agency and Palos Verdes Apartments.
- C3. MINUTES – REGULAR MEETING OF MARCH 26, 2002
Approved as submitted

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – ELEVEN (11) TRACTS

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

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing. The motion carried 5-0. Roll Call vote.

Vice President Batey made a motion, seconded by Boardmember West to receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and authorize and impose the applicable CSD Zone D charge. The motion carried 5-0. Roll Call vote.

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

- A3. RESOLUTION IN SUPPORT OF PRIORITY TREATMENT OF METROLINK'S RIVERSIDE LINE BY THE UNION PACIFIC RAILROAD COMPANY

Mayor White opened the agenda item for public comments, which were received by Pete Bleckert.

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to adopt Resolution No. 2002-27, as amended, and authorize staff to prepare a letter to Riverside County Transportation Commission voicing

the City's support for the priority treatment of Metrolink's Riverside Line by the Union Pacific Company. Motion carried 5-0. Roll call vote.

Resolution No. 2002-27

A Resolution of the City Council of the City of Moreno Valley, California, in Support of Priority Treatment of Metrolink's Riverside Line by the Union Pacific Railroad Company

A6. BID AWARD – MOTOR GRADER (BID NO. 01/02-05)

Mayor White made a motion, seconded by mayor Pro Tem Batey to award the purchase of one Motor Grader to RDO Equipment Co. of Riverside, CA as being in the best interest of the City and authorize the Finance Director to issue a purchase order to RDO Equipment Co. of Riverside, CA in the amount of \$129,473.87. The motion carried 5-0. Roll call vote.

D2. PUBLIC HEARING TO CONSIDER AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2001-02 ANNUAL ACTION PLAN

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

Councilmember Stewart made a motion, seconded by Councilmember West to continue Item D2, Public Hearing to Consider Amending the Community Development Block Grant Program 2001-02 Annual Action Plan to May 14, 2002. Motion carried. Roll call vote.

D3. JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO CONSIDER AN AGREEMENT WITH MORENO VALLEY SENIOR HOUSING, INC., (COOPERATIVE SERVICES)

Mayor White opened the public hearing for public comments, which were received from John Sharkey.

Mayor White closed the public testimony portion of the public hearing.

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to adopt Resolution No. 2002-30, making the findings required by the California Environmental Quality Act for the approval of the project. The

motion carried 5-0. Roll call vote.

Adopt Resolution No. 2002-30

A Resolution of the City Council of the City of Moreno Valley, California,
Making Environmental Findings

Agencymember Stewart made a motion, seconded by Vice Chairperson Batey that the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution No. RDA 2002-02, making the findings required by the California Environmental Quality Act for the approval of the project. Motion carried 5-0. Roll call vote.

Resolution No. RDA 2002-02

A Resolution of the Redevelopment Agency of the City of Moreno Valley,
Making Environmental Findings

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to adopt Resolution No. 2002-29 making the findings required by Section 33433 and Section 33445 of the Health and Safety Code for the disposition of Agency owned property and the use of Agency funds for publicly owned improvements; Making the finding and providing the consent required by Section 33421.1 of the Health and Safety Code for the Agency to pay the costs of off-site improvements required by the City as a condition of granting entitlements for the project; and Approving the Disposition and Development Agreement (DDA) with Moreno Valley Senior Housing, Inc. and authorizing the City Manager to execute the DDA and other instruments necessary or convenient to implement the DDA. The motion carried 5-0. Roll call vote.

Resolution No. 2002-29

A Resolution of the City Council of the City of Moreno Valley, California,
Approving a Disposition and Development Agreement with Moreno Valley Senior Housing, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds

Agencymember Stewart made a motion, seconded by Vice Chairperson Batey, that the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution No. RDA 2002-01 making the findings required by Section 33433 and Section 33445 of the Health and Safety Code for the disposition of Agency owned property and the use of Agency funds for

publicly owned improvements; Authorizing a budget appropriation in the amount of \$227,323 from the Redevelopment Agency's affordable housing fund balance to Moreno Valley Senior Housing, Inc. account 894.67120; and Approving the Disposition and Development Agreement (DDA) with Moreno Valley Senior Housing, Inc. and authorizing the Executive Director to execute the DDA and other instruments as necessary or convenient to implement the DDA. The motion carried 5-0. Roll call vote.

Resolution No. RDA 2002-01

A Resolution of the Redevelopment Agency of the City of Moreno Valley, California, Approving a Disposition and Development Agreement with Moreno Valley Senior Housing, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds

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F. REPORTS

F1. NEW MAIN LIBRARY PROJECT (CONTINUED FROM APRIL 16, 2002)

Mayor White opened the item for public comments, which were received by Pete Bleckert, Priscilla Banks, Daryl Terrell, and Marcia Amino.

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to rescind the Council's previous policy direction for filing an application for California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act funding in round one of the funding cycle in June 2002. This recommendation is due to the financial uncertainty created by the upcoming Utility User's Tax election in November. The motion carried 5-0. Roll call vote.

F2. HOMEBUYER ASSISTANCE PROGRAM (HAP) REVISIONS

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

Agencymember West made a motion, seconded by Agencymember Stewart to approve an increase of the maximum sales price from \$125,000 to \$150,000; restrict the use of HAP funds to only down payment assistance and remove the homebuyer's minimum contribution of three (3) percent; and

approve the removal of the minimum housing and total debt-to-income ratios related to the Homebuyer Assistance Program (HAP), and authorize staff to administratively amend the Homebuyer Assistance Program Procedures Manual as necessary. The motion carried 4-1, Flickinger opposed. Roll call vote.

- F3. PRESENTATION OF DEPARTMENTAL 5-YEAR PLAN/POWERPOINT PRESENTATION – PUBLIC WORKS – ORAL PRESENTATION ONLY – NO WRITTEN MATERIAL

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

Councilmember Stewart made a motion, seconded by Councilmember West to continue Item F3 to May 14, 2002. The motion carried 5-0. Roll call vote.

- F4. STUDY OF INDEPENDENT POLICE DISPATCH CENTER

Mayor White opened the item for public comments, which were received from Priscilla Banks.

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to continue Item F4 to August 27, 2002; Sheriff's Department to provide hard copies of presentation in the interim. Motion carried 5-0. Roll call vote.

- F5. APPOINTMENTS TO SENIOR CITIZENS ADVISORY COMMITTEE AND CULTURAL PRESERVATION ADVISORY COMMITTEE

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to appoint to the Senior Citizens Advisory Committee James C. Cowan for a term expiring June 30, 2003, and Barbara B. Cohen for a term expiring June 30, 2004; and appoint Vonzetta M. Fielding to the Cultural Preservation Advisory Committee with a term expiring June 30, 2004. The motion carried 5-0. Roll call vote.

- F6. PUBLIC MEETING ON PROPOSED 2002/03 FEE SCHEDULE

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

F7. LEGISLATIVE UPDATE

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

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to receive and file the Legislative Status Report. Motion carried unanimously.

F8. CITY MANAGER'S REPORT

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- G1. ADOPTION OF ORDINANCE NO. 600 (RECEIVED FIRST READING AND INTRODUCTION APRIL 9, 2002 ON A 4-1 VOTE, WEST VOTING NO)

Mayor Pro Tem Batey made a motion, seconded by Councilmember Stewart to adopt Ordinance No. 600. Motion carried 4-1, Councilmember West opposed. Roll call vote.

Ordinance No. 600

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS - NONE

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

Daryl Terrell, Address Matter of Record

1. Thanked the Moreno Valley Police Department and recommended funding to add eight additional officers.

Marcia Amino, 10363 Crest Brook

1. Reminder that April is Child Abuse Prevention Month

2. Supports the Ranch skateboard park

Pete Bleckert, Address Matter of Record

1. Budget review
2. Supports flood control reservoir
3. Opposes road humps in residential neighborhoods

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

Councilmember Bonnie Flickinger

1. Clarified that the skate park has not been closed and public hearing scheduled for following week.
2. Supports converting surplus to public safety
3. Participated in career day at Rancho Verde High School
4. Participated in Relay for Life; thanked Warren and Linda Henderson for an excellent event
5. Anyone concerned with Adelpia service should contact Media & Communications
6. Ask for prayers to remember survivors and family of those who died in Metrolink accident

Councilmember Richard Stewart

1. Suggested that City's weed abatement program be coordinated with the advanced fire season date by Fire. Councilmember Flickinger supports request.
2. Announced that eight C-17s will be phased in at March Air Reserve Base
3. Urged those upset with the amount of Street Sweeping tickets to come in to discuss
4. Defended the right of those who attend Council meetings to denigrate the Council
5. Defended the Library Board members who were denigrated at this meeting
6. Urged residents to work in a positive way for City's benefit

Councilmember Frank West

1. Asked if tonight's Closed Session could be conducted at the Special Meeting on April 30

The Closed Session scheduled for this evening was moved to April 30, 2002 at 5:30 p.m. by unanimous, informal consent.

ADJOURNMENT

There be no further business to conduct, the meeting was adjourned at 9:45 p.m. by unanimous, informal consent.

Submitted by:

Alice Reed, City Clerk
Secretary, Moreno Valley Community Services District
Secretary, Moreno Valley Redevelopment Agency

Approved by:

Charles R. White, Mayor
President, Moreno Valley Community Services District
Chair, Moreno Valley Redevelopment Agency

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