

**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.
JULY 8, 2003**

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 6:42 p.m. by Mayor Batey in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Batey

INVOCATION - Associate Pastor Raymond Battle, A.K. Quinn AME Church

ROLL CALL

Council:

William H. Batey, II	Mayor
Frank West	Mayor Pro Tem
Bonnie Flickinger	Councilmember
Richard A. Stewart	Councilmember
Charles R. White	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
Stan Lake	Interim Fire Chief
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 Batey opened the agenda items for the Consent Calendars for public comments.

Michael Lanitis – Address matter of record (A6, A7, A9 & A18)

- 1) Slurry seal repair
- 2) Traffic signals at Cottonwood and Moreno Beach
- 3) City Manager's appointment as League of California Cities representative

Councilmember White made a motion, seconded by Councilmember Stewart to approve the Consent Calendars in their entirety with the exception of Item A16. 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. MINUTES – REGULAR MEETING OF JUNE 10, 2003
Approved as submitted.
- A3. PA 99-0006 – REDUCE FAITHFUL PERFORMANCE BOND BY 90% AND ADOPT RESOLUTION NO. 2003-52, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF PUBLIC RIGHT OF WAY IMPROVEMENTS AS COMPLETE AND ACCEPTING PERRIS BLVD. AND ALESSANDRO BLVD. INTO THE CITY MAINTAINED STREET SYSTEM, SOUTHEAST CORNER OF PERRIS BOULEVARD AND A LESSANDRO BOULEVARD (SIMAC CONSTRUCTION, INC.)
Approved a 90% reduction to the Faithful Performance Bond for PA99-0006; authorized the City Engineer to reduce the Faithful Performance Bond by 90%; and adopted Resolution No. 2003-52 authorizing the acceptance of the public right-of-way improvements for PA99-0006 as complete and accepting Perris Boulevard and Alessandro Boulevard into the City Maintained Street System.

Resolution No. 2003-52

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 PA99-0006, and Accepting Perris Boulevard and Alessandro Boulevard into the City Maintained Street System.

A4. NOTICE OF COMPLETION AND ACCEPTANCE OF THE ALESSANDRO BLVD. ENTRYWAY IMPROVEMENTS FROM DAY ST. TO THE OLD I-215, PROJECT NO. 98-92777

Ratified Contract Change Order Nos. 1,2,3 and 4 (Final); accepted the work as complete for the Alessandro Boulevard Entryway Improvements from Day Street to Old I-215, constructed by Laird Construction Co. Inc., 9460 Lucas Ranch Road, Rancho Cucamonga, California 91730-5797; directed 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; authorized the Director of Finance to release the retention to Laird Construction Co., Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and accepted the improvements into the City's maintained road system.

A5. NOTICE OF COMPLETION AND ACCEPTANCE OF THE FISCAL YEAR 2001/2002 SLURRY SEAL PROGRAM, PROJECT NO. 01-12584830

Ratified Contract Change Order Nos. 1 and 2 (Final); accepted the work as complete for the Fiscal Year 2001/2002 Annual Slurry Seal Program, constructed by Roy Allen Slurry Seal, Inc., 11922 Bloomfield Avenue, Santa Fe Springs, California, 90670; directed 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; authorized the Director of Finance to release the retention to Roy Allen Slurry Seal, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and accepted the improvements into the City's maintained road system.

A6. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE FISCAL YEAR 2002/2003 ANNUAL SLURRY SEAL PROGRAM, PROJECT NO. 02-12584830

Adopted the plans and specifications for the Fiscal Year 2002/2003 Annual Slurry Seal Program on file in the office of the City Engineer and authorized the City Clerk to advertise the project for construction bids.

A7. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE TRAFFIC SIGNAL AT COTTONWOOD AVE. AND MORENO BEACH DRIVE,

PROJECT NO. 02-12566922

Adopted the plans and specifications on file in the office of the City Engineer and authorized the City Clerk to advertise the project for construction bids.

- A8. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL AT HEACOCK STREET AND PARKLAND AVENUE, PROJECT NO. 02-12566822

Awarded the construction contract for the Traffic Signal at Heacock Street and Parkland Avenue to New West Signal, 14055 Foothill Boulevard, Fontana, California 92335, the lowest responsible; authorized the Mayor to execute a contract with New West Signal; and authorized the issuance of a Purchase Order for New West Signal in the amount of \$113,039.30 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 125.66822).

- A9. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR TRAFFIC SIGNAL AT ALESSANDRO BOULEVARD AND MORENO BEACH DRIVE, PROJECT NO. 02-13768121

Adopted the plans and specifications on file in the office of the City Engineer and authorized the City Clerk to advertise the project for construction bids.

- A10. FINAL MAP 29504 – EXECUTE A QUITCLAIM DEED TRANSFERRING THE CITY'S TITLE INTEREST IN A DRAINAGE EASEMENT TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, EAST SIDE OF LASSELLE STREET, NORTH OF FIR AVENUE (TRACT 29504, LLC)

Authorized the Mayor to execute the Quitclaim Deed transferring the City's title interest in the 20-foot wide drainage easement dedicated to the public over Lots 15 through 17 and 46 through 49 of Final Map 29504, recorded in Book 332, Pages 67-71, in the Official Records of Riverside County, California; and directed the City Clerk to forward the signed Quitclaim Deed to the Riverside County Flood Control and Water Conservation District.

- A11. FINAL MAP 23388 – REDUCE FAITHFUL PERFORMANCE BOND BY 90% AND ADOPT RESOLUTION NO. 2003-54, 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 STEPHENSON ST. INTO THE CITY MAINTAINED STREET SYSTEM (KB HOME GREATER LOS ANGELES, INC)
- Approved a 90% reduction to the Faithful Performance Bond for Final Map 23388; authorized the City Engineer to reduce the Faithful Performance Bond

by 90%; and adopted Resolution No. 2003-54 authorizing the acceptance of the public right-of-way improvements for Final Map 23388 as complete and accepting Stephenson Street into the City Maintained Street System.

Resolution No. 2003-54

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 23388, and Accepting Stephenson Street into the City Maintained Street System

- A12. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR STREET IMPROVEMENTS ON ELSWORTH FROM SHERMAN AVENUE TO BAY AVENUE AND SHERMAN AVENUE FROM FARRAGUT AVENUE TO ELSWORTH STREET, PROJECT NO. 02-145688622; AND REQUEST ADOPTION OF RESOLUTION NO. 2003-53

Adopted the plans and specifications on file in the office of the City Engineer; authorized the City Clerk to advertise the project for construction bids; and adopted Resolution No. 2003-53, accepting the dedication for public use purposes Lot "B" (also shown as Elsworth Street) as dedicated on the Halverson Tract and directed the City Clerk to certify the acceptance of dedication as described within the resolution and tract.

Resolution No. 2003- 53

A Resolution of the City Council of the City of Moreno Valley, California, Accepting Offer of Dedication for Public Street and Utility Purposes and Accepting as Part of the City Maintained Street System

- A13. RE-DESIGNATION OF THE RIVERSIDE COUNTY RECYCLING MARKET DEVELOPMENT ZONE

Adopted Resolution No. 2003-56 requesting the re-designation of Riverside County, including the City of Moreno Valley, as a Recycling Market Development Zone.

Resolution No. 2003-56

A Resolution of the City Council of the City of Moreno Valley, California, Supporting Re-Designation of the Riverside County Recycling Market Development Zone

- A14. PALM DESERT DEVELOPMENT COMPANY (PDDC) COTTONWOOD

PLACE PHASE III FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

Approved gap financing up to \$750,000 HOME funds for Palm Desert Development Company for Cottonwood Place Phase III contingent upon the following condition that any reductions in the actual costs versus the estimated costs must be used to reduce Agency assistance on a dollar per dollar basis and that the City Council adopt Resolution 2003-57, A Resolution of the City of Moreno Valley regarding assistance to the Cottonwood Place Phase III housing development proposed by Palm Desert Development Company.

Resolution No. 2003-57

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Cottonwood Place Phase III Housing Development and Affirming its Intention to Provide Assistance to Heacock Cottonwood III, LP, a Subsidiary of the Palm Desert Development Company

- A15. PURCHASE OF THERMAL IMAGING CAMERAS FOR EMERGENCY SERVICES AGENCY FINES (CONTINUED FROM JUNE 24, 2003)
Consider the purchase of the Thermal Imaging Camera from Emergency Services Agency Fines as part of the budget process.
- A16. EMPLOYEES ASSOCIATION MOU – No action taken on this item
- A17. CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY ADVISORY COMMITTEE
Confirmed the appointment of Cynthia Ward to the Traffic Safety Advisory Committee as the Val Verde Parent-Teacher Council representative for a term expiring June 30, 2006.
- A18. APPOINTMENT OF CITY MANAGER GENE ROGERS AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2003 ANNUAL CONFERENCE BUSINESS MEETING TO BE HELD WEDNESDAY, SEPTEMBER 10, 2003 - (No written material provided)
Appointed City Manager Gene Rogers as the City's voting delegate to the League of California Cities 2003 Annual Conference Business Meeting to be held on Wednesday, September 10, 2003.

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 JUNE 10, 2003
Approved as submitted.
- B3. EXTENSION OF CONTRACT – PROJECT NO D-SG1/01 – MAINTENANCE OF STANDARD STREETScape LANDSCAPING AND IRRIGATION
Approved the Amendment to the Contract Agreement for MVCSD Project D-SG1/01 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; and authorized the Purchasing Manager to issue open purchase orders to Excel Landscape, Inc. in the amounts of:
- a.) TWO HUNDRED FOUR THOUSAND NINE HUNDRED EIGHTY-EIGHT DOLLARS AND 44/100 (\$204,988.44) for twelve months of base maintenance service, and;
 - b.) TWENTY-FOUR THOUSAND NINE HUNDRED THIRTY-ONE DOLLARS AND 05/100 (\$24,931.05) for anticipated Additional Work per Section 3., paragraph d. of the amended agreement.
- B4. ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD
Authorized the acceptance of grant monies in the amount of \$619,635 for fiscal year 2003/2004 from the California Department of Education, Child Development Division, for the purpose of providing school age childcare and development services and adopted Resolution No. CSD 2003-21 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2003/2004.

Resolution No. CSD 2003-21

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 to Enter Into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004

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 JUNE 10, 2003

Approved as submitted.

C3. PALM DESERT DEVELOPMENT COMPANY (PDDC) COTTONWOOD PLACE PHASE III FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

The Redevelopment Agency Board approved gap financing up to \$750,000 Redevelopment Agency Housing Set aside for Palm Desert Development Company for Cottonwood Place Phase III contingent upon the following condition that any reductions in the actual costs versus the estimated costs must be used to reduce Agency assistance on a dollar per dollar basis and that the Redevelopment Agency Board adopt Resolution RDA 2003-02, A Resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Cottonwood Place Phase III housing development proposed by Palm Desert Development Company.

Resolution No. RDA 2003-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Cottonwood Place Phase II Housing Development and Affirming its Intention to Provide Assistance to Heacock Cottonwood II, LP, a Subsidiary of the Palm Desert Development Company

D. PUBLIC HEARINGS

D1. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT 22709 (AND ALL AFFECTED PHASES) INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE E -8 (EASTGATE RANCH)-HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE PROGRAMS

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

President Batey directed the Secretary to tabulate the ballots.

The Secretary announced the results as follows:

Tract 22709 -“Yes”
Zone E-8 – “Yes”

Boardmember Stewart made a motion, seconded by Boardmember White 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 Zones B and E-8 charges. Motion carried 5-0. Roll call vote.

- D2. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT 30822 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM – SOUTH OF SANTA ROSA DRIVE, WEST OF MESA VERDE DRIVE AND NORTHEAST OF AVENIDA DE CALMA

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

President Batey directed the Secretary to tabulate the ballots.

The Secretary announced the results as follows:

Tract 30822 -“Yes”

Boardmember Stewart made a motion, seconded by President Batey 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 charge. Motion carried 5-0. Roll call vote.

- D3. PUBLIC HEARINGS ON FORMATION PROCEEDINGS FOR COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) FOR NEW RESIDENTIAL DEVELOPMENTS AND ON FUTURE ANNEXATION PROCEEDINGS FOR THE DISTRICT

President Batey opened the public testimony portion of the public hearing; there

being none, public testimony was closed.

Boardmember Stewart made a motion, seconded by Boardmember Flickinger to adopt Resolution No. CSD 2003-23, as amended. Motion carried 4-1, President Batey dissenting. Roll call vote.

Resolution No. CSD 2003-23

A Resolution of the Board of Directors of the Moreno Valley Community Services District of the City of Moreno Valley, California, Removing Certain Territory Proposed to be Included in Community Facilities District No. 1, Directing the Preparation of an Amended Boundary Map for such District, Forming and Establishing such District and Authorizing the Submittal of the Levy of Special Taxes to the Qualified Electors Thereof

Boardmember Stewart made a motion, seconded by Boardmember Flickinger to authorize staff to conduct the special election. Motion carried 4-1, President Batey dissenting. Roll call vote.

President Batey suspended the Public Hearing for tabulation of the ballots by the Secretary. Public Hearing will resume later in the meeting after ballot tabulation has been completed.

D4. PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS (“GANN”) LIMIT FOR THE CITY OF MORENO VALLEY FOR FY 2003-04

Mayor Batey opened the public testimony portion of the public hearing. Public comments were received from Michael Lanitis.

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to adopt Resolution No. 2003-55, establishing an appropriations limit for the City of Moreno Valley for FY 2003-04. Motion carried 5-0. Roll call vote.

Resolution No. 2003-55

A Resolution of the City Council of the City of Moreno Valley, California, Establishing an Appropriations Limit for Fiscal Year 2003/04 and Taking Other Actions in Relation Hereto

D5. PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING

APPROPRIATIONS ("GANN") LIMIT FOR THE COMMUNITY SERVICES DISTRICT FOR FY 2003-04

President Batey opened the public testimony portion of the public hearing. Public comments were received from Michael Lanitis.

Boardmember Stewart made a motion, seconded by Boardmember Flickinger to adopt Resolution No. CSD 2003-22, establishing an appropriations limit for the Community Services District for FY 2003-04. Motion carried 5-0. Roll call vote.

Resolution No. CSD 2003-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Establishing an Appropriations Limit for Fiscal Year 2003/04 and Taking Other Actions in Relation Thereto

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

AGENDA ORDER

F. REPORTS

- F7. MARCH JOINT POWERS AUTHORITY LEASE PROPOSAL (NO WRITTEN MATERIAL ON THIS ITEM) – No report given and no action taken on this item.

Mayor Batey opened the agenda item for public comments, which were received from Bill Densmore and Pete Bleckert.

- F1. PUBLIC MEETING TO PROVIDE COMMENT REGARDING ACCEPTANCE OF ONE EXISTING RESIDENTIAL STREETLIGHT ON WALNUT COURT INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM

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

Boardmember White made a motion, seconded by President Batey to receive and file. Motion carried unanimously, Boardmember Stewart absent.

- F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE) COMMERCIAL DEVELOPMENT ON THE EAST SIDE OF PERRIS BOULEVARD BETWEEN RED MAPLE LANE AND KRAMERIA AVENUE, ASSESSOR PARCEL NUMBERS 312-020-002, -003 AND -004 (A PORTION OF)

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

Boardmember White made a motion, seconded by President Batey to receive and file. Motion carried unanimously, Boardmember Stewart absent.

**RECESS;
RECONVENE**

Return to Item D3.

- D3. PUBLIC HEARINGS ON FORMATION PROCEEDINGS FOR COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) FOR NEW RESIDENTIAL DEVELOPMENTS AND ON FUTURE ANNEXATION PROCEEDINGS FOR THE DISTRICT

The Secretary announced the results as follows:

John Laing Homes - Proposition A & B - "Yes"

MV Ironwood Investors – Proposition A & B – "Yes"

Boardmember Stewart made a motion, seconded by Boardmember Flickinger to adopt Resolution No. CSD 2003-24. Motion carried 4-1, President Batey dissenting. Roll call vote.

Resolution No. CSD 2003-24

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Declaring the Results of a Special Election in Community Facilities District No. 1

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to introduce and adopt Ordinance No. CSD-40. Motion carried 4-1, President

Batey dissenting. Roll call vote.

Ordinance No. CSD 40

An Urgency Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Levy of a Special Tax Within Community Facilities District No. 1

Boardmember Stewart made a motion, seconded by Boardmember White to introduce Ordinance No. CSD-41. Motion carried 4-1, President Batey dissenting. Roll call vote.

Ordinance No. CSD 41

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California Authorizing the Levy of a Special Tax Within Community Facilities District No. 1

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to adopt Resolution No. CSD 2003-25. Motion carried 4-1, President Batey dissenting. Roll call vote.

Resolution No. CSD 2003-25

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Determining the Amount of Special Taxes to be Levied Within Community Facilities District No. 1 for Fiscal Year 2003/04

PUBLIC HEARING ON THE PROPOSED FUTURE ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 1

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

Boardmember Flickinger made a motion, seconded by Boardmember White to adopt Resolution No. CSD 2003-26. Motion carried 4-1, President Batey dissenting. Roll call vote.

Resolution No. CSD 2003-26

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 1 Authorizing the Annexation of Territory in the Future to Community Facilities District No. 1

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

John Hayes – Address matter of record

- 1) City seal
- 2) City spending

Michael Lanitis – Address matter of record

- 1) Unfinished streets
- 2) Street improvements

Daryl Terrell – Address matter of record

- 1) Charter City

Alfredo Salcedo – 23623-B Sunnymead Blvd.

- 1) Moreno Valley Hispanic Chamber of Commerce loss of City support

Tom Jerele, Sr. – 24895 Sunnymead Blvd., #133

- 1) Lack of press coverage of Moreno Valley by the Press-Enterprise

Ray Hosman – Address matter of record

- 1) New taxes for Community Facilities District

Pete Bleckert - Address matter of record

- 1) Apologized to Seniors
- 2) New recreation center and parks – maintenance costs

F3. ADOPTION OF FY 2003/2004 PROPOSED BUDGET AND RELATED ITEMS

Mayor Batey opened the agenda item for public comments which were received from John Hayes; Michael Lanitis; Daryl Terrell; Pete Bleckert and Tom Jerele, Sr.

Councilmember Stewart made a motion, seconded by Councilmember White to adopt Resolution No. 2003-62, approving the Operating and Capital Budgets for the City of Moreno Valley for FY 2003-04, including all applicable adjustments and corrections pursuant to the Schedule of Budget Adjustments, as amended to include: the addition of two traffic officers; funding for Zone A will be general fund subsidy for one-half year to study alternatives in more detail; the management audit; ad hoc committee; status of golf course at Cottonwood; the addition of a part-time animal technician; two part-time library assistants and one part-time temporary cataloging librarian. Motion carried 5-0. Roll call vote.

Resolution No. 2003-62

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2003/04

Boardmember Stewart made a motion, seconded by Boardmember White to adopt Resolution No. CSD 2003-27, approving the Operating and Capital Budgets for the Community Services District of the City of Moreno Valley for FY 2003-04, including all applicable adjustments and corrections pursuant to the Schedule of Budget Adjustments. Motion carried 5-0. Roll call vote.

Resolution No. CSD 2003-27

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2003/04

Agencymember Stewart made a motion, seconded by Agencymember White to adopt Resolution No. RDA 2003-03, approving the Operating and Capital Budgets for the Community Redevelopment Agency of the City of Moreno Valley for FY 2003-04, including all applicable adjustments. Motion carried 5-0. Roll call vote.

Resolution No. RDA 2003-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2003/04

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the President of the Board of Directors, and the delivery of the executed note to the Treasurer of the City. Motion carried 5-0. Roll call vote.

Agencymember Flickinger made a motion, seconded by Agencymember Stewart to approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution

of the original of said note by the Chairperson and Agency Members, and the delivery of said executed note to the Treasurer of the City. Motion carried 5-0. Roll call vote.

Councilmember White made a motion, seconded by Mayor Pro Tem West to approve the FY 2003-04 Staffing Plan and Position Control Roster, which reflect the personnel allocations consistent with the adoption of the FY 2003-04 Budget. Motion carried 5-0. Roll call vote.

Councilmember White made a motion, seconded by Mayor Pro Tem West to form Ad Hoc Committee. Motion carried 5-0. Roll call vote.

**RECESS;
RECONVENE**

F4. APPROVAL OF THE 2003 REVISED TEN-YEAR CAPITAL PLAN

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

Councilmember White made a motion, seconded by Councilmember Flickinger to approve and adopt the 2003 Revised Ten-Year Capital Plan contingent upon FY 2003/2004 Budget revisions and make the following findings by reference to the 2003 Revised Ten-Year Capital Plan in accordance with the Mitigation Fee Act, that portion of each development impact fee fund remaining unexpended: (a) the purpose, to which each fee is to be put, has been fully identified; (b) a reasonable relationship between the fee and the purpose for which it is charged has been fully demonstrated; (c) all sources and amounts of funding anticipated to complete financing incomplete improvements as described in the Act have been adequately identified for those funds if used to finance public facilities, the facilities have been identified in the plan and in other public documents which identify the public facilities for which the fee is charged; and (d) the approximate dates on which the funding, as determined by how a reasonable relationship between each fee's use and the type of development project on which each fee is imposed, is expected to be deposited into the appropriate fund, and/or expended for its defined purposes, have been designated. Motion carried 5-0. Roll call vote.

F5. INTRODUCTION AND APPROVAL OF VARIOUS DOCUMENTS REQUIRED FOR THE PHASED IMPLEMENTATION OF THE CITY OF MORENO VALLEY MUNICIPAL ELECTRICAL UTILITY DISTRIBUTION SYSTEM

Mayor Batey opened the agenda item for public comments which were received from John Hayes; Ray Hosman and Pete Bleckert.

Councilmember White made a motion, seconded by Councilmember Stewart to approve Resolution No. 2003-58 establishing Rules, Fees, and Charges for the Moreno Valley Municipal Electrical Distribution System, as amended, to require a 4/5th vote of the Council to change any rates. Motion carried 5-0. Roll call vote.

Resolution No. 2003-58

A Resolution of the City Council of the City of Moreno Valley, California, Approving the City of Moreno Valley Rules, Fees and Charges for the Moreno Valley Municipal Utility Electrical Distribution System

Councilmember White made a motion, seconded by Councilmember Flickinger to approve Resolution No. 2003-59 establishing a Standard Line Extension Agreement to facilitate installation of electrical distribution infrastructure. Motion carried 5-0. Roll call vote.

Resolution No. 2003-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Agreement for Extension of Electric Distribution Line (Rule 15) as Part of the Moreno Valley Municipal Utility Electrical Distribution System

Councilmember White made a motion, seconded by Councilmember Flickinger to adopt Resolution No. 2003-60 authorizing the City Engineer to execute Electrical Distribution Line Extension Agreements. Motion carried 5-0. Roll call vote.

Resolution No. 2003-60

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Engineer to Execute, on Behalf of the City Council, Agreement for Extension of Electric Distribution Line (Rule 15) as Part of the Moreno Valley Municipal Utility Electrical Distribution System

Councilmember White made a motion, seconded by Councilmember Flickinger

to introduce Ordinance No. 634 amending Title 3 of the City of Moreno Valley Municipal Code by Adding Chapter 3.46, Relating to Municipal Utility and Dedication Requirements. Motion carried 5-0. Roll call vote.

Ordinance No. 634

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Adding Chapter 3.46, Relating to Municipal Utility and Dedication Requirements

F6. RESOLUTION SUPPORTING AREA CODE CHANGE

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

Councilmember Stewart made a motion, seconded by Councilmember White to approve Resolution No. 2003-61, establishing a position of support for authorization by the California Public Utilities Commission (CPUC) to add a new telephone area code in the geographic region currently served by the 909 area code. Motion carried 5-0. Roll call vote.

Resolution No. 2003-61

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Addition of a New Telephone Area Code for Riverside and San Bernardino Counties

F8. LEGISLATIVE UPDATE

Mayor Batey opened the agenda item for public comments, which were received from John Hayes.

Councilmember Stewart made a motion, seconded by Mayor Batey to put Senate Bill 440 on a "watch status". Motion carried 3-2, Councilmembers Flickinger and White dissenting. Roll call vote.

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

F9. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action) – None given

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- G1. ORDINANCE NO. CSD-38, AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING ORDINANCE NO. CSD-32, ESTABLISHING FEES FOR THE USE OF THE MORENO VALLEY TOWNGATE COMMUNITY CENTER (RECEIVED FIRST READING AND INTRODUCTION JUNE 24, 2003 ON A 4-0-1 VOTE, STEWART ABSENT)

Boardmember Flickinger made a motion, seconded by Vice-President West to adopt Ordinance No. CSD-38. Motion carried 5-0. Roll call vote.

Ordinance No. CSD-38

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Amending Ordinance No. CSD-32, Establishing Fees for the Use of the Moreno Valley Towngate Community Center

- G2. ORDINANCE NO. 632, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING ORDINANCE NOS. 210 AND 467, THEREBY AMENDING THE OFFICIAL ZONING ATLAS OF SAID CITY, CHANGING ZONES FROM SP 203 – BUSINESS PARK, GENERAL INDUSTRIAL, OFFICE PARK AND COMMERCIAL TO THE ZONING DESIGNATIONS UNDER THE MUNICIPAL CODE OF BUSINESS PARK, OFFICE AND COMMUNITY COMMERCIAL (RECEIVED FIRST READING AND INTRODUCTION JUNE 24, 2003 ON A 5-0 VOTE)

Boardmember Flickinger made a motion, seconded by Vice-President West to adopt Ordinance No. 632. Motion carried 5-0. Roll call vote.

Ordinance No. 632

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Ordinance Nos. 210 and 467, Thereby Amending the Official Zoning Atlas of Said City, Changing Zones from SP203 – Business Park, General Industrial, Office Park, and Commercial to the Zoning Designations Under the Municipal Code of Business Park, Office, and Community Commercial

- G3. ORDINANCE NO. 633, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, MODIFYING THE PERMITTED USES TABLE TO ALLOW CONTRACTOR'S YARD WITH OFFICE WITHIN THE PERMITTED USES TABLE OF THE MUNICIPAL CODE, AND ESTABLISHING DEFINITIONS OF BOTH CONTRACTOR'S YARD AND CONTRACTOR'S YARD WITH OFFICE (RECEIVED FIRST READING AND INTRODUCTION JUNE 24, 2003 ON A 5-0 VOTE)

Boardmember Flickinger made a motion, seconded by Vice-President West to adopt Ordinance No. 633. Motion carried 5-0. Roll call vote.

Ordinance No. 633

An Ordinance of the City Council of the City of Moreno Valley, California, Modifying the Permitted Uses Table to Allow Contractor's Yard with Office Within the Permitted Uses Table of the Municipal Code, and Establishing Definitions of Both Contractor's Yard and Contractor's Yard with Office

ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS – NONE

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

Councilmember White

- 1) Commented on session on the budget – felt it went well

Councilmember Flickinger

- 1) Stated there were many private sponsors for the Fourth of July Celebration
- 2) Attended the ribbon cutting ceremony for the new Washington Mutual in the Towngate center – quite a state-of-the-art facility
- 3) Also attended the HAM Radio Operators field day festivities at the Community Park – the technology is remarkable
- 4) Agrees with Daryl Terrell regarding exploring the Charter City alternative

Mayor Pro Tem West

- 1) Thanked the Parks and Recreation department for the great job they do and how important our youth programs are
- 2) Thanked the people who came out during budget deliberations and spoke in support of the recreation programs

Councilmember Stewart

- 1) Stated the Fourth of July Parade and Fireworks were great and very family orientated
- 2) Felt the Council did some good things in regard to the budget tonight
- 3) Opposes Charter City

Mayor Batey

- 1) Welcomed the Australian baseball teams and thanked Steve Chapman for bringing them to Moreno Valley
- 2) Community of Promise is moving along well
- 3) Working with the Chambers of Commerce and the AutoMall to promote "Shop Moreno Valley" – will be coming before the Council at a future date
- 4) Commended Parks & Recreation on the great Fourth of July celebration
- 5) Thanked Supervisor Ashley and Assemblyman Benoit for participating in the City's parade as well as Mayor Loveridge of Riverside

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 11:57 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:

William H. Batey, II, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley

Mea