

**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.
APRIL 8, 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 Pro Tem West in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Pastor Jim Preston – Moreno Valley’s Light House Church

ROLL CALL

Council:

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

Absent: William H. Batey, II Mayor

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
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 Pro Tem West 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 Councilmember Flickinger to approve the Consent Calendars in their entireties, except for Item A8 which was pulled for separate discussion/action. Motion carried 4-0-1, Mayor Batey absent. 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 MARCH 25, 2003
Approved as submitted.
- A3. RESOLUTION DESIGNATING POSTING PLACES FOR ORDINANCES, CERTAIN RESOLUTIONS AND NOTICES AND AUTHORIZING THE CITY CLERK TO PREPARE SUMMARIES OF ORDINANCES ADOPTED BY THE CITY
Adopted Resolution No. 2003-20, repealing Resolution No. 98-49, designating the public places where posting of all ordinances and such resolutions and notices (including City Council Meeting Agendas) as are required by law shall be posted; authorizing the City Clerk to prepare summaries of all ordinances adopted by the City Council.

Resolution No. 2003-20

A Resolution of the City Council of the City of Moreno Valley, California, Repealing Resolution No. 98-49, and Determining that all Ordinances and Certain Resolutions and Notices Shall be Posted Rather than Published, Designating the Public Places Where Such Posting Shall be Accomplished, and Authorizing the City Clerk to Prepare Summaries of Certain Ordinances Adopted by the City

- A4. WARRANT REPORT – FEBRUARY, 2003
Adopted Resolution No. 2003-21, approving the Warrant Report, dated February, 2003 in the total amount of \$16,785,556.53

Resolution No. 2003-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated February 28, 2003

- A5. FINAL MAP 28568 – SINGLE FAMILY RESIDENTIAL PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) – NORTH SIDE OF JOHN F. KENNEDY DRIVE, EAST OF MORENO BEACH DRIVE (RYLAND HOMES OF CALIFORNIA, INC.)
Authorized the Mayor to execute the Amendment to Agreement for Public Improvements for Final Map 28568; and instructed the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder’s office for recordation.
- A6. PA99-0024 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2003-22, 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 NASON STREET AND BRODIAEA AVENUE INTO THE CITY MAINTAINED STREET SYSTEM – SOUTHWEST CORNER OF NASON STREET AND BRODIAEA AVENUE (CALIFORNIA DRUG CONSULTANTS-1, LLC)
Approved a 90% reduction to the Faithful Performance Bond for PA99-0024; instructed the City Engineer to prepare a 90% reduction to the Faithful Performance Bond; and adopted Resolution No. 2003-22 authorizing the acceptance of the public right-of-way improvements for PA99-0024 as complete and accepting Nason Street and Brodiaea Avenue into the City Maintained Street System.

Resolution No. 2003-22

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 PA99-0024, and Accepting Nason Street and Brodiaea Avenue into the City Maintained Street System

- A7. APPROVAL OF FINAL MAP 30232, SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – SOUTHEAST CORNER OF CACTUS AVENUE AND JOHN F. KENNEDY DRIVE (RYLAND HOMES OF CALIFORNIA, INC.)

Approved Final Map 30232, 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.

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 25, 2003

Approved as submitted.

- B3. REQUEST TO ADVERTISE A NOTICE REQUESTING PROPOSALS – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-4/03 – MAINTENANCE OF STREETScape LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH-EAST

Adopted the area maps and maintenance specifications, which are on file in the office of the Director of Public Works; acknowledged the previous Environmental Determinations relating to the existing landscape areas as approved per Specific Plan 193 EIR Certification; and authorized the City Clerk to advertise a Notice Requesting Proposals for Project E-4/03.

- B4. AGREEMENT TO ACCEPT LETTER OF CREDIT TO GUARANTEE COMPLETION OF TOWNGATE PARK

Accepted the Letter of Credit for Completion of Park Improvements on TownGate Park Phase II and Community Center.

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 25, 2003

Approved as submitted.

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT 29860 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM – NORTH OF FIR AVENUE BETWEEN LASSELLE STREET AND MORRISON STREET

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

Vice President West directed the Secretary to tabulate the mail ballots.

The Secretary announced the results as follows:

Tract 29860 – Yes

Boardmember White made a motion, seconded by Boardmember Stewart 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 CSD Zone B charge. Motion carried 4-0-1, President Batey absent. Roll call vote.

- D2. A PUBLIC HEARING REGARDING AMENDMENT NO. 8 TO SPECIFIC PLAN #193 OF THE MORENO VALLEY RANCH SPECIFIC PLAN (P02-090) IN ORDER TO CHANGE THE LAND USE DESIGNATION FOR PLANNING AREA #33 FROM COMMUNITY FACILITIES (CF) TO MEDIUM LOW RESIDENTIAL (MLR). THE CITY'S OFFICIAL ZONING ATLAS IS ALSO BEING AMENDED TO REFLECT THE CHANGE IN LAND USE. A CONCURRENT APPLICATION, TENTATIVE TRACT MAP NO. 30822 (PA02-0110) PROPOSES TO DEVELOP A 48-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION INCORPORATING THE SITE. PLANNING AREA #33 IS LOCATED EAST OF LASSELLE STREET AND SOUTH OF IRIS AVENUE AT AVENIDA CIRCO

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

Councilmember Flickinger made a motion, seconded by Councilmember White to adopt a Negative Declaration for Amendment No. 8 to the Moreno Valley Ranch Specific Plan (P02-090) and an amendment to the City's Official Zoning Atlas and Tentative Tract Map No. 30822 (PA02-0110). Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

Councilmember Flickinger made a motion, seconded by Councilmember White to introduce City Council Ordinance No. 626. Motion carried 4-0-1, Mayor Batey absent.

Ordinance No. 626

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Amendment No. 8 to the Moreno Valley Ranch Specific Plan (SP #193), to Change the Land Use Designation for Planning Area #33 from Community Facilities to Medium Low Residential and Amending the Official Zoning Atlas in Accordance with Said Specific Plan Amendment

Councilmember Flickinger made a motion, seconded by Councilmember White to adopt City Council Resolution No. 2003-23 approving Tentative Tract Map No. 30822 (PA02-0110), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit 1. Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

Resolution No. 2003-23

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA02-0110 or Tentative Tract Map No. 30822 a 48-Lot Single-Family Residential Subdivision Located on the South Side of Iris Avenue and East of Lasselle Street at Avenida Circo within Planning Area #33 of the Moreno Valley Ranch Specific Plan, Subject to Adoption of Amendment No. 8 to the Moreno Valley Ranch Specific Plan

- D3. A PUBLIC HEARING TO CONSIDER APPLICATION P03-021, AMENDMENT NO. 9 TO THE MORENO VALLEY RANCH SPECIFIC PLAN (SP 193), THE OFFICIAL ZONING ATLAS IS ALSO BEING AMENDED. THE AMENDMENT WOULD CHANGE THE BOUNDARIES BETWEEN PLANNING AREAS 36 AND 40, INVOLVING THE NORTHWEST CORNER OF IRIS AVENUE AND LASSELLE STREET AND BETWEEN PLANNING AREAS 41 AND 43, INVOLVING THE NORTHEAST CORNER OF IRIS AVENUE AND LASSELLE STREET. PLANNING AREA 36, ZONED

COMMERCIAL OR HIGH DENSITY RESIDENTIAL (C OR HR), WOULD INCREASE BY ABOUT 2.2 ACRES AND PLANNING AREA 40, ZONED HIGH DENSITY RESIDENTIAL (HR), WOULD DECREASE BY 2.2 ACRES. PLANNING AREA 43, ZONED HR, WOULD INCREASE BY ABOUT 3.8 ACRES AND PLANNING AREA 41, ZONED C OR HR, WOULD DECREASE BY 3.8 ACRES

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

Councilmember Flickinger made a motion, scnded by Councilmember Stewart to recognize that the proposed amendment to the Moreno Valley Ranch Specific Plan and the City of Moreno Valley Official Zoning Atlas, pursuant to Application P03-021, is within the scope of the Program Environmental Impact Report for the Moreno Valley Ranch Specific Plan pursuant to Section 15168 of the California Environmental Quality Act Guidelines. Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

Councilmember Flickinger made a motion, scnded by Councilmember Stewart to introduce City Council Ordinance No. 627, approving P03-021. Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

Ordinance No. 627

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Ranch Specific Plan (Amendment No. 9) and the Official Zoning Atlas, Involving the Northeast and Northwest Corners of Iris Avenue and Lasselle Street

- D4. A PUBLIC HEARING TO REVIEW THE APPLICATIONS BY HOME DEPOT USA, INC. FOR A GENERAL PLAN AMENDMENT (PA03-0002) AND CHANGE OF ZONE (PA03-0001) TO CHANGE THE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL (NC) TO COMMUNITY COMMERCIAL (CC) ON A 12.06 ACRE SITE ON THE NORTHWEST CORNER OF IRIS AVENUE AND PERRIS BOULEVARD

Mayor Pro Tem West opened the public testimony portion of the public hearing. Public comments were received from David Patton (representing Mel Com Assoc.)

Councilmember Flickinger made a motion, scnded by Councilmember White to adopt a Negative Declaration for applications PA03-0001 (Change

of Zone) and PA03-0002 (General Plan Amendment) pursuant to Section 15070 (a)(2) of the California Environmental Act (CEQA) Guidelines. Motion carried 4-0-1, Mayor Batey absent. Roll call vote. Councilmember Flickinger made a motion, seconded by Councilmember White to approve City Council Resolution No. 2003-24, approving PA03-0002 thereby establishing general plan land use map designations of Community Commercial for a certain property as described in the Resolution. Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

Resolution No. 2003-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA03-0002) Involving Approximately 12.06 Acres on the Northwest Corner of Perris Boulevard and Iris Avenue, Thereby Changing the Land Use Map Designation from NC (Neighborhood Commercial) to CC (Community Commercial)

Councilmember Flickinger made a motion, seconded by Councilmember White to introduce City Council Ordinance No. 628, approving (1) PA03-0001. Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

Ordinance No. 628

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change from Neighborhood Commercial to Community Commercial on 12.06 Acres on the Northwest Corner of Iris Avenue and Perris Boulevard

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

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

A8. BID AWARD - COUNCIL CHAMBER UPGRADE (BID NO. 02/03-03)

Mayor Pro Tem West opened the agenda item for public comments which were received from Michael Lanitis.

Councilmember Stewart made a motion, seconded by Councilmember West to award the purchase of professional video production equipment

(Council Chamber Upgrade) to A-VIDD Electronics of Long Beach, CA as being in the best interest of the City and authorized the Finance Director to issue a purchase order to A-VIDD Electronics of Long Beach, CA in the amount of \$128,738.02. Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

F. REPORTS

- F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACTS 19500 (WEST OF KITCHING STREET AND NORTH OF DRACAEA AVENUE), TRACT 19912 (NORTH OF IRIS AVE. AND WEST OF KITCHING STREET) AND TRACT 20120 (SOUTH SIDE OF JOHN F. KENNEDY AND WINTERGREEN STREET)

Vice President West 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, President Batey absent.

- F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING TENTATIVE TRACT 30318 (AND ALL AFFECTED PHASES) MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE E-3A (INTERNAL WALLS/PARKWAY LANDSCAPE MAINTENANCE) PROGRAMS - EAST OF LASSELLE STREET AND SOUTH OF KRAMERIA AVENUE

Vice President West 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, President Batey absent.

- F3. POWERPOINT PRESENTATION – 5 YEAR PLAN – PUBLIC WORKS/TRANSPORTATION AND ADMINISTRATION

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

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

F4. LEGISLATIVE UPDATE

The City Manager gave an update on AB553.

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

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

F5. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

G1. ADOPTION OF THE 2001 CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24 INCORPORATING THE LATEST EDITIONS OF THE MODEL CODES (CONTINUED FROM 3/25/03)

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

Councilmember Stewart made a motion, seconded by Councilmember White to introduce Ordinance No. 625 amending Title 8 of the Moreno Valley Municipal Code. Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

Ordinance No. 625

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 8 of the City of Moreno Valley Municipal Code by Amending Chapters 8.14, 8.22, 8.24, 8.26, 8.28, 8.36, 8.38, Adopting as Modified, the California Building Standards Code, California Code of Regulations, Title 24:

Incorporating the 1997 Uniform Administrative Code, the 1997 Uniform Housing Code, the 1997 Uniform Building Code, the 2000 Uniform Mechanical Code, the 2000 Uniform Plumbing Code, the 2000 Uniform Fire Code, and the 1997 Uniform Code for the Abatement of Dangerous Building, and the 1999 National Electrical Code; and Adopting other Regulations Relating to Building and Fire Prevention Requirements

ORDINANCES - 2ND READING AND ADOPTION

- G2. ORDINANCE NO. CSD 33, AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE ESTABLISHMENT OF ZONE M FOR THE PURPOSE OF FURNISHING MAINTENANCE SERVICES TO IMPROVED ARTERIAL MEDIAN AREAS ASSOCIATED WITH COMMERCIAL/INDUSTRIAL DEVELOPMENTS WITHIN SAID ZONE (RECEIVED FIRST READING AND INTRODUCTION MARCH 25, 2003 ON A 5-0 VOTE)

Mayor Pro Tem West 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 Ordinance No. CSD 33. Motion carried 4-0-1, Mayor Batey absent. Roll call vote.

Ordinance No. CSD 33

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Establishment of Zone M for the Purpose of Furnishing Maintenance Services to Improved Arterial Median Areas Associated with Commercial/Industrial Developments Within Said Zone

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:

Tom Bell – 13121 Thistlebrook

- 1) Supports Utility User's Tax

Michael Lanitis – 13237 Terry Court

- 1) California State taxes
- 2) Blight in City
- 3) Earthquake risks

Daryl C. Terrell – Address matter of record

- 1) Utility User's Tax

Priscilla Banks – 13540 Searson Drive

- 1) Utility User's Tax

Robert C. Anderson – Address matter of record

- 1) Pay phone at Senior Center
- 2) City seal
- 3) Bingo at Senior Center

Pete Bleckert – Address matter of record

- 1) Meeting with Councilmember White
- 2) Utility User's Tax
- 3) State mandates

Ray Hosman – Address matter of record

- 1) City Manager's salary
- 2) Utility User's Tax

Charlene Smout – 13918 Marian

- 1) New library

Christopher Prudhome – 15555 Gorrion Court

- 1) Voter registration

David Luera – 16653 Whirlaway Circle

- 1) Opposes war but supports our troops
- 2) Utility User's Tax

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

Councilmember Stewart

- 1) Commented on war in Iraq and statement by Iraqi Public Information Minister

- 2) Utility User's Tax
- 3) Announced the new College Park Fire Station went operational yesterday – we need Utility User's Tax to hire additional fire fighters and police officers
- 4) Position on support of troops by school district

Councilmember Flickinger

- 1) Announced Assemblyman Russ Bogh will be holding a news conference on April 14th at the corner of Cactus and Elsworth in support of our troops serving around the globe – he will be presenting families of those serving with a Blue Star Banner

- 2) Stated the League of California Cities researched the impact of the State's budget deficit – the State is looking to cities to help balance the budget
- 3) Welcomed back Pete Bleckert
- 4) Asked staff to research pay phone problems at Senior Center
- 5) Responded to Mr. Anderson regarding City logo

Councilmember White

- 1) Stated if the Utility User's Tax is repealed (\$9.5 million) then City services and programs must be decreased to make up the difference
- 2) Yellow ribbons show support for our troops
- 3) Asked the proponents of the Utility User's Tax repeal efforts to put plan in writing and provide it

Mayor Pro Tem West

- 1) Attended meeting with the City Manager and other elected officials regarding transportation corridor issues that will benefit Moreno Valley

CLOSED SESSION - NONE

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:54 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:

Frank West, Mayor Pro Tem
Vice President, Moreno Valley Community Services District
Vice Chairperson, Community Redevelopment Agency of the City of Moreno Valley

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