

**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.
OCTOBER 8, 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 Mayor Pro Tem Batey

INVOCATION - Ministry Assistant Don Maresh, Moreno Valley Christian Church

ROLL CALL

Council:

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

Absent: Frank West Councilmember

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Gene Rogers	City Manager
Barry McClellan	Assistant City Manager
Linda Guillis	Community and Economic Development Director
William Di Yorio	Police Chief
Ken Pimlott	Interim Fire Chief
Tom Breitreuz	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.

Wybe Schaafsma - Address matter of record (Item A5)

1) Questioned the cost to the taxpayer to fund the Bikeway lanes

Mayor Pro Tem Batey made a motion, seconded by Councilmember Flickinger to approve the Consent Calendars in their entireties. Motion carried 5-0. Roll call vote.

Councilmember West arrived at 6:33 p.m.

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 SEPTEMBER 17, 2002
Approved as submitted.
- A3. MINUTES – REGULAR MEETING OF SEPTEMBER 24, 2002
Approved as submitted.
- A4. REQUEST FOR A 4-WAY STOP AT THE INTERSECTION OF KITCHING STREET AND BAY AVENUE
Adopted Resolution No. 2002-65 to establish 4-way stop controls at the intersection of Kitching Street and Bay Avenue.

Resolution No. 2002-65

A Resolution of the City Council of the City of Moreno Valley
Establishing Stop Controls for North and South Bound Traffic on
Kitching Street and Bay Avenue

- A5. APPROVE AND AUTHORIZE EXECUTION OF LOCAL AGENCY-STATE AGREEMENT BICYCLE TRANSPORTATION ACCOUNT PROJECT, AGREEMENT NO. BTA 01/02-08-RIV-02, FOR THE CONSTRUCTION OF CLASS II BIKEWAY LANES AND CLASS III BIKEWAY ROUTES IN VARIOUS LOCATIONS CITYWIDE (Report of: Director of Public Works/City Engineer)
Approved the Local Agency-State Agreement Bicycle Transportation Account

Project, Agreement No. BTA 01/02-08-RIV-02 for the construction of Class II Bikeway lanes and Class III Bikeway routes in various locations citywide; and authorized the City Manager to execute Local Agency-State Agreement Bicycle Transportation Account Project, Agreement No. BTA 01/02-08-RIV-02.

- A6. FINAL MAP 21040-1 REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2002-66, 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 VIA DE PALMAS AVENUE, LEAFWOOD DRIVE, PARTON COURT AND TASMAN STREET INTO THE CITY MAINTAINED STREET SYSTEM (FIESTA DEVELOPMENT, INC.)
Approved a 90% reduction to the Faithful Performance Bond; instructed the City Engineer to prepare a 90% reduction to the Faithful Performance Bond; and adopted Resolution No. 2002-66 authorizing the acceptance of the public right-of-way improvements for Tract Map 21040-1 as complete and accepting Via De Palmas Avenue, Leafwood Drive, Parton Court, and Tasman Street into the City maintained street system.

Resolution No. 2002-66

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 21040-1, and accepting Via de Palmas Avenue, Leafwood Drive, Parton Court, and Tasman Street into the City Maintained Street System

- A7. APPROVAL OF FINAL MAP 30003 – SINGLE FAMILY RESIDENTIAL PROJECT, SOUTH OF IRONWOOD AVENUE AND EAST OF LASSELLE STREET (FIESTA DEVELOPMENT, INC.)
Approved Final Map 30003, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A8. AUTHORIZATION FOR ACCEPTANCE OF DONATION, AMERICAN HONDA MOTOR COMPANY, INC.
Approved the acceptance of the donation from the Motorcycle Division of the American Honda Motor Company for two off-road motorcycles.
- A9. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRIS AVENUE STREET IMPROVEMENTS FROM INDIAN STREET TO PERRIS BOULEVARD, PROJECT NO. 12566721
Approved the Amendment to Agreement for Professional Consultant Services with DMC Design Group, Inc. for additional design engineering services for

the Iris Avenue street improvements from Indian Street to Perris Boulevard; authorized the Mayor to execute the Amendment to Agreement for Professional Consultant Services between the City and DMC Design Group, Inc.; and authorized an increase in the Purchase Order for DMC Design Group, Inc. in the not-to-exceed amount of \$16,950 (Account No. 125.66721).

A10. ACCEPTANCE OF THE EXTENSION OF THE COMMUNITY PREVENTION COMPONENT CATEGORY OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM GRANT AWARD

Accepted a one-year extension of the Community Prevention Component category of the Juvenile Justice and Delinquency Prevention Program Grant Award in the amount of \$190,811, for the period of July 1, 2002 to June 30, 2003 from the Office of Criminal Justice Planning, and approve budget appropriations and expenditures for FY 02/03.

A11. EXTENSION OF PLANNING COMMISSION TERMS

Extended the three Planning Commission terms that expire on January 1, 2003, to such time as new appointments are made.

A12. APPROVAL OF FINAL MAP 30195 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, SOUTH SIDE OF IRIS AVENUE, WEST OF OLIVER STREET (RICHMOND AMERICAN HOMES OF CALIFORNIA, INC.)

Approved the Final Map 30195, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accepted the bonds and Agreement for Public Improvements; authorized the Mayor to execute the agreement and directed the City Clerk to forward the signed agreement 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.

B2. MINUTES – SPECIAL MEETING OF SEPTEMBER 17, 2002

Approved as submitted.

B3. MINUTES – REGULAR MEETING OF SEPTEMBER 24, 2002

Approved as submitted.

B4. REPLACEMENT OF VANDALIZED PLAY STRUCTURE SLIDES AT EL

POTRERO PARK AND PARQUE AMISTAD

Awarded a purchase order to Miracle Playground Sales, 27464 Commerce Center Drive, Suite 1, Temecula, California 92590 for material to replace vandalized play structure slides at El Potrero Park and Park Amistad and authorize the Finance Director to execute the necessary documents in an amount not to exceed \$10,527.71 as appropriated replacement funds in FY 02/03, in account code 757.99402.6641.648 – Fixed Asset Replacement – CSD, Other Machine/Equipment.

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 – SPECIAL MEETING OF SEPTEMBER 17, 2002
Approved as submitted.
- C3. MINUTES – REGULAR MEETING OF SEPTEMBER 24, 2002
Approved 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 E-4A (TRACT 30195 - INTERNAL LANDSCAPE MAINTENANCE)

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

The Secretary announced the results as follows:

Tract No. 30195 - Yes

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to 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 E-4A charge. Motion carried 5-0. Roll call vote.

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

F. REPORTS

- F1. REQUEST BY APPLICANT FOR CONTINUANCE OF GENERAL PLAN AMENDMENT AND ZONE CHANGE FROM R5 TO R10 FOR ASSESSOR'S PARCEL NO. 479-140-022 AND THE PLOT PLAN FOR THE PROPOSED 174-UNIT SENIOR CITIZEN APARTMENT PROJECT LOCATED ON THE NORTH SIDE OF COTTONWOOD AVENUE AND EAST OF PERRIS BOULEVARD AT WATSON WAY (CONTINUED FROM SEPTEMBER 10, 2002)

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

Councilmember Stewart made a motion, seconded by Councilmember West to continue the item for the General Plan Amendment (PA02-0024) and Zone Change (PA02-0023) from R5 to R10 for Assessor's Parcel No. 479-140-022 and the plot plan for the proposed 174-unit senior citizen apartment (PA02-0022), and approve a continuance for the item to November 26, 2002. Motion carried 5-0. Roll call vote.

- F2. UNDERSTANDING CITY FINANCES (POWERPOINT PRESENTATION – NO WRITTEN MATERIAL)

Mayor White opened the agenda item for public comments, which were received from Ray Hosman and Pete Bleckert.

Mayor White made a motion, seconded by Councilmember West to receive and file the report. Motion carried 5-0. Roll call vote.

AGENDA ORDER

- F4. PRESENTATION OF DEPARTMENTAL 5-YEAR PLAN/POWERPOINT PRESENTATION – PUBLIC WORKS PART I (SPECIAL DISTRICTS DIVISION)
- F3. APPOINTMENT TO THE PARKS AND RECREATION ADVISORY COMMITTEE - TEENAGE MEMBER

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

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to appoint Christopher Prudhome as teenage member to the Parks and Recreation Advisory Committee for a term expiring January 27, 2004. Motion carried 5-0. Roll call vote.

F5. LEGISLATIVE UPDATE

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

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

F6. CITY MANAGER'S REPORT

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

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

G1. ADOPTION OF ORDINANCE NO. 610, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 7, CHAPTER 7.03 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, CHANGING THE NUMBER OF COMMITTEE MEMBERS SERVING ON THE CULTURAL PRESERVATION ADVISORY COMMITTEE (CPAC) FROM NINE (9) TO SEVEN (7) TOTAL MEMBERS (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 24, 2002 ON A 5-0 VOTE)

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

Mayor Pro Tem Batey made a motion, seconded by Councilmember Flickinger to adopt Ordinance No. 610. Motion carried 5-0. Roll call vote.

Ordinance No. 610

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 7, Chapter 7.03 of the City of Moreno Valley Municipal Code, Changing the Number of Committee Members Serving on the Cultural Preservation Advisory Committee (CPAC) from Nine (9) to Seven (7) Total Members

- G2. ADOPTION OF ORDINANCE NO. 611, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 11.50, RELATING TO THE GAME OF BINGO (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 24, 2002 ON A 5-0 VOTE)

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

Mayor Pro Tem Batey made a motion, seconded by Councilmember West to adopt Ordinance No. 611. Motion carried 5-0. Roll call vote.

Ordinance No. 611

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 11 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 11.50, Relating to the Game of Bingo

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS – NONE

**RECESS;
RECONVENE**

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

Wybe Schaafsma - Address matter of record

- 1) Waste of taxpayer dollars on various city projects – proposed library, soccer fields, roller hockey facility, etc.

Anthony J. Roberts, Jr. – 25937 Coriander Ct.

- 1) Upset with the City over incident at July 4th festivities – he was forced to leave due to arrest of someone he was not acquainted with

Tom Smithson - 28966 Canyon Vista Dr., Trabuco Canyon

- 1) Disturbed by the arrest of his friend at the July 4th festivities – stated police report was inaccurate – felt excessive force was used

Steve Runge – 5325 Peridot Ave., Alta Loma

- 1) Stated his frustration with the Police Department at the July 4th festivities – he felt excessive force was used by Officers Rodriguez and Salisbury when he was arrested

Kelsey Runge – 5325 Peridot Ave., Alta Loma

- 1) Continued comments on behalf of her father (Steve Runge) regarding July 4th

Cindy Runge – 5325 Peridot Ave., Alta Loma

- 1) Complained about arrest of Steve Runge – stated her entire group of 50 was forced to leave because of incident

Linda Warner-Smithson

- 1) Stated her brother-in-law Steve Runge was not drunk at the 4th of July festivities and did not resist arrest as stated in the report

Rick Lapierre – 3256 Oakleaf, Chino Hills

- 1) Stated he has attended the 4th of July festivities for the past six years. He was disturbed by the fact that his entire group was asked to leave due to the disturbance – felt excessive force was used by the Police Department.

Rocky Mollicone – 13214 Sonrisa, Chino Hills

- 1) Stated he was the one with the beer at the 4th of July festivities – he agreed to leave when asked by the Police Department but didn't feel the entire group should leave – he also felt excessive force was used

Priscilla Banks – 13560 Searson Dr.

- 1) Utility Users Tax

Daryl C. Terrell – Address matter of record

- 1) Destiny of Moreno Valley – residents must pull together as a City

Pete Bleckert – Address matter of record

- 1) Utility Users Tax

Ray Hosman – Address matter of record

- 1) Stated the signers of argument against Measure F are using incorrect addresses

Bruce Brayshaw – 3098 Oakcreek, Chino Hills

- 1) Spoke regarding 4th of July incident – he didn't witness incident but his young children did. As a concerned parent he is disturbed by the way Steve Runge was treated and didn't know how to explain this to his children. Gave a phone number, 782-2985 which is an answering service for a third party who will investigate

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

Mayor Pro Tem Batey

- 1) Attended "Healthier Communities Task Force" meeting – they have lots of great projects including parks and recreation and Habitat for Humanity
- 2) Would like to talk to Mr. Runge and his family regarding the 4th of July incident

Councilmember Flickinger

- 1) Asked Chief Di Yorio if formal complaint had been filed regarding the 4th of July incident
- 2) Stated four of the signers of the argument against Measure F are residents of Moreno Valley
- 3) Clarified that three members of the current City Council were not Council members when the Utility User's Tax decision was made in 1996
- 4) Congratulated MVTV-3 staff on receiving a national award
- 5) Announced that the Neighborhood Watch Association was holding meeting on October 9th, at 7:00 p.m. at the police station

Councilmember Stewart

- 1) Announced a letter will be coming out to the residents living in the area of the Shadow Mountain construction from Empire Homes
- 2) Utility User's Tax on ballot in 1996 was voluntary
- 3) Stated there has never been a proposal to spend city money to build a golf course in Poorman's reservoir and the \$12 million dollar figure is a total fabrication – the city is trying to get the golf course built with private money and managed by a private company with proceeds to go to Parks and Recreation programs
- 4) Stated the Sheriff is a resident of Moreno Valley
- 5) Chief Di Yorio will look into the complaint filed by the Runge family regarding the July 4th incident

Councilmember West

- 1) Announced he met with Sheriff Larry Smith and he strongly supports the Utility User's Tax
- 2) Assured Runge family the police chief will take complaint regarding July 4th very seriously

Mayor White

- 1) Urged residents interested in budget issues to read the newsletter he puts out
- 2) Attended the Sixth Annual Volunteer Recognition Luncheon in San Bernardino – very informative regarding breast cancer, not only in women but also in men – contact Linda Dunn with any questions at 697-6565

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 9:25 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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