

**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 9, 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 Councilmember White

INVOCATION - Pastor O.J. Philpot , Christ Community Church

**RECESS;
RECONVENE**

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

Karen Reams

Recreation Superintendent

Oral Presentation by Rod Pacheco, Chief-Deputy District Attorney, Riverside County District Attorney's Office - Gang Proposal

Oral Presentation by John Stanford of RCTC– State Route 60 High Occupancy Vehicle Lane Project

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 (Item A2)

- 1) Stated his questions had been answered

Ray Hosman – Address matter of record (Item A7)

- 1) Opposes Agreement for Law Enforcement Services

Pete Bleckert – Address matter of record (Item A7)

- 1) Opposes Agreement for Law Enforcement Services

Councilmember White made a motion, seconded by Councilmember Flickinger 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

Recommendation: Waive reading of all Ordinance Introductions and read by title only.

A2. MINUTES – REGULAR MEETING OF AUGUST 26, 2003

Approved as submitted.

A3. RIVERSIDE COUNTY HOUSEHOLD HAZARDOUS WASTE AGREEMENT

Approved the agreement, prepared by the County of Riverside Department of Environmental Health, Hazardous Materials Management Division, to continue the Household Hazardous Waste Mobile Collection Program at the City of Moreno Valley Corporate Yard from July 1, 2003 through June 30, 2006; and authorized the Mayor to execute this agreement.

- A4. APPROVAL OF FINAL MAPS 29860 AND 29860-2 – SINGLE FAMILY RESIDENTIAL PROJECTS, AND ACCEPT AGREEMENTS AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, NORTH SIDE OF FIR AVENUE, EAST OF LASSELLE STREET (SUBDIVIDER - TRACT 29860, LLC)
Approved Final Maps 29860 & 29860-2, authorized the City Clerk to sign the maps and transmit said maps to the County Recorder's Office for recordation; accepted the bonds and Agreement for Public Improvements for each final map; authorized the Mayor to execute the agreements; and directed the City Clerk to forward the signed agreements to the County Recorder's Office for recordation.
- A5. ACCEPTANCE OF GRANT MONIES FROM THE STATE HOMELAND SECURITY SUPPLEMENTAL GRANT
Authorized the acceptance of grant monies in the amount of \$132,344.69 for fiscal year 2003/2004 from the State Homeland Security Supplemental Grant for the purpose of preparedness; amended the budget to reflect the following: a) increase revenues in the amount of \$132,344.69 for Account Number 134.1340.4612, b) increase expenditures by \$132,344.69 as follows: Account Number 134.13410.6641.648, \$33,402.50, Ford F250 truck; Account Number 134.13410.6381, \$36,365.46, mobile trailers, generators, and portable lights; Account Number 134.13410.6392, \$22,045.22, First Aid equipment; Account Number 134.13410.6358.358, \$35,628.88, GIS/GPS equipment; Account Number 134.13410.6391, \$4,902.63, horns, badge, containers.
- A6. MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION ("MVPFFC") – AMENDMENT AND RESTATEMENT OF BYLAWS REGARDING DATE OF ANNUAL MEETINGS AND LOCATION OF PRINCIPAL OFFICE
The City Council in its capacity as President and Board of Directors of the Moreno Valley Public Facilities Financing Corporation ("MVPFFC") amended and restated the Bylaws as proposed, changing the date of annual meetings and the location of the corporation's principal office.
- A7. AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE
Adopted the Agreement for Law Enforcement Services and authorized the Mayor to sign the document.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- B2. MINUTES – REGULAR MEETING OF AUGUST 26, 2003
Approved as submitted.
- B3. ADOPT THE PUBLIC FACILITIES FEE CREDIT AGREEMENT FOR TRACT 22709 AND 22709-1
Accepted staff's recommendation to adopt the proposed Public Facilities Fee Credit Agreement for Tract 22709 & 22709-1 for land and park improvements in Eastgate Ranch.

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 AUGUST 26, 2003
Approved as submitted.

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING ON THE PROPOSED INSTALLATION OF STREET TREE LANDSCAPING AND INCLUSION INTO THE COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) PROGRAM FOR TRACTS 13576, 19080 AND 19081 AND ALL AFFECTED PHASES

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

Boardmember White made a motion, seconded by Boardmember Stewart directing the City Clerk to begin tabulation of the ballots. Motion carried unanimously.

Item continued until tabulation of ballots complete.

- D2. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACTS 30320, 30476, AND 30714 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT

(CSD) ZONE B (RESIDENTIAL STREET LIGHTING) AND CSD ZONE E-3A (INTERNAL WALLS/PARKWAY LANDSCAPE MAINTENANCE) AND APPROVAL OF THE CSD PARCEL CHARGES; 2) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE

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

Boardmember White made a motion, seconded by Boardmember Stewart to direct the City Clerk to tabulate the ballots. Motion carried unanimously.

The City Clerk announced the results as follows:

Zone B – “Yes”

Zone E-3A – “Yes”

NPDES Regulatory Rate Schedule – “Yes”

Boardmember White made a motion, seconded by Boardmember Flickinger to verify and accept the results of the mail ballot proceedings 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 and E -3A charges and the NPDES regulatory rate. Motion carried 5-0. Roll call vote.

- D3. A PUBLIC HEARING REGARDING A SPECIFIC PLAN AMENDMENT (P02-058) TO CHANGE THE LAND USE DESIGNATION WITHIN PLANNING AREAS 54 AND 60 AND DEVELOP TWO SEPARATE 176-UNIT APARTMENT COMPLEXES WITHIN THE MORENO VALLEY RANCH SPECIFIC PLAN (SP NO. 193) ON THE SOUTHWEST CORNER OF IRIS AVENUE AND VIA DEL LAGO (PA03-0022) AND ON THE SOUTHEAST CORNER OF MORENO BEACH DRIVE AND JOHN F. KENNEDY DRIVE (PA03-0023), AND MODIFY PARKING STANDARDS FOR TWO BEDROOM UNITS, SUBMITTED BY ALLIANCE RESIDENTIAL INC.

A presentation was made by Dave Slawson and Steve Smith of Alliance Residential, Inc., the applicant for the project.

Mayor Batey opened the public testimony portion of the public hearing. Public testimony was received from Mary O’ Dell; Cynthia Fulbright; Richard Dozier; Victor Reynoso; Stephen Crews; Charles McManus; Beverly Mayer; Lee McDuffie; Marianne Crane; Steen Rasmussen; Myrna Cantando; Sandra Carron; Manzell Baskerville; and Re Gonzalo.

A rebuttal was made by Steve Smith of Alliance Residential, Inc.

Councilmember White made a motion, seconded by Councilmember Flickinger to adopt a Negative Declaration for P02-058 (Specific Plan Amendment), PA03-0022 (Plot Plan), and PA03-0023 (Plot Plan) pursuant to the California Environmental Quality Act (CEQA) Guidelines. Motion failed 3-2, Batey, West and Stewart dissenting. Roll call vote.

Councilmember Flickinger made a motion, seconded by Councilmember White to continue the Council meeting past 11:00 p.m. Motion carried unanimously.

AGENDA ORDER

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

Daryl Terrell – Address matter of record

- 1) Utility User's Tax - apply to Public Safety

Priscilla Banks – Address matter of record

- 1) Library
- 2) Utility User's Tax

Ray Hosman – Address matter of record

- 1) City spending
- 2) Repeal of Utility User's Tax

Richard Zimmer – Speaking of behalf of Southern California Edison

- 1) City's proposed electric utility

Pete Bleckert – Address matter of record

- 1) City's surplus monies

AGENDA ORDER

- CONTINUATION OF ITEM D1.
- D1. PUBLIC HEARING ON THE PROPOSED INSTALLATION OF STREET TREE LANDSCAPING AND INCLUSION INTO THE COMMUNITY SERVICES

DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) PROGRAM
FOR TRACTS 13576, 19080 AND 19081 AND ALL AFFECTED PHASES

The City Clerk announced the results as follows:

123 ballots received, 120 valid ballots, 3 invalid ballots

62 – “Yes” votes

58 – “No” votes

President Batey made a motion, seconded by Vice-President West 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 charge for CSD Zone D program services. Motion carried 5-0. Roll call vote.

AGENDA ORDER

F. REPORTS

F2. ZONE COMMITTEE APPOINTMENTS FOR TUMF PROGRAM (WRCOG)

Mayor Batey made a motion, seconded by Councilmember Stewart to appointment Councilmember White as the representative and Councilmember Flickinger as the alternate to the TUMF Zone Committee. Motion carried unanimously.

F1. GANG PROPOSAL FROM RIVERSIDE COUNTY DISTRICT ATTORNEY’S OFFICE: RESOLUTION NO. 2003-69, APPROVING PARTICIPATION IN THE RIVERSIDE COUNTY DISTRICT ATTORNEY’S OFFICE GANG TASK FORCE

Councilmember Flickinger made a motion, seconded by Councilmember White to continue the item to the Study Session of October 21, 2003. Motion carried unanimously.

F3. INTRODUCTION OF ORDINANCE NO. 635 REPEALING AND REENACTING CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE USE OF PARKS AND RECREATION FACILITIES; AND INTRODUCTION OF CSD ORDINANCE NO. 42

APPROVING THE USE OF PARKS AND RECREATION FACILITIES AND RESCINDING CERTAIN PRIOR ENACTMENTS (CONTINUED FROM AUGUST 26, 2003)

Councilmember Flickinger made a motion, seconded by Mayor Batey to continue the item regarding the Use of Parks and Recreation Facilities to October 28, 2003, to allow the issues to be addressed. Motion carried unanimously.

- F4. APPOINTMENTS TO THE LIBRARY ADVISORY BOARD, CULTURAL PRESERVATION ADVISORY COMMITTEE, CITIZENS' ADVISORY COMMITTEE ON RECREATIONAL TRAILS AND SENIOR CITIZENS ADVISORY COMMITTEE

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to make the following committee appointments: Library Advisory Board – Georgia Hampton – term expiring 6/30/06; Cultural Preservation Committee - Jacqueline Ashe – term expiring 6/30/06; Citizens' Advisory Committee on Recreational Trails – Joel Sanders and Christopher Silvey – terms expiring 6/30/06; and Senior Citizens Advisory Committee – David Bradstreet – term expiring 6/30/05. Motion carried 5-0. Roll call vote.

- F5. APPOINTMENT TO THE PARKS AND RECREATION ADVISORY COMMITTEE - TEENAGE MEMBER

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to appoint Michael Deaton for a term expiring January 27, 2004, or until high school graduation, whichever comes first. Motion carried 5-0. Roll call vote.

- F6. LEGISLATIVE UPDATE

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to receive, file and ratify the Legislative Status Report. Motion carried unanimously.

- F7. City Manager's Report (Informational Oral Presentation – none given.)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

G1. INTRODUCE ORDINANCE NO. 636 DESIGNATING SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to continue this item to the City Council meeting of September 23, 2003. Motion carried 5-0. Roll call vote.

ORDINANCES - 2ND READING AND ADOPTION

G2. ORDINANCE NO. 630, 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 AUGUST 26, 2003 ON A 5-0 VOTE)

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to adopt Ordinance No. 630. Motion carried 5-0. Roll call vote.

Ordinance 630

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

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

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY - NONE

CLOSED SESSION - NONE

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 11:56 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