

**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.
SEPTEMBER 23, 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 6:30 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 - Tamrat Seyom, Bahai Faith

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
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
Steve Kupsak	Parks and Facilities Manager

City Manager Rogers arrived at 7:10 p.m.

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; there being none, public comments were closed.

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to approve the Consent Calendars in their entireties, as amended to reflect the correction to Item A3 – Minutes of 9/9/03. 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 – SPECIAL MEETING OF SEPTEMBER 2, 2003
Approved as submitted.
- A3. MINUTES – REGULAR MEETING OF SEPTEMBER 9, 2003
Approved as amended.
- A4. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AT COLLEGE PARK FIRE STATION NO. 91, PROJECT NO. 02-4372540 (II)
Accepted the work as complete for the traffic signal at College Park Fire Station No. 91, constructed by Pete & Sons Construction, Inc., 16510 Hoffa Lane, Riverside, California 92504; 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 Pete & Sons Construction, 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. RECOMMEND ACCEPTANCE OF VISTA LOMAS PARK (PA-46)

Accepted Vista Lomas Park (PA-46) and its amenities as completed by Forecast Homes Tract 30286.

- A6. MORENO VALLEY PUBLIC FINANCING AUTHORITY – ANNUAL REPORT AND RESOLUTION SETTING THE DATE, HOUR AND PLACE FOR HOLDING OF REGULAR MEETINGS (Report of: City Clerk’s Department)
The City Council in its capacity as Chairperson and Members of the Moreno Valley Public Financing Authority (the Authority) accepted the Annual Report of the Authority and adopted Resolution No. MVPFA 2003-01, setting the date, hour and place for the holding of regular meetings.

Resolution No. MVPFA 2003-01

A Resolution of the Moreno Valley Public Financing Authority Setting the Date, Hour and Place for the Holding of Regular Meetings

- A7. FINAL MAP 25956 – AGREEMENT FOR PUBLIC IMPROVEMENTS TO REPLACE EXPIRED AGREEMENT FOR PUBLIC IMPROVEMENTS, SOUTH OF FIR AVENUE AND WEST OF KITCHING STREET (AFFORDABLE CALIFORNIA ESTATES)
Approved the Agreement for Public Improvements to replace expired Agreement for Public Improvements for Final Map 25956; 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.
- A8. FUND TRANSFER REQUEST FOR EDUCATIONAL ACCESS TELEVISION
Approved a one-time transfer allocation of \$57,250.05 from the City’s Public/Educational/Government (PEG) Access Special Fund to the Riverside Community College District for the purchase of audio and video equipment for the operation of educational access programming for KRCC – Channel 25.
- A9. APPROVE CONTINUING APPROPRIATIONS FOR FY 2003-04 BUDGET AND FINAL BUDGET ADJUSTMENTS/CORRECTIONS
Approved the continuing appropriations for FY 2003-04 as presented on Attachments “A” through “E” and the budget adjustments/corrections as presented on Attachment “F”.
- A10. WARRANT REPORT – AUGUST, 2003
Adopted Resolution No. 2003-73, approving the Warrant Report, dated August, 2003 in the total amount of \$13,215,125.04.

Resolution No. 2003-73

A Resolution of the City Council of the City of Moreno Valley, California,
Approving the Warrant Report Dated August 31, 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 – SPECIAL MEETING OF SEPTEMBER 2, 2003
Approved as submitted.
- B3. MINUTES – REGULAR MEETING OF SEPTEMBER 9, 2003
Approved as amended.
- B4. RECOMMEND ACCEPTANCE OF VISTA LOMAS PARK (PA-46)
Accepted Vista Lomas Park (PA-46) and its amenities as completed by
Forecast Homes Tract 30286.

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 2, 2003
Approved as submitted.
- C3. MINUTES – REGULAR MEETING OF SEPTEMBER 9, 2003
Approved as amended.

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING TO CONSIDER APPLICATION NOS. P02-109, P02-110

AND P02-111, INVOLVING THE SOUTHEAST CORNER OF JOHN F. KENNEDY DRIVE AND CHAMPIONSHIP DRIVE, P02-109 IS A REVISION OF TENTATIVE TRACT 30233, A SUBDIVISION OF APPROXIMATELY 23.8 ACRES INTO 92 SINGLE-FAMILY RESIDENTIAL LOTS. P02-110 IS AN AMENDMENT TO THE MORENO VALLEY RANCH SPECIFIC PLAN AND THE OFFICIAL ZONING ATLAS THAT WOULD CHANGE THE ZONING FOR PLANNING AREA 74 (PA 74) FROM PARK TO MEDIUM LOW DENSITY RESIDENTIAL. P02-111, IS AN AMENDMENT TO THE MORENO VALLEY RANCH SECOND AMENDED DEVELOPMENT AGREEMENT TO ALLOW PAYMENT OF PARK FEES IN LIEU OF DEDICATION OF PA 74

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

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West to adopt a Negative Declaration for Application Nos. P02-109, P02-110 and P02-111, as amended. Motion carried 5-0. Roll call vote.

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West to introduce City Council Ordinance No. 638, as amended, based on the findings contained in the Ordinance, thereby, approving: (1) Moreno Valley Ranch Specific Plan Amendment No. 11; (2) an amendment to the Official Zoning Atlas; and (3) Amendment to the Moreno Valley Ranch Second Amended Development Agreement between the City of Moreno Valley and KB Home of Greater Los Angeles, Inc. Motion carried 5-0. Roll call vote.

Ordinance No. 638

An Ordinance of the City Council of the City of Moreno Valley, California, (1) Amending the Moreno Valley Specific Plan (Amendment No. 11) and the Official Zoning Atlas by Changing the Zoning Designation for Planning Area 74 from Park to Medium Low Density Residential; and (2) Amending the Moreno Valley Ranch Second Amendment Development Agreement to Allow Payment of Fees In-Lieu of Dedication of Planning Area 74 (Involving Planning Areas 69 and 74, Located at the Southeast Corner of John F. Kennedy Drive and Championship Drive)

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West to adopt City Council Resolution No. 2003-72, as amended, approving Tentative Tract Map No. 30233 (P02-109), based on the findings in the

resolution and subject to the conditions of approval attached to the resolution.
Motion carried 5-0. Roll call vote.

Resolution No 2003-72

A Resolution of the City Council of the City of Moreno Valley Approving P02-109, A Revision of Tentative Tract 30233, A Subdivision of Approximately 23.8 Acres Into 92 Single Family Lots (Involving Planning Areas 69 and 74, Located at the Southeast Corner of John F. Kennedy Drive and Championship Drive)

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

F. REPORTS

- F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – TENTATIVE TRACT 11848 - WEST SIDE OF GRAHAM STREET, BETWEEN SUNNYMEADOWS DRIVE AND OLD VALLEY DRIVE

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

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

- F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 27523 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONES B (RESIDENTIAL STREET LIGHTING) AND D (PARKWAY LANDSCAPE MAINTENANCE); 2) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE

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

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

**RECESS;
RECONVENE**

F3. 5-YEAR PLAN - CEDD PART 1- (POWER POINT PRESENTATION)

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

Councilmember White made a motion, seconded by Mayor Pro Tem West to receive and file. Motion carried unanimously.

F4. LEGISLATIVE UPDATE

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

Councilmember White made a motion, seconded by Mayor Pro Tem West to receive, file and ratify. Motion carried unanimously.

**RECESS;
RECONVENE**

F5. ORAL UPDATE ON PROGRESS OF IMPLEMENTATION OF MUNICIPAL ELECTRIC UTILITY BY THE CITY MANAGER

Mayor Batey opened the agenda item for public comments, which were received from Norma Cortez, Joseph Lorenzana, John Hayes, Pete Bleckert; Louise Mazochi; Ray Hosman and Ela Pappo.

City Manager Rogers announced that with approval of the City Council a Special Council Meeting (televised) will be held on Tuesday, September 30th to address the questions that have been received regarding this item. An additional Special Council Meeting will be held in conjunction with the Closed Session scheduled for October 7th.

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

Margie Breitkreuz – 27860 Locust Ave.

- 1) Supports dog park concept at the Equestrian Park
- 2) Formation of committee to seek donations to fund dog park

John Hayes – Address matter of record

- 1) TUMF fees

Daryl Terrell – Address matter of record

- 1) Supports “Charter City” concept

Priscilla Banks – Address matter of record

- 1) Municipal Utility
- 2) Utility User’s Tax

Ray Hosman – Address matter of record

- 1) Utility User’s tax

Pete Bleckert – Address matter of record

- 1) Utility User’s Tax

- F6. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

The City Manager asked Interim Fire Chief Stan Lake to give a brief update to the Council on Box Springs Mutual Water Company

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West to add item F7. to the agenda as the item arose after the Council agenda was posted. Motion carried 5-0. Roll call vote.

- F7. Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West authorizing the Mayor to form the Box Springs Mutual Water District Task Force. Motion carried 5-0. Roll call vote.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. INTRODUCTION OF ORDINANCE NO. 636, DESIGNATING SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS (CONTINUED FROM SEPTEMBER 9, 2003)

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 receive and file the report and introduce Ordinance No. 636. Motion carried 4-0-1, Mayor Pro Tem West abstaining. Roll call vote.

Ordinance No. 636

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 - 2ND READING AND ADOPTION - NONE

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) Supports Dog Park concept - would like to see interested citizens proceed with securing funding for the facility – City will be glad to support morally
- 2) “Will of the People” has been exhibited by the three elections where the Utility User’s Tax has been approved by the citizens
- 3) Stated there is no “hidden money” in the budget – encouraged citizens to look at the City budget

Councilmember Flickinger

- 1) Supports Dog Park and the interest by the Trailseekers to raise needed funding
- 2) Stated TUMF exemptions are based on date of project
- 3) Proposition 218 gives the proponents of the Utility User's Tax the right to put a repeal of the Utility User's tax on the ballot with very few signatures on the petition but also restricts it to every two years on the ballot
- 4) Clarified that there are gangs in Moreno Valley but we don't have gang infested neighborhoods
- 5) Stated Perris Boulevard south of Alessandro is looking wonderful due to new construction with the exception of the apartments off Perris and Sheila Street– a City task force has been formed to address solutions to the problems in that neighborhood and make it compatible with the surrounding area

Councilmember Stewart

- 1) Announced the death of his father on September 19th – services will be held this Thursday
- 2) Clarified his comment to the Press Enterprise regarding Closed Session item criteria
- 3) Stated that the proposed transportation corridor through Pigeon Pass in and out of Moreno Valley is not news and had been in the discussion process for years – invited residents to contact him if they have questions
- 4) TUMF exemptions only apply at a certain point in process
- 5) The proposed municipal utility is the City's attempt to be competitive in attracting new businesses
- 6) Supports the Dog Park concept presented by Ms. Breitkreuz of the Trailseekers

Mayor Pro Tem West

- 1) Thanked staff for the proposal for the comprehensive multi-year private street restoration project
- 2) Supports Dog Park idea

Mayor Batey

- 1) Expressed condolences from the City Council to Councilman Stewart on the loss of his father
- 2) Attended meeting with RCHCA on September 11th – will be meeting with Supervisor Ashley and Richard Lashbrook regarding the multi-species plan the County wants the City to participate in
- 3) Community of Promise task force is moving ahead – approximately 45 people on the task force and 24 people on the board of directors including Cynthia Pirtle, Library Director and have made their application to Washington, DC to have Moreno Valley

designated as a "Community of Promise," - "Celebration of Youth" to be held on October 18th at Valley View High School

- 4) Requested Fire Chief to give status of new Ladder Truck for Station #2

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 11:00 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