

**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
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 P.M.
APRIL 13, 2004**

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

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

INVOCATION - Bishop Steve Clark, Church of Jesus Christ Latter-Day Saints

ROLL CALL

Council:

Frank West	Mayor
Richard A. Stewart	Mayor Pro Tem
William H. Batey, II	Councilmember
Bonnie Flickinger	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	Fire Chief
Trent Pulliam	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services
George Price	Parks and Recreation Director
Denese Wilson	Human Resources Director
Betsy Adams	Administrative Services Director

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

Mayor West opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Items A5 & A15).

Council Member Batey made a motion, seconded by Mayor Pro Tem Stewart to approve the Consent Calendars in their entireties. 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. APPROVAL OF THE 2004/05 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152
Approved the County Service Area (CSA) 152 Budget for FY 2004/2005 in the amount of \$436,060 and authorized the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2004/2005.
- A3. NOTICE OF COMPLETION AND ACCEPTANCE OF THE FISCAL YEAR 2002/2003 BICYCLE TRANSPORTATION ACCOUNT (BTA), CLASS II & III BIKEWAYS PROJECT, PROJECT NO. 03-12565320.
Ratified Contract Change Order Nos. 1 and 2 (Final); accepted the work as complete for the Fiscal Year 2002/2003 BTA, Class II & III Bikeways by C-18, Inc., P.O. Box 3360, Beaumont, California 92223; 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 C-18, 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.
- A4. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE DAY STREET REHABILITATION FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE (PROJECT

NO. 02-89266920), AND STORM DRAIN LINE GG FROM OLD I-215 FRONTAGE ROAD TO DAY STREET (PROJECT NO. 02-89280022)

Approved the Amendment to Agreement for Professional Consultant Services with AEI • CASC Engineering, 937 South Via Lata, Suite 500, Colton, California 92324 to provide preliminary engineering services for street and storm drain improvements; authorized the Mayor to execute the Amendment to Agreement for Professional Consultant Services with AEI • CASC Engineering; and authorized an increase in the Purchase Order to AEI • CASC Engineering, in the not-to-exceed amount of \$12,206 for Account No. 892.66920 and \$2,300 for Account No. 892.80022, when the Amendment to Agreement has been signed by all parties.

A5. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE TELECOMMUNICATIONS MASTER PLAN (TMP), PROJECT NO. 01-41268721

Approved the Amendment to Agreement for Professional Consultant Services with Auriga Corporation, 890 Hillview Court, Suite 130, Milpitas, California 95035 to provide Professional Consultant Services for the completion of the Telecommunications Master Plan (TMP); authorized the Mayor to execute the Amendment to Agreement for Professional Consultant Services with Auriga Corporation; authorized the Finance Director to appropriate and transfer \$8,980 from the General Fund unencumbered Capital Reserve to the TMP (Account No. 412.68721); and authorize an increase in the Purchase Order to Auriga Corporation, in the not-to-exceed amount of \$9,980 for Account No. 412.68721, when the Amendment to Agreement has been signed by all parties.

A6. FINAL MAP 29761 – REDUCE FAITHFUL PERFORMANCE BOND BY 90% AND ADOPT RESOLUTION NO. 2004-25, 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 MARINER WAY, BEACHCOMBER STREET, CORAL LANE, VIA PAVON, AND NAUTICAL CIRCLE INTO THE CITY MAINTAINED STREET SYSTEM - SUBDIVIDER – D. R. HORTON, INC.

Approved a 90% reduction to the Faithful Performance Bond for Final Map 29761; authorized the City Engineer to reduce the Faithful Performance Bond by 90%; and adopted Resolution No. 2004-25 authorizing the acceptance of the public right-of-way improvements for Final Map 29761 as complete and accepting Mariner Way, Beachcomber Street, Coral Lane, Via Pavon, and Nautical Circle into the City Maintained Street System.

Resolution No. 2004-25

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 29761, and Accepting Mariner Way, Beachcomber Street, Coral Lane, Via Pavon, and Nautical Circle into the City Maintained Street System

- A7. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) RESOLUTIONS FOR TAX CREDIT APPLICATION
Adopted Resolution No. 2004-26, 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. 2004-26

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

- A8. APPROVAL OF PARCEL MAP 31438 - LAWLESS ROAD, EAST OF PIGEON PASS ROAD - SUBDIVIDER - JAMES R. MAURER
Approved Parcel Map 31438, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A9. 2003 ANNUAL REPORT ON THE PLANNING COMMISSION
Received and filed the 2003 Annual Report of the Planning Commission and authorized transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.
- A10. MARCH JOINT POWERS AUTHORITY RESOLUTION
Adopted Resolution No. 2004-27 designating March Joint Powers Authority (JPA) "single local base retention entity."

Resolution No. 2004-27

A Resolution of the City Council of the City of Moreno Valley to Appoint the March Joint Powers Authority the Single Local Base Retention Entity for March Air Reserve Base

- A11. MINUTES – REGULAR MEETING OF MARCH 23, 2004
Approved as submitted.
- A12. ACCEPTANCE OF YOUTHBUILD GRANT OF \$400,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Accepted the YouthBuild grant and authorized the City Manager to execute a contract with the U.S. Department of Housing and Urban Development (HUD) for \$400,000.
- A13. REQUEST FOR FUNDING FOR MJPA PARKS AND RECREATION FEASIBILITY STUDY
Approved a request from the March Joint Powers Authority (MJPA) for Moreno Valley to participate in a Parks and Recreation Feasibility Study at a cost not to exceed \$10,000.
- A14. APPROVAL OF RESOLUTION NO. 2004-28, SUMMARY VACATION OF PORTIONS OF THE EQUESTRIAN TRAIL EASEMENT TO FINAL MAP 30232 - SOUTHEAST CORNER OF CACTUS AVENUE AND JOHN F. KENNEDY DRIVE. SUBDIVIDER - RYLAND HOMES OF CALIFORNIA, INC.
Approved and adopted Resolution No. 2004-28, summarily vacating portions of the equestrian trail easement to Final Map 30232; and directed the City Clerk to certify said resolution and transmit a copy to the County Recorder's office for recording.

Resolution No. 2004-28

A Resolution of the City Council of the City of Moreno Valley, California,
Ordering the Summary Vacation of Portions of the Equestrian Trail Easement
to Final Map 30232

- A15. TRACT 29732-ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS FOR UTILITY ELECTRICAL INFRASTRUCTURE. VIA DEL LAGO AT IRIS AVENUE AND MORENO BEACH DRIVE. SUBDIVIDER - U. S. HOME CORPORATION
Accepted the bonds and Agreement for Public Improvements for Utility Electrical Infrastructure for Tract 29732; 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 – REGULAR MEETING OF MARCH 23, 2004
Approved as submitted

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 MARCH 23, 2004
Approved as submitted
- C3. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) RESOLUTIONS FOR TAX CREDIT APPLICATION
Adopt Resolution RDA 2004-01, 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 2004-01

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley 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

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.
- D2. MINUTES – REGULAR MEETING OF MARCH 23, 2004
Approved as submitted

E. PUBLIC HEARINGS - None

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

G. REPORTS

- G1. PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR TRACTS 19529 (SOUTH OF EUCALYPTUS AVENUE AND WEST OF GRAHAM STREET) AND 20072 (NORTH OF IRONWOOD AVENUE AND WEST OF MATHEWS ROAD) – COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) PROGRAM

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

Board Member White made a motion, seconded by Vice-President Stewart to receive and file. Motion carried unanimously.

- G2. INCREASED PENALTIES FOR UNAUTHORIZED PARKING IN SPACES DESIGNATED FOR DISABLED PERSONS (CONTINUED FROM 3/23/04)

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

Council Member White made a motion, seconded by Mayor Pro Tem Stewart to accept staff's recommendation not to install \$100 increase.

Council Member Flickinger made an amended motion, seconded by Mayor Pro Tem Stewart to give direction to our Lobbyist to try to get the law changed. Motion carried 5-0. Roll call vote.

- G3. THE COMMUNITY REDEVELOPMENT AGENCY'S REQUIRED PAYMENT OF PROPERTY TAX REVENUE TO RIVERSIDE COUNTY'S EDUCATIONAL REVENUE AUGMENTATION FUND (ERAF) AND ORDINANCE TO AMEND THE REDEVELOPMENT PLAN

Chairman West opened the agenda item for public comments. Public comments were received from Daryl Terrell.

Agency Member Batey made a motion, seconded by Chairman West to appropriate \$320,239 from RDA fund 895 and approve payment to the County of Riverside for the Agency's required shift of property tax revenue to the State of California's Education Revenue Augmentation Fund (ERAF) for the 2003-2004 fiscal year. Motion carried 4-1, Agency Member White dissenting. Roll call vote.

Agency Member Batey made a motion, seconded by Chairman West to introduce Ordinance No. RDA 06 to amend the Redevelopment Plan to extend the effectiveness of the Plan and extend the time limit to receive tax increment. Motion carried 4-1, Agency Member White dissenting. Roll call vote.

Ordinance No. RDA 06

An Ordinance of the Community Redevelopment Agency of the City of Moreno Valley, California, Amending the Redevelopment Plan for the Moreno Valley Redevelopment Project Pursuant to Health and Safety Code Section 33333.2 (c)

G4. LEGISLATIVE UPDATE

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

Council Member White made a motion, seconded by Mayor Pro Tem Stewart to receive and file the report. Motion carried unanimously.

G5. TRAFFIC ENFORCEMENT PRESENTATION – Power Point presentation only

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

G6. CITY PURCHASE OF OUTSTANDING REDEVELOPMENT PROMISSORY NOTES

Mayor West opened the agenda item for public comments. Public comments were received from Pete Bleckert.

Council Member White made a motion, seconded by Mayor West to approve the Agreement, as amended with changes indicated by Staff and subject to additional non-substantive minor modification by the City Manager and City Attorney, and to authorize the Mayor to sign the Agreement. Motion carried 5-0. Roll call vote.

G7. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

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H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 661, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA03-0096, A ZONE CHANGE FOR ASSESSOR'S PARCEL NUMBERS 477-220-013, -014, AND -016 FROM OFFICE TO R5 FOR 17.29-NET ACRES LOCATED AT THE NORTHWEST CORNER OF ALESSANDRO BOULEVARD AND MORRISON STREET IN ORDER TO DEVELOP TENTATIVE TRACT MAP NO. 31213 (RECEIVED FIRST READING AND INTRODUCTION MARCH 23, 2004 ON A 5-0 VOTE)

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

Council Member White made a motion, seconded by Council Member Flickinger to adopt Ordinance No. 661. Motion carried 5-0. Roll call vote.

Ordinance No. 661

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA03-0096, a Zone Change for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office to R5 for 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street in Order to Develop Tentative Tract Map No. 31213

- H2. ORDINANCE NO. 662, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, (PA03-0008), AMENDING THE OFFICIAL ZONING ATLAS OF SAID CITY, CHANGING THE ZONE ON A 28.67 ACRE PARCEL OF LAND, FROM COMMUNITY COMMERCIAL (CC) TO R-5 (RESIDENTIAL-5) LAND USE DISTRICT LOCATED ON THE NORTH SIDE OF CACTUS AVENUE, SOUTH OF BRODIAEA AVENUE, EAST OF OLIVER STREET AND WEST OF MORENO BEACH DRIVE (RECEIVED FIRST READING AND INTRODUCTION MARCH 23, 2004 ON A 4-1 VOTE, MAYOR WEST OPPOSING)

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

Council Member West made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 662. Motion carried 4-1, Mayor West dissenting. Roll call vote.

Ordinance No. 662

An Ordinance of the City Council of the City of Moreno Valley, California, (PA03-0008), Amending the Official Zoning Atlas of said City, Changing the Zone on a 28.67 Acre Parcel of Land, from Community Commercial (CC) to R-5 (Residential-5) Land Use District Located on the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive

- H3. ORDINANCE NO. 663, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A ZONE CHANGE (PA03-0110), FROM NEIGHBORHOOD COMMERCIAL (NC) ZONING TO RESIDENTIAL 5 (R5) FOR 10 ACRES (8.7 NET ACRES) LOCATED AT THE NORTHWEST CORNER OF MORRISON STREET AND EUCALYPTUS AVENUE (RECEIVED FIRST READING AND INTRODUCTION MARCH 23, 2004 ON A 5-0 VOTE)

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

Council Member White made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 663. Motion carried 5-0. Roll call vote.

Ordinance No. 663

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA03-0110), from Neighborhood Commercial (NC) Zoning to Residential 5 (R5) for 10 Acres (8.7 Net Acres) Located at the Northwest Corner of Morrison Street and Eucalyptus Avenue

- H4. ORDINANCE NO. 660, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.36.010 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF TRUCK ROUTES (RECEIVED FIRST READING AND INTRODUCTION MARCH 23, 2004 ON A 5-0 VOTE)

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

Council Member White made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 660. Motion carried 5-0. Roll call vote.

Ordinance No. 660

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.36.010 of the City of Moreno Valley Municipal Code Relating to the Designation of Truck Routes

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:

Joe Teague – 24342 Eucalyptus

- 1) Code compliance and Police issues

Daryl Terrell – Address matter of record

- 1) Local economy and small businesses
- 2) Taxes on small businesses

Priscilla Banks – Address matter of record

- 1) Parks & Recreation budget
- 2) Redevelopment Agency funding Recreation & Conference Center

Marcia Amino – 10363 Crest Brook Dr. (Submitted discourse for the public record)

- 1) Petitions for Moreno Valley Taxpayer Protection Initiative submitted to City Clerk today

Michael Lanitis – 13237 Terry Ct.

- 1) Comments made by Community and Economic Development Director Linda Guillis

Pete Bleckert – Address matter of record

- 1) MV Utility measure
- 2) Valley Skate Park concession
- 3) Redevelopment Agency
- 4) League of California Cities' petitions

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

Mayor Pro Tem Stewart

- 1) Stated many projects taking place with March Joint Powers Authority - construction is taking place on West March and the California Department of Forestry is locating a large attack base on the Southeast portion of the base
- 2) County of Riverside is cooperating with the City on giving the City right-of-way land for the area of Box Springs Park
- 3) Announced the City is also trying to get some Transportation Uniform Mitigation Fee funds for improvements on Pigeon Pass – Supervisor Ashley has been quite helpful
- 4) Police Department Volunteer Appreciation Dinner was held last Wednesday - the volunteers donate many hours of their own time and do a great job for the City
- 5) Would like to agendize quarterly reports from various outside agencies – WRCOG, SCAG, etc. at Study Sessions – Council Member Flickinger concurring

Council Member Batey

- 1) Requested a special meeting regarding the Municipal Utility Measure to discuss the entire concept – Council Member Flickinger concurring
- 2) Would like to discuss implementing alternative energy incentives at a future study session and also look into using alternative energy sources for City facilities – Council Member Flickinger concurring
- 3) Commented on inappropriate responses made by staff towards public speaker

Council Member Flickinger

- 1) Agreed with Mayor Pro Tem Stewart's comments regarding the Volunteer Appreciation Dinner – City is always looking for new volunteers
- 2) Attended the open house of the Moreno Valley Crochet Club at the Senior Center – over 30 people created items for donation – congratulated them on a very worthy cause
- 3) Questioned the proponents of the Utility Measure as to the purpose of their petition
- 4) On a recent plane trip noticed in the Southwest Airlines magazine a ½ page ad for the City of Riverside sponsored by the Development Department and the Public Utilities Department of the City of Riverside – because of their utility the City of Riverside is able to do this type of economic development and that is what Moreno Valley is looking to do

Council Member White

- 1) Responded to Mr. Teague's comments regarding his concerns – would like to set up a meeting with the Public Works Director and Mr. Teague to address the situation
- 2) Expressed that the Community & Economic Development Director has the right to voice her comments

Mayor West

- 1) Represented the City at the Fair Housing meeting sponsored by the County of Riverside held here last week– very proud that Moreno Valley is involved in the program

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 8:43 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
Secretary, Board of Library Trustees

Approved by:

Frank West, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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