

**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
MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION
REGULAR MEETING – 6:30 P.M.
JANUARY 22, 2002**

CALL TO ORDER - The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley, and Moreno Valley Public Facilities Financing Corporation was called to order at 6:40 p.m. by Mayor White in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Pastor Rich Hall, Evangelical Free Church

ROLL CALL

Council:

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

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Gene Rogers	City Manager
Barry McClellan	Assistant City Manager
Linda Guillis	Community and Economic Development Director
William Di Yorio	Police Chief
Wes Alston	Fire Chief
Trent Pulliam	Public Works Director/City Engineer
Becky Manley	Senior Librarian
George Price	Parks and Recreation Director

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

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

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem Batey 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. WARRANT REPORTS – DECEMBER 31, 2001
Adopted Resolution No. 2002-04, approving the Warrant Reports, including wire transfers, dated December 2001 in the total amount of \$3,434,053.73.

Resolution No. 2002-04

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Reports Dated December 31, 2001

- A3. APPROVAL OF FINAL MAP 30026 – SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – SOUTH SIDE OF JOHN F. KENNEDY DRIVE, EAST OF MORENO BEACH DRIVE – SUBDIVIDER – KB HOME GREATER LOS ANGELES, INC., POMONA
Approved Final Map 30026, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accepted the bonds and Agreement for Public Improvements; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.
- A4. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR A TRAFFIC SIGNAL AT PERRIS BOULEVARD AND NORTHERN DANCER DRIVE - PROJECT NO. 01-42669020

Adopted the Plans and Specifications on file in the office of the Public Works Director; and authorized the City Clerk to advertise for bids.

- A5. APPROVAL OF AN ADDITIONAL APPROPRIATION OF FUNDS FOR PROFESSIONAL PLAN CHECK CONSULTING SERVICES FOR THE PUBLIC WORKS DEPARTMENT LAND DEVELOPMENT DIVISION AND AMENDMENT OF AN EXISTING CONSULTANT PURCHASE ORDER FOR PLAN CHECK SERVICES

Approved an additional appropriation to the Public Works Professional Services Fund (00011-52310-6255) in the amount of \$250,000; and authorized an amendment to existing Purchase Order No. 23033 to Berryman and Henigar, plan check consultants, to increase the total amount to \$185,000.

- A6. RESOLUTION NO. 2002-05 SUMMARILY VACATING A PORTION OF THE NORTHERLY HALF OF COTTONWOOD AVENUE BETWEEN DAY STREET AND ELSWORTH AVENUE

Adopted Resolution No. 2002-05 summarily vacating a portion of Cottonwood Avenue between Day Street and Elsworth Avenue, as described in the Exhibits attached to the resolution, and directed the City Clerk to attest to said vacation and record said resolution.

Resolution No. 2002-05

A Resolution of the City Council of the City of Moreno Valley, California, Summarily Vacating a Portion of Cottonwood Avenue, Easterly of Day Street and Westerly of Elsworth Avenue

- A7. APPROVAL OF COOPERATIVE AGREEMENT FOR STAGE 2 OF LINE "D" OF THE MASTER DRAINAGE PLAN FOR THE SUNNYMEAD AREA BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND THE CITY OF MORENO VALLEY - LOCATED ON INDIAN STREET, SOUTH OF SUPERIOR AVENUE AND NORTH OF THE PERRIS VALLEY CHANNEL LATERAL "A"

Approved the cooperative agreement between the Riverside County Flood Control and Water Conservation District and the City of Moreno Valley; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the Riverside County Flood Control and Water Conservation District.

- A8. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT-PROJECT NO. CML 5441(024), CACTUS AVENUE, SUNNYMEAD BOULEVARD AND PIGEON PASS ROAD TRAFFIC SIGNAL INTERCONNECT INSTALLATION

Awarded the construction contract for the Cactus Avenue, Sunnymead Boulevard, and Pigeon Pass Road traffic signal interconnect installation, to Pro Tech Engineering, of Anaheim, California, the lowest qualified/responsible bidder; authorized the Mayor to execute a contract agreement with Pro Tech Engineering; authorized the issuance of a Purchase Order to Pro Tech Engineering, in the amount of \$302,968.00 (the bid amount plus 10% contingency), when both parties have signed the Contract (Account Nos. Cactus Avenue - 426.80220 for \$220,072, Sunnymead Boulevard - 426.75520 for \$44,385, and Pigeon Pass Road - 426.65720 for \$38,511; and authorized a budget adjustment for \$53,000 from the general fund capital reserve to cover the upgrade cost of the interconnect conduit.

- A9. 2000-2001 REPORT ON DEVELOPMENT IMPACT FEE
Approved the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006.
- A10. PURCHASE OF ASSET FORFEITURE VEHICLE
Approved the purchase of a replacement vehicle for the West County Narcotics Task Force.
- A11. MINUTES – SPECIAL MEETING OF DECEMBER 18, 2001
Approved as submitted.
- A12. MINUTES - SPECIAL MEETING OF JANUARY 2, 2002
Approved as submitted.
- A13. MINUTES - REGULAR MEETING OF JANUARY 8, 2002
Approved as submitted.
- A14. RESOLUTION NO. 2002-07 ADOPTING THE AMENDED POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS
Approved and adopted Resolution No. 2002-07 to amend the Policy for Conducting Mail Ballot Proceedings, (“the Policy”) which will provide added direction by amending sections of the Policy to include: additional Cost of Living (COLA) verbiage, clarity of designee for tabulating and validating mail ballot proceedings, clarification of ballot results, ballot retention information, reballoting terms, and minor grammatical revisions.

Resolution No. 2002-07

A Resolution of the City Council of the City of Moreno Valley, California, Adopting an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that the Process is Conducted in a Uniform and Consistent Manner as Provided

for in the Mandates of Proposition 218

- A15. PURCHASE OF NETWORK HARDWARE AND SOFTWARE
Awarded the purchase of network hardware and software in the amount of \$157,351.83 from Sysinct of Irvine, California.

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. RESOLUTION NO. CSD 2002-01 ADOPTING THE AMENDED COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN POLICY
Approved and adopted Resolution No. CSD 2002-01 to amend the Zone D (Parkway Landscape Maintenance) Service Plan Policy (the "Policy").

Resolution No. CSD 2002-01

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 to Approve and Adopt the Amended Community Services District Zone D (Parkway Landscape Maintenance) Service Plan Policy to Provide Guidelines and Standards for the Maintenance of Zone D Service Areas

- B3. MINUTES – SPECIAL MEETING OF DECEMBER 18, 2001
Approved as submitted.
- B4. MINUTES - REGULAR MEETING OF JANUARY 8, 2002
Approved as submitted.
- B5. RESOLUTION NO. CSD 2002-02 ADOPTING THE AMENDED POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS
Approved and adopted Resolution No. CSD 2002-02, amending the Policy for Conducting Mail Ballot Proceedings ("the Policy").

Resolution No. CSD 2002-02

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 to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

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 DECEMBER 18, 2001
Approved as submitted.
- C3. MINUTES - REGULAR MEETING OF JANUARY 8, 2002
Approved as submitted.

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR TRACT 29143 (AND ALL AFFECTED PHASES) FOR INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING), ZONE E-1 (HIGH-SERVICE LEVEL PARKWAY LANDSCAPE MAINTENANCE - TOWNGATE), AND ZONE E-1A (TRACT 29143 WALLS/ INTERNAL LANDSCAPE MAINTENANCE)

Conducted the Public Hearing to consider the inclusion of Tract No. 29143 (and all affected phases) into the CSD Zone B (Residential Street Lighting), Zone E-1 (High-Service Level Parkway Landscape Maintenance - Towngate) and Zone E-1A (Tract 29143 Walls/ Internal Landscape Maintenance) the annual services charges.

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

The Secretary tabulated the mail ballots for CSD Zone B, E-1, and E-1A and announced the results as follows: the City Clerk’s Office received three (3) ballots with “Yes” vote for all parcel numbers - Zone B– “Yes” vote for Assessor Parcel Numbers 291-120-027, 291-120-033, 291-120-036, 291-120-040, and 291-120-042; Zone E-1 – “Yes” vote for Assessor Parcel Numbers 291-120-027, 291-120-036, 291-120-040, and 291-120-042; and Zone E-1A – “Yes” vote for Assessor Parcel Numbers 291-120-027, 291-120-033, 291-120-036,

291-120-040, and 291-120-042.

Vice President Batey made a motion, seconded by Boardmember Stewart to verify and accept the results of the mail ballot proceeding; and authorize and impose the CSD Zones B, E -1, and E -1A charges. Motion carried 5-0. Roll call vote.

- D2. A PUBLIC HEARING TO REVIEW THE APPLICATIONS BY WINCHESTER AND ASSOCIATES FOR A GENERAL PLAN AMENDMENT (PA01-0032) AND CHANGE OF ZONE (PA01-0020) TO CHANGE THE DESIGNATION FROM COMMUNITY COMMERCIAL (CC) TO RESIDENTIAL 20 (R20) ON A 20.87 ACRE SITE ON THE SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF KITCHING STREET

Mayor White opened the public testimony portion of the public hearing. Public comments were received from David Slawson, applicant.

Mayor White closed the public comments portion of the public hearing.

Mayor Pro Tem Batey made a motion, seconded by Councilmember Flickinger to adopt a Negative Declaration for PA01-0032 (General Plan Amendment) and PA01-0020 (Change of Zone). Motion carried 5-0. Roll call vote.

Mayor Pro Tem Batey made a motion, seconded by Councilmember Flickinger to approve Resolution No. 2002-06, thereby approving the General Plan Amendment (PA01-0032). Motion carried 5-0. Roll call vote.

Resolution No. 2002-06

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA01-0032) to Change the Designation from Community Commercial to Residential, R20, on Land Comprising 20.87 Acres on the South Side of Alessandro Boulevard and West of Kitching Street

Mayor Pro Tem Batey made a motion, seconded by Councilmember Flickinger to introduce Ordinance No. 597, thereby approving the Change of Zone (PA01-0020). Motion carried 5-0. Roll call vote.

Ordinance No. 597

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Change of Zone (PA01-0020) Amending the Official Zoning Atlas from CC (Community Commercial) to R20 (Residential, 20 Units per Acre) on 20.87 Acres Located on the South Side of Alessandro Boulevard, West of Kitching Street.

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

None

F. REPORTS

F1. MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION ("MVPFFC") - AMENDMENT TO BYLAWS REGARDING DATE OF ANNUAL MEETING; AND RESOLUTION ESTABLISHING THE TIME AND PLACE OF REGULAR MEETINGS

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

Vice President Batey made a motion, seconded by Boardmember Stewart to approve the proposed amendment to the corporate bylaws changing the date of annual meetings of the corporation; and to adopt Resolution No. MVPFFC 2002-01. Motion carried 5-0. Roll call vote.

Resolution No. MVPFFC 2002-01

A Resolution of the Board of Directors of the Moreno Valley Public Facilities Financing Corporation Repealing, Revising and Reenacting the Provisions of Resolution No. MVPFFC 93-01, Establishing a Time and Place for Regular Meetings

F2. APPOINTMENTS TO THE CITIZENS' ADVISORY COMMITTEE ON RECREATIONAL TRAILS

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to accept the ballot results and appoint Tom Dale and Wraymond M. Sawyerr to Citizens' Advisory Committee on Recreational Trails with terms expiring June 30, 2003. Motion carried 5-0. Roll call vote.

AGENDA ORDER

F6. REQUEST FOR CO-SPONSORSHIP AND WAIVER OF FEES FOR THE BLACK HISTORY CELEBRATION

Mayor White opened the agenda item for public comments which were received from William Barr and Juanita Barnes.

Councilmember Flickinger made a motion, seconded by Councilmember West to approve City co-sponsorship and waiver of City service fees totaling approximately \$2,455, but excluding the waiver of fees for special event insurance in the amount of \$195 and the \$300 refundable security deposit for the use of the festival site at Community Park and the use of the mobile stage unit. Motion carried 5-0. Roll call vote.

AGENDA ORDER

F3. REQUEST TO CONTINUE DISCUSSION ON CAPITAL PROJECTS (CONTINUED FROM DECEMBER 11, 2001)

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

Councilmember Stewart made a motion, seconded by Councilmember West to continue this item to February 12, 2002, to allow more time to provide Council with updated cost information and a status report on all capital projects approved by Council during the past two years that were totally or partially funded by the capital expenditures reserve, as well as additional projects under consideration for funding. Motion carried 5-0. Roll call vote.

F4. FEASIBILITY OF TRAFFIC SIGNAL FOR THE INTERSECTION OF FREDERICK STREET AT BRABHAM STREET (CONTINUED FROM 12/18/01)

Mayor White opened the agenda item for public comments which were received from John Loper, Meredith Teague, Pete Bleckert, Neil Oishi, Jorge Hernandez and Virgil Jameson.

Mayor Pro Tem Batey made a motion, seconded by Mayor White to authorize staff to hire a consultant to design a traffic signal and related signing and striping plans for the intersection of Frederick Street and Brabham/Towngate Driveway; authorize the Finance Director to establish an account number for this work and transfer \$10,000 from Account Number 125.67321 (Preliminary Street Engineering) to cover the design costs of the traffic signal for the subject intersection; and authorize staff to provide partial median closure as an interim safety measure. Motion carried 5-0. Roll call vote.

F5. STATE AND FEDERAL LEGISLATIVE ADVOCACY PRIORITIES

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

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

F7. LEGISLATIVE UPDATE

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

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

F8. 2002 CITY COUNCIL COMMITTEE PARTICIPATION APPOINTMENTS

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

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to approve appointments to the various committees as recommended in the 2002 Council Committee Participation list as submitted by Mayor White. Motion carried 5-0. Roll call vote.

F9. CITY MANAGER'S REPORT (Informational Oral Presentation only)

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

No Council action required.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

G1. ADOPTION OF ORDINANCE NO. 596 (RECEIVED FIRST READING AND INTRODUCTION JANUARY 8, 2002 ON A 5-0 VOTE)

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

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to adopt Ordinance No. 596. Motion carried 4-1. Councilmember West opposed. Roll call vote.

Ordinance No. 596

An Ordinance of the City Council of the City of Moreno Valley, California, Approval of a Specific Plan Amendment (SP209A3) Amending the Official Zoning Atlas from SP209 (Dealerships and Commercial to Commercial and Commercial/Residential) on Acres Located in the Vicinity of State Highway 60 and Moreno Beach Drive

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:

Priscilla Banks – 13560 Searson Drive

- 1) Response to residents' questions
- 2) Funding of extra activities of Parks and Recreation Department
- 3) Funding of new library
- 4) Utility tax

Kash Staton – 24961 Bayleaf Street

- 1) Stated that he was questioned by Police after speaking at the Council meeting
- 2) Lights at Parque Amistad

Pete Bleckert – P.O. Box 217

- 1) Referred to his comments during a prior Council meeting
- 2) Vehicle license fee

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

Councilmember Flickinger

- 1) Street condition report
- 2) Announced that RTA is operating express vans from Moreno Valley Mall and Home Depot parking lot to Metrolink train station

Councilmember Stewart

- 1) Press-Enterprise article regarding proposed taxes by the City of Corona – Moreno Valley should be included in the survey
- 2) Pigeon Pass and Ironwood street construction
- 3) New signs along Perris and Cottonwood; need to place signs at other locations

- 4) Dumping ordinance
- 5) Status of Lowe's retail project
- 6) Status of Chevron project
- 7) Responded to public speaker's comments regarding Council's response to residents' questions
- 8) Responded to public speaker's comment regarding paying warrant
- 9) Status of slurry seal project on Alessandro

Councilmember West

- 1) Express bus from Moreno Valley to train station - beginning in March
- 2) Announced that Regional Rail Authority is allocating \$20 million dollars to improve track – from Riverside through Moreno Valley to Perris, and planning to build a train station in Moreno Valley

Mayor Pro Tem Batey

- 1) Lowe's project status

Mayor White

- 1) Responded to speaker's comments regarding making mistakes

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 8:56 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:

Charles White, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley

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