

**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.
JANUARY 14, 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 7:01 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 Stewart

INVOCATION - Dr. Dale Lacquement, Faith Southern Baptist Church

ROLL CALL

Council:

William H. Batey, II	Mayor
Frank West	Mayor Pro Tem
Bonnie Flickinger	Councilmember
Richard A. Stewart	Councilmember
Charles 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
Ken Pimlott	Interim Fire Chief
Trent Pulliam	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services
Karen Reams	Recreation Superintendent

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 White made a motion, seconded by Mayor Pro Tem West to approve the Consent Calendars in their entireties, except for Item A11 which was pulled for separate discussion/action and Item A13 which was adopted as amended "to reflect termination of emergency". Motion carried. 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 DECEMBER 10, 2002
Approved as submitted.
- A3. EXTENSION OF EASTERN MUNICIPAL WATER DISTRICT WATER/SEWER REIMBURSEMENT AGREEMENT FOR COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING)
Approved the Addendum to the Standard Water and/or Sewer Facilities and Service Agreement (Extension Agreement) by and between the Moreno Valley CFD No. 3 (Auto Mall Refinancing) and Eastern Municipal Water District (EMWD) to serve the Nason Street Sewer project and authorized the Mayor to execute the Extension Agreement with EMWD.
- A4. EXTENSION OF EASTERN MUNICIPAL WATER DISTRICT WATER/SEWER REIMBURSEMENT AGREEMENTS
Approved the Addendum to the Standard Water and/or Sewer Facilities and Service Agreement (Extension Agreement – Attachment A) By and Between the City of Moreno Valley and Eastern Municipal Water District (EMWD) to serve the Moreno Valley Facilities District No. 3 (M.V.F.D. No. 3) (Besteel Project) and authorized the Mayor to execute the Extension Agreement with EMWD.
- A5. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE TRAFFIC SIGNAL AT COLLEGE PARK FIRE STATION NO. 91, PROJECT NO. 02-4372540 (II)
Adopted the plans and specifications on file in the office of the Public Works Director and authorized the City Clerk to advertise the project for construction bids.
- A6. RESOLUTION NO. 2003-02, APPROVE AND AUTHORIZE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. M015, TO THE ADMINISTERING

AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECT NO. 08-5441 FOR THE ROADWAY REHABILITATION OF IRONWOOD AVENUE FROM BARCLAY DRIVE TO PIGEON PASS ROAD (CITY PROJECT NO. 99-25654) Adopted Resolution No. 2003-02, and approved Program Supplement Agreement No. M015, to the Administering Agency-State Agreement for Federal-Aid Project No. 08-5441 for the roadway rehabilitation of Ironwood Avenue from Barclay Drive to Pigeon Pass Road and authorized the Mayor to execute Program Supplement No. M015.

Resolution No. 2003-02

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. M015 to Administering Agency-State Agreement No. 08-5441 for Federal Aid Projects Between the State of California, Acting By and Through the Department of Transportation, and the City of Moreno Valley

- A7. TEMPORARILY INCREASE POLICE PATROL HOURS
Added 3,120 overtime hours to MVPD patrol division's remaining budget for FY02/03 starting January 2003. The additional hours are needed to help achieve our goals of suppressing crime and will be subject to review by the Chief of Police and City Manager after the first 90 days. It is also recommended that the City Council transfer funds in the amount of \$146,110 from the Fire Department's FY02/03 budget in Acct. #133-65110-6251.252 to the MVPD FY02/03 budget in Acct. #10-62210-6291.292 to fund the 3,120 overtime hours.
- A8. APPROVE THE BALLOT FOR AN INCREASE IN STREET LIGHTING CHARGE AFFECTING ASSESSOR PARCEL NUMBER 291-250-005-4 (COTTONWOOD GOLF CENTER) LOCATED WITHIN THE EDGEMONT COMMUNITY SERVICES DISTRICT
Reviewed the letter, notice and mail ballot as submitted by the Edgemont Community Services District (ECSD) for the purpose of balloting (voting) on an "increase in charge/assessment for street lighting charge" affecting city owned property, Assessor's Parcel Number (APN) 291-250-005-4, Cottonwood Golf Center, located within Zone 7 of ECSD; exercised the option to ballot (vote) to approve (Yes) the proposed increase in charge/assessment to continue providing street lighting services, as submitted by the ECSD for Fiscal Year (FY) 2003-2004; and authorized the City Manager to mark the ballot as approved (Yes) and sign on behalf of the City of Moreno Valley as the record owner of property.
- A9. 2001-02 REPORT ON DEVELOPMENT IMPACT FEES
Approved and accepted the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006; and approved the finding that staff has demonstrated a continuing need to hold unexpended development impact fees.

A10. REQUEST FOR SUPPLEMENTAL APPROPRIATION OF FUNDS FOR PURCHASE OF TEN ADDITIONAL BATTERY BACKUP SYSTEM COMPONENTS – PROJECT NO. 02-12567322

Authorized \$45,000 supplemental appropriation of funds from the unreserved, undesignated fund balance of the Gas Tax Fund, to fund the initial cost of ten additional grant funded locations for the Battery Backup System (BBS) retrofit program, with reimbursement of the funds to be made by a California Energy Commission (CEC) grant; authorized the Finance Director to create a new Gas Tax Fund Capital Expenditure Account and transfer \$45,000 from the unreserved, undesignated fund balance of the Gas Tax Fund into the new Gas Tax Fund Capital Expenditure Account; and authorized the issuance of a Purchase Order to the U.S. Traffic Corporation in the amount of \$115,000, which includes the purchase amount plus 10% contingency (Account No. 125.67322.7400 and a new Gas Tax Fund Capital Expenditure Account to be determined)

A12. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE ENERGY COALITION

Adopted Resolution No. 2003-04 to enter into a Memorandum of Understanding with the Energy Coalition, a nonprofit organization; approved the Memorandum of Understanding with the California Energy Coalition to enter into the Six Cities Project and authorized the City Manager to execute the Memorandum of Understanding on behalf of the City.

Resolution No. 2003-04

A Resolution of the City Council of the City of Moreno Valley, California, to Collaborate With the Energy Coalition as Part of the Six Cities Energy Project

A13. ADOPT RESOLUTION NO. 2003-01 RATIFYING THE ACTIONS TAKEN BY THE DIRECTOR OF EMERGENCY SERVICES ON JANUARY 7, 2003, IN PROCLAIMING A LOCAL EMERGENCY RESULTING FROM AN INTENSE WIND STORM IN THE CITY OF MORENO VALLEY

Resolution No. 2003-01

A Resolution of the City Council of the City of Moreno Valley, California, Ratifying the Actions Taken by the Director of Emergency Services on January 7, 2003, in Proclaiming a Local Emergency Resulting from an Intense Wind Storm in the City of Moreno Valley

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 DECEMBER 10, 2002
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 DECEMBER 10, 2002
Approved as submitted.

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING FOR INCLUSION OF TRACT 22889 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES ZONE B (RESIDENTIAL STREET LIGHTING) AND D (PARKWAY LANDSCAPE MAINTENANCE PROGRAMS)

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 White to tabulate the mail ballots for each CSD Zone B and CSD Zone D. Motion carried 5-0.

The Secretary announced the results as follows:

CSD Zone B – “Yes” for all parcel numbers
CSD Zone D – “Yes” for all parcel numbers

Boardmember Stewart made a motion, seconded by Boardmember White to receive and file with the City Clerk the accepted Official Tally Sheet and APN listing and authorize and impose the CSD Zones B and D charge. Motion carried 5-0. Roll call vote.

- D2. CDBG AND HOME PROGRAM OBJECTIVES AND POLICIES FOR FISCAL YEAR 2003/04

Mayor Batey opened the public hearing for public comments, which were received from C. Cheril Bast.

Councilmember White made a motion, seconded by Councilmember Stewart to approve CDBG & HOME Program Objectives and Policies for the 2003-2004 Program Year. Motion carried 5-0. Roll call vote.

- D3. A PUBLIC HEARING ON THE PLANNING COMMISSION'S OCTOBER 24, 2002 APPROVAL RECOMMENDATION OF PA96-0087 A MUNICIPAL CODE AMENDMENT REGARDING LANDSCAPE REQUIREMENTS CITYWIDE

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

Councilmember Stewart made a motion, seconded by Mayor Pro Tem West to continue the item to the City Council meeting of February 11, 2003 and for staff to return with a synopsis of the Planning Commission's consolidated changes. Motion carried unanimously.

Ordinance No. 616

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the Moreno Valley Municipal Code by Amending Chapters 9.03, 9.04, 9.05, 9.07, 9.08, 9.09, 9.11, 9.13 and 9.16, Adding a New Chapter 9.17 Regarding Landscape Requirements; and Repealing Ordinance No. 247, "City of Moreno Valley Landscape Development

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

- A11. COOPERATIVE AGREEMENT FOR COST SHARING OF STAFF AT COLLEGE PARK FIRE STATION # 91

Mayor Batey made a motion, seconded by Councilmember Flickinger to continue this item to the City Council meeting of January 28, 2003. Motion carried unanimously.

F. REPORTS

- F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE D (PARKWAY LANDSCAPE MAINTENANCE) - TENTATIVE TRACT 29038 (AND ALL AFFECTED PHASES)

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

public comments were closed.

Boardmember Stewart made a motion, seconded by Vice-President West to receive and file the report. Motion carried 5-0. Roll call vote.

AGENDA ORDER

F6. APPOINTMENTS TO THE PLANNING COMMISSION

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 appoint Rick De Jong, Maria Marzoecki and George H. Riechers to terms expiring January 1, 2007. Motion carried 5-0. Roll call vote.

F7. AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE BLACK HISTORY CELEBRATION FESTIVITIES ON SATURDAY, FEBRUARY 8, 2003 AND REQUEST FOR SPONSORSHIP AND WAIVER OF FEES FOR THE BLACK HISTORY CELEBRATION

President Batey opened the agenda item for public comments, which were received by Linda Wright.

Boardmember White made a motion, seconded by Vice-President West to approve the request from the Multicultural Civic Association (MCA), as amended to delete the annual appropriation of \$9,280 from the Zone A Fund balance (such amount to be determined on a yearly basis as part of the budget process) and to sponsor and waive fees for the Black History Celebration; authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Black History Celebration Parade scheduled to take place on Saturday, February 8, 2003: Frederick Street between Cottonwood Avenue and TownGate Boulevard, TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Heritage Way, Cottonwood Avenue between Vought Street and Graham Street, Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive, Dracaea Avenue between Oak Dell Street and Kochi Drive, Atlantic Circle east of Frederick Street, Brabham Street between Frederick Street and Andretti Street, TownGate Boulevard between Frederick Street and Heritage Way, approve the requirement of special event insurance and the \$300 refundable security deposit for the use of the festival site and the mobile stage unit at Community Park; and require the MCA to obtain approval in writing from the

property owners of the staging and destaging areas and issue formal notification to those businesses and residents affected by the parade. Motion carried 5-0. Roll call vote.

- F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) - TENTATIVE TRACT 30527 (AND ALL AFFECTED PHASES)

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

Councilmember Stewart made a motion, seconded by Mayor Batey to receive and file the report. Motion carried 5-0. Roll call vote.

- F3. AN ORDINANCE OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING AND REENACTING CHAPTER 14.20 OF TITLE 14 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO NEWSRACKS

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

Councilmember Flickinger made a motion, seconded by Councilmember White to adopt Resolution No. 2003-03. Motion carried 5-0. Roll call vote.

Resolution No. 2003-03

A Resolution of the City Council of the City of Moreno Valley, California, Adopting A Negative Declaration Regarding An Ordinance of the City Council of the City of Moreno Valley, California, Repealing and Reenacting Chapter 14.20 of Title 14 of the City of Moreno Valley Municipal Code, Relating to Newsracks

Councilmember Flickinger made a motion, seconded by Mayor Batey to introduce Ordinance No. 617. Motion carried 5-0. Roll call vote.

Ordinance No. 617

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing and Reenacting Chapter 14.20 of Title 14 of the City of Moreno Valley, Relating to Newsracks

- F4. TRACT IDENTIFICATION SIGNAGE

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 that the City Council implement a program requiring Code Compliance to notify property owners when a sign affixed to their wall is in need of repair. The notice will inform the property owner that they should repair the sign within 30 days. They will then have the option to either remove the sign themselves or the City will remove the sign at no expense to the property owner; and tract signs that are an element of the landscape amenity (attached to walls or free standing monuments) that are within CSD Zone D or Zone E will be maintained as a function of a landscape maintenance contract on an as needed basis. This function will be provided until it becomes cost prohibitive and then the sign will be removed. Code compliance would notify property owners when a sign affixed to their wall is in need of repair. Motion carried 5-0. Roll call vote.

F5(a). RESOURCE INCREASES TO ADJUST TO SUSTAINED INCREASED SERVICE DEMAND IN DEVELOPMENT SERVICES: COMMUNITY & ECONOMIC DEVELOPMENT, BUILDING & SAFETY, CODE COMPLIANCE, AND PLANNING DIVISIONS

F5(b). RESOURCE INCREASES TO ADJUST TO SUSTAINED INCREASED SERVICE DEMAND IN DEVELOPMENT SERVICES: LAND DEVELOPMENT DIVISION, PUBLIC WORKS DEPARTMENT

Councilmember Stewart made a motion, seconded by Councilmember White to continue these items to the City Council meeting of January 28, 2003 and include estimated matching revenue in the report.

F8. STATE AND FEDERAL LEGISLATIVE ADVOCACY PRIORITIES

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 approve the State/Federal Legislative Advocacy Priorities Policy as amended. Motion carried 5-0. Roll call vote.

F9. LEGISLATIVE UPDATE

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 Legislative Status report. Motion carried unanimously.

F10. CITY MANAGER'S REPORT – The City Manager had no report this evening.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- G1. ADOPTION OF ORDINANCE NO. 615, AN 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 (RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 10, 2002 ON A 5-0 VOTE)

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

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to adopt Ordinance No. 615. Motion carried 5-0. Roll call vote.

Ordinance No. 615

An 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

- G2. ADOPTION OF ORDINANCE NO. CSD 32, AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, INCREASING AND ESTABLISHING SPECIFIED FEES FOR RECREATIONAL ACTIVITIES, PARKS, THE USE OF THE MORENO VALLEY SENIOR COMMUNITY CENTER, AND RESCINDING CERTAIN PRIOR ENACTMENTS (RECEIVED FIRST READING AND INTRODUCTION ON DECEMBER 10, 2002 ON A 5-0 VOTE)

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 adopt Ordinance No. CSD 32. Motion carried 5-0. Roll call vote.

Ordinance No. CSD 32

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Increasing and Establishing Specified Fees for Recreational Activities, Parks, the Use of the Moreno Valley Senior Community Center, and Rescinding Certain Prior Enactments

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS – NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a PINK speaker slip to the Bailiff. There is a three-minute time limit per person.

All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

L. Cheril Bast – 12462 Chukar Lane

- 1) Apologized for eating in Council Chamber
- 2) Residential developers in Moreno Valley

Daryl C. Terrell – Address matter of record

- 1) Moreno Valley residents should aspire to make this a greater City

Priscilla Banks – 13560 Searson Drive

- 1) Public Safety

Ray Hosman – Address matter of record

- 1) Wished new Mayor well
- 2) City's own Police Department and utilities

Pete Bleckert – Address matter of record

- 1) Congratulated new Mayor
- 2) Utility User's Tax
- 3) City having own utility

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

Councilmember Stewart

- 1) Clarified that the streets are not swept every week
- 2) Stated the City does not hire police officers – hours are contracted
- 3) School Board determines when schools are built based on need

- 4) Clarified when the City took over the library the hours were extended and book collection was increased
- 5) City needs to be supported during the state budget crises

Councilmember White

- 1) Stated that Riverside City College has approved funding for the dental hygienist program located at MARB

Mayor Pro Tem West

- 1) Announced he attended a public meeting last Thursday at the Lake Perris Fairgrounds regarding the proposed corridor that RCTC is planning to build – the City was well represented – feels the westward corridor is the best choice

Mayor Batey

- 1) Agreed with Councilmember Stewart's comments regarding the School District
- 2) Difficult choices ahead for the Council if the State budget passes
- 3) Thanked the Council and audience for being patient with him

Councilmember Flickinger

- 1) Wished all a happy new year

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 9:45 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

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