

**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.
JUNE 11, 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 6:30 p.m. by Mayor White in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Councilmember Flickinger

INVOCATION - Pastor David Miller, Lord of Life Lutheran Church

ROLL CALL

Council:

Charles R. White	Mayor
Bonnie Flickinger	Councilmember
Richard A. Stewart	Councilmember
Frank West	Councilmember

Absent: William H. Batey Mayor Pro Tem

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Barry McClellan	Assistant City Manager
Linda Guillis	Community and Economic Development Director
Michael O'Donnell	Lieutenant, Moreno Valley Police Department
Andrew Bennett	Fire Marshall
Tom Breitkruez	Special Districts Manager
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 Councilmember Stewart to approve the Consent Calendars in their entireties, except for Items A3, B2 and C2, Special Meeting Minutes of May 7, 2002, which were previously approved on May 28, 2002. Motion carried 4-0-1, Mayor Pro Tem Batey absent. 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. MINUTES – SPECIAL MEETING OF APRIL 30, 2002
Approved as submitted.
- A4. MINUTES – REGULAR MEETING OF MAY 14, 2002
Approved as submitted.
- A5. CONFLICT OF INTEREST CODE – AGENCY REVIEW
Directed each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2002.
- A6. MEASURE "A" LOCAL STREETS AND ROADS FUND PROGRAM FIVE YEAR CAPITAL IMPROVEMENT PLAN FISCAL YEAR 2003-2007
Approved the Measure "A" Local Streets and Roads Fund Program, Five-Year Capital Improvement Plan list of projects as identified in the tables entitled Riverside County Transportation Commission (RCTC), Measure "A" Local Fund Program, Fiscal Year 2003-2007 and authorized the submittal of the RCTC, Measure "A" Local Fund Program, Fiscal Year 2002-2007, and the Maintenance of Effort (MOE) Certification Statement.
- A7. APPROVAL OF PARCEL MAP 30123, SOUTH SIDE OF POSTAL AVE., EAST OF HEACOCK ST. AND WEST OF BACK WAY
Approved Parcel Map 30123, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A8. AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON THURSDAY, JULY 4, 2002
Authorized the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on Thursday, July 4, 2002:

- a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
 - b. Frederick Street between Centerpointe Drive and Cactus Avenue;
 - c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
 - d. Eucalyptus Avenue between Pan Am Boulevard and Graham Street;
 - e. Dracaea Avenue between Pan Am Boulevard and Graham Street;
 - f. Atlantic Circle east of Frederick Street;
 - g. Brabham Street between Frederick Street and Andretti Street;
 - h. TownGate Boulevard between Frederick Street and Heritage Way;
 - i. Bay Avenue between Kristina Court and Courage Street;
 - j. Alessandro Boulevard between Chagall Court and Courage Street;
 - k. Resource Way between Frederick Street and Corporate Way;
 - l. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
 - m. Calle San Juan de Los Lagos between Frederick Street and Corporate Way.
2. Authorized the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program.
- a. Petaluma Avenue between Napa Valley and Morrison Street;
 - b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
 - c. Lakeport Drive at Cottonwood Avenue;
 - d. Burney Pass between Cottonwood Avenue and Dracaea Avenue;
 - and
 - d. Rockport Drive between Yuba Pass Road and Morrison Street.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

- A9. APPROVAL OF PARCEL MAP 30352, WEST SIDE OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE AND NORTH OF OLEANDER AVENUE (SUBDIVIDER – MCKENZIE VISTA, L.P., Laguna Woods) Approved Parcel Map 30352, authorized the City Clerk to sign the map and transmit said map to the County Recorder’s Office for recordation.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - FIRST READING BY TITLE ONLY
 Waived reading of all Ordinance Introductions and read by title only.

B3. MINUTES – REGULAR MEETING OF MAY 14, 2002
Approved as submitted.

B4. EXTENSION OF CONTRACT – PROJECT NO. D-SG1/01 – MAINTENANCE OF STANDARD LANDSCAPING AND IRRIGATION

Approved the Amendment to the Contract Agreement for MVCSD Project D-SG/01 to extend the term of the contract for an additional one-year period; authorized the President of the MVCSD Board to execute said Amendment with Excel Landscape, Inc. of Corona, California; authorized the Purchasing Manager to issue open purchase orders to Excel Landscape, Inc. in the amounts of:

a.) Two Hundred Twelve Thousand Two Hundred Ninety Dollars and 44/100 (\$212,290.44) for twelve months of base maintenance service; and

b.) Twelve Thousand Two Hundred Forty-Five Dollars and No/100 (\$12,245.00) 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 MAY 14, 2002

Recommendation: Approve as submitted.

D. PUBLIC HEARINGS

D1. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT NO. 30195 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING

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

President White directed the Secretary to tabulate the ballots.

The Secretary announced the results as follows:

A.P.N. 304-260-001 – Yes

A.P.N. 304-260-002 – Yes

A.P.N. 304-260-004 – Yes

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing; receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and authorize and impose the CSD Zone B charges. Motion carried 4-0-1, Vice-President Batey absent. Roll call vote.

- D2. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL SERVICE CHARGE FOR THE STREET TREE LANDSCAPING PROGRAM – TRACTS 10191/18468

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

President White directed the Secretary to tabulate the ballots and the results to be announced at a later time during the Council meeting

- D3. PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR 2002/2003

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

Boardmember Stewart made a motion, seconded by Boardmember West to approve and adopt Resolution No. CSD 2002-08 (Zone A). Motion carried 4-0-1, Vice-President Batey absent. Roll call vote.

Resolution No. CSD 2002-08

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, approving the Continuance of the Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Parks, Parkways, and Recreation Services During Fiscal Year 2002/03

Boardmember Stewart made a motion, seconded by Boardmember West to approve and adopt Resolution No. CSD 2002-09 (Zone B). Motion carried 4-0-1, Vice-President Batey absent. Roll call vote.

Resolution No. CSD 2002-09

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, approving the Continuance of the Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Residential Street Lighting Services During Fiscal Year 2002/03

Boardmember Stewart made a motion, seconded by Boardmember West to approve and adopt Resolution No. CSD 2002-10 (Zone C). Motion carried 4-0-1, Vice-President Batey absent. Roll call vote.

Resolution No. CSD 2002-10

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, approving the Continuance of the Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Intersection and Arterial Street Lighting Services During Fiscal Year 2002/03

Boardmember Stewart made a motion, seconded by Boardmember West to approve and adopt Resolution No. CSD 2002-11 (Zone D). Motion carried 4-0-1, Vice-President Batey absent. Roll call vote.

Resolution No. CSD 2002-11

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, approving the Continuance of the Currently Approved Parcel Charge for Furnishing Parkway Landscape Improvement and Maintenance Services During Fiscal Year 2002/03

Boardmember Stewart made a motion, seconded by Boardmember West to approve and adopt Resolution No. CSD 2002-12 (Zone E). Motion carried 4-0-1, Vice-President Batey absent. Roll call vote.

Resolution No. CSD 2002-12

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, approving the Continuance of the Currently Approved Parcel Charge for Furnishing High-Service-Level Parkways Improvement and Maintenance Services During Fiscal Year 2002/03

- D4. PUBLIC HEARING TO CONSIDER APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 ANNUAL SPECIAL TAX LEVY

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

Councilmember Stewart made a motion, seconded by Councilmember West that the City Council, acting in its capacity as the legislative body of the Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1, approve and adopt Resolution No. 2002-40. Motion carried 4-0-1, Mayor Pro Tem Batey absent. Roll call vote.

Resolution No. 2002-40

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2002/03 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1.

- D5. PUBLIC HEARING TO CONSIDER APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) ANNUAL SPECIAL TAX LEVY

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

Councilmember Stewart made a motion, seconded by Councilmember Flickinger that the City Council, acting in its capacity as the legislative body of Community Facilities District (CFD) No. 87-1, approve and adopt Resolution No. 2002-41. Motion carried 4-0-1, Mayor Pro Tem Batey absent. Roll call vote.

Resolution No. 2002-41

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2002/2003 Regarding Community Facilities District No. 87-1 (Towngate)

- D6. PUBLIC HEARING TO CONSIDER APPROVAL AND ADOPTION OF COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING) SPECIAL TAX BONDS, SERIES 2000 ANNUAL SPECIAL TAX LEVY

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

Councilmember Stewart made a motion, seconded by Councilmember West that the City Council, acting in its capacity as the legislative body of Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) ("CFD No. 3") approve and adopt Resolution No. 2002-42. Motion carried 4-0-1, Mayor Pro Tem Batey absent. Roll call vote.

Resolution No. 2002-42

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2002/2003 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

AGENDA ORDER

- D2. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL SERVICE CHARGE FOR THE STREET TREE LANDSCAPING PROGRAM – TRACTS 10191/18468

President White announced that the Council is returning to Agenda Item D2, the public hearing to consider Community Services District Zone D (Parkway Landscape Maintenance) Annual Service Charge for the Street Tree Landscaping Program – Tracts 10191/18468 Mail Ballot Proceedings.

The Secretary announced the results as follows:

<u>Tract No.</u>	<u>Yes</u>	<u>No</u>
10191/18468	20	6

Boardmember Stewart made a motion, seconded by Boardmember Flickinger to verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing; 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 annual service charge. Motion carried 4-0-1, Vice-President Batey absent. Roll call vote.

- D7. A PUBLIC HEARING REGARDING PA02-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE, SUBMITTED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT OF THE CITY OF MORENO VALLEY, AMENDING OR ADDING MUNICIPAL CODE PROVISIONS REGARDING DEVELOPMENT REVIEW REQUIREMENTS, INCOMPLETE AND INACTIVE APPLICATIONS, RESIDENTIAL DEVELOPMENT STANDARDS, PLANNED UNIT DEVELOPMENTS, AIRPORT LAND USE COMPATIBILITY, ACCESSORY STRUCTURES, FENCES AND WALLS, COMMUNICATION FACILITIES, WIND ENERGY SYSTEMS, COMPACT PARKING, NEIGHBORHOOD IDENTIFICATION SIGNS, OFF-SITE REAL ESTATE SIGNS AND ARCHITECTURAL COMPATIBILITY

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

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to adopt a Negative Declaration for PA02-0007 pursuant to Section 15070 of the Guidelines for the Implementation of the California Environmental Quality Act; and introduce Ordinance No. 604 as amended, thereby approving PA027-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code. Motion carried 4-0-1, Mayor Pro Tem Batey absent. Roll call vote.

Ordinance No. 604

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code Regarding Development Review Requirements, Incomplete and Inactive Applications, Residential Development Standards, Planned Unit Developments, Airport Land Use Compatibility, Accessory Structures, Fences and Systems, Compact Parking, Neighborhood Identification Signs, Off-Site Real Estate Signs and Architectural Compatibility

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

F. REPORTS

- F1. RESOLUTION NO. CSD 2002-06, APPROVE AND ADOPT THE COMMUNITY SERVICES DISTRICT ZONES B AND C STREET LIGHTING POLICY (CONTINUED FROM MAY 28, 2002)

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

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to approve and adopt Resolution No. CSD 2002-06, the Community Services District Zones B (Residential) & C (Arterial) Street Lighting Policy (the "Policy") as amended. Motion carried 4-0-1, Vice-President Batey absent. Roll call vote.

Resolution No. CSD 2002-06

A Resolution of the Moreno Valley Community Services District of the City of

Moreno Valley, California, Hereby Certifies to Approve and Adopt the Community Services District Zones B (Residential) and C (Arterial) Street Lighting Policy

F2. LEGISLATIVE UPDATE

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

Councilmember Stewart made a motion, seconded by Councilmember West to receive and file the Legislative Status Report. Motion carried 4-0-1, Mayor Pro Tem Batey absent. Roll call vote.

F3. CITY MANAGER'S REPORT - No report

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

G1. DISCHARGE OF FIREARMS ORDINANCE

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

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to continue Ordinance No. 603 to August 27, 2002. Motion carried 4-0-1, Mayor Pro Tem Batey absent. Roll call vote.

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:

Ronnette James – 24071 Orange Creek Circle

- 1) Lack of buses provided by the City for the National Youth Sports Program

Priscilla Banks – 13560 Searson Dr.

- 1) Feels lies are being told regarding parks and libraries

Pete Bleckert – Address matter of record

- 1) Citizens don't believe threats being made by Council regarding Utility User's Tax
Martha Williams – 13674 Thunderbird Drive
1) Asked the City to provide buses for the National Youth Sports Program at UCR

Louise Palomarez – 24766 Thornberry

- 1) Feels the City is using scare tactics to keep the Utility User's Tax

Matthew McDonald – 24586 Northern Dancer Drive

- 1) Supports the City providing busing for the National Youth Sports Program at UCR

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

Councilmember Stewart

- 1) Stated that the City supports City-based youth sports programs
2) Explained that the City is not trying to increase the number of police officers, but retain what the City currently has
3) Would like to look into additional funding sources for youth sports

Councilmember Flickinger

- 1) Announced that with respect to the State Budget, the LOCAL Coalition has been very active in working with the State Legislators to try to protect the revenues of the cities—last month a legislative dinner was held in Sacramento where representatives of the cities were able to meet with eight State Legislators and discuss concerns
2) Coalition also met with the Director of the State Housing and Community Development Department regarding housing policies and the Director was very receptive to their concerns
3) Explained that if the Utility User's Tax is repealed there will not be funds for items such as sports programs
4) Encouraged staff in charge of the sports programs at UCR to apply for CDBG funds for their programs
5) Announced that Mr. Phillips, a Moreno Valley resident, was the champion fisherman in the 20th Annual May Trout Contest at Big Bear Lake
6) City is investigating the alleged slaughter of animals in residential backyards – would like this item agendaized for a future meeting

Councilmember West

- 1) Stated that he knows that taxes are a burden on everyone, but when the public is educated on the budget process it becomes clear that taxes are used for very good causes, such as fire and police protection— he is willing to share this information with any groups who would like him to meet with them

Mayor White

- 1) Stated that UCR was given the information to apply for CDBG funds for the busing - the City does not have the money budgeted for this program
- 2) Supports the Utility User's Tax – if the tax is repealed he will do his job and make the necessary cuts – these are not scare tactics, just the facts

CLOSED SESSION

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

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:35 p.m. by unanimous informal consent.

Submitted by:

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

Approved by:

Charles White, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley

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