

**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.
DECEMBER 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 7:30 p.m. by Mayor Batey in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Pastor Mark Orellano, Victory Outreach

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
John Terrell	Planning Official
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

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 Councilmember Flickinger to approve the Consent Calendars in their entirety. 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. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE NEWHOPE STREET IMPROVEMENT PROJECT, PROJECT NO. 01-12567421
Awarded the construction contract for the Newhope Street Improvement Project to Sialic Contractors Corporation (DBA Shawnan), 12240 Woodruff Avenue, Downey, CA 90241, the lowest responsible bidder; authorized the Mayor to execute a contract with Sialic Contractors Corporation; authorized the issuance of a Purchase Order for Sialic Contractors Corporation in the amount of \$1,416,100 (the bid amount plus 10% contingency from Account Nos. 125.67421 and 125.56330) when all parties have signed the contract; and authorized the City Manager to execute the reimbursement agreements with the applicable utility agencies.

- A3. APPROVE AND AUTHORIZE THE EXECUTION OF COOPERATIVE AGREEMENT WITH CALTRANS DISTRICT EIGHT FOR CONSTRUCTION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF PIGEON PASS RD. AND ROUTE 60 EASTBOUND ON-RAMP, DISTRICT AGREEMENT NO. 08-1216
Adopted Resolution No. 2003-92 and Authorized Execution of Cooperative Agreement with Caltrans District Eight for Construction of a Traffic Signal at the Intersection of Pigeon Pass Road and Route 60 Eastbound On-Ramp and increased the fiscal year 2003/2004 budgeted amount for this project by \$11,000 (Account No. 426.65920) to cover the additional estimated

construction cost.

Resolution No. 2003-92

A Resolution of the City Council of Moreno Valley, California, Approving and Authorizing Execution of Cooperative Agreement, District Agreement No. 8-1216 for Construction of a Traffic Signal on Pigeon Pass Road at Route 60 Eastbound On-Ramp between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley

- A4. APPROVAL OF FINAL MAP 30233 – SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS, SOUTHEAST CORNER OF CHAMPIONSHIP DRIVE AND JOHN F. KENNEDY DRIVE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (SP193) (KB HOME GREATER LOS ANGELES)
Approved Final Map 30233, 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.
- A5. TRACT 30318 – ACCEPT AGREEMENT AND BONDS FOR PARK IMPROVEMENTS TO PLANNING AREA 4C SPORTS PARK, EAST OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (EMPIRE LAND, LLC)
Accepted the Agreement and bonds for Park Improvements to Planning Area 4C Sports Park; authorized the Mayor to execute the Agreement; approved the Offer of Dedication for the 10-acre Sports Park; and directed the City Clerk to forward the signed Agreement and the Offer of Dedication to the County Recorder's Office for recordation.
- A6. APPROVAL OF FINAL MAP 30318, SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS, EAST OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (BEAZER HOMES HOLDINGS CORP.)
Approved Final Map 30318, 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.

- A7. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE FISCAL YEAR 2002/2003 BTA PROJECT, CLASS II & CLASS III BIKEWAYS-PROJECT NO. 03-12565320

Adopted the plans and specifications that are on file in the office of the Public Works Director and authorized the City Clerk to advertise the project for construction bids.

- A8. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR STREET IMPROVEMENTS ON ELSWORTH STREET AND SHERMAN AVENUE, PROJECT NO. 02-14568622

Awarded the construction contract for the Street Improvements on Elsworth Street and Sherman Avenue to Laird Construction Co., Inc., 9460 Lucas Ranch Road, Rancho Cucamonga, CA 91730-5743, the lowest responsible bidder; authorized the Mayor to execute a contract agreement with Laird Construction Co., Inc.; authorized the issuance of a Purchase Order for Laird Construction Co., Inc. in the amount of \$374,473 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 145.68622); and authorized the closure to through traffic on Sherman Avenue from Farragut Avenue to Elsworth Street for duration of the construction work.

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. APPROVAL OF RESOLUTION AND FILING GRANT APPLICATION FOR SOCCER FIELD AT MARCH FIELD PARK

Approved the filing of an application for local assistance funds in the amount of \$3,000,000 to be funded from the Urban Park Act of 2001 under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and adopted Resolution No. CSD 2003-29 to certify the approval of the governing board to enter into this transaction with the California Department of Parks and Recreation for the purpose of applying for grant funding from the Urban Park Act of 2001 under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and authorized the persons holding designated positions, as shown on the resolution, to sign contract documents for FY 2003/2004, 2004/2005, and 2005/2006.

Resolution No. CSD 2003-29

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 Certifying the Approval of the Governing Board for the City of Moreno Valley Parks and Recreation Department to Apply for Grant Funds for the Urban Park Act of 2001 Program Under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 a Soccer Complex at March Field Park and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004, 2004/2005 and 2005/2006.

- B3. TRACT 30318 – ACCEPT AGREEMENT AND BONDS FOR PARK IMPROVEMENTS TO PLANNING AREA 4C SPORTS PARK, EAST OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (EMPIRE LAND, LLC)
Accepted the Agreement and bonds for Park Improvements to Planning Area 4C Sports Park; authorized the Mayor to execute the Agreement; approved the Offer of Dedication for the 10-acre Sports Park; and directed the City Clerk to forward the signed Agreement and the Offer of Dedication to the County Recorder's Office for recordation.

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. THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY'S FISCAL YEAR 2002-2003 ANNUAL REPORT TO THE STATE CONTROLLER AND RESOLUTION FOR THE LOW AND MODERATE INCOME HOUSING FUND
Accepted the Redevelopment Agency's Annual Report for fiscal year 2002-2003 and authorize its submittal to the California State Controller and adopt Resolution No. RDA 2003-06, verifying the establishment and appropriate use of the Low and Moderate Income Housing Fund in accordance with Section 33334.3 (d) of the Health and Safety Code.

Resolution No. RDA 2003-06

A Resolution of the Redevelopment Agency of the City of Moreno Valley Verifying the Establishment and Appropriate Use of the Low and Moderate

D. PUBLIC HEARINGS

- D1. A PUBLIC HEARING ON THE PLANNING COMMISSION'S NOVEMBER 6, 2003 APPROVAL RECOMMENDATION OF A GENERAL PLAN AMENDMENT (PA03-0050) AND A ZONE CHANGE (PA03-0049) FROM THE CURRENT OFFICE ZONE TO THE R5 ZONE, AND TENTATIVE TRACT MAP NO. 31327 (PA03-0051) TO SUBDIVIDE 17.58-NET ACRES INTO 69 SINGLE-FAMILY RESIDENTIAL LOTS. THE SITE IS LOCATED AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND MORRISON STREET

A presentation was made by David Slawson of Winchester Associates, the applicant for the project.

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

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to adopt Negative Declarations for applications PA03-0050, PA03-0049, and PA03-0051. Motion carried 4-1, Mayor Batey dissenting. Roll call vote.

Councilmember Flickinger made a motion, seconded by Councilmember White to approve, in concept, City Council Resolution No. 2003-94. Motion carried 4-1, Mayor Batey dissenting. Roll call vote.

Resolution No. 2003-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA03-0050) Changing the Designation for Assessor's Parcel Numbers 477-220-048 and 049 from Office to Residential 5 for 17.58 Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street and a General Plan Amendment (PA03-0091) Rescinding the Existing Specific Plan 215 Designation, and Establishing Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

Councilmember Flickinger made a motion, seconded by Councilmember White to introduce, in concept, City Council Ordinance No. 646. Motion carried 4-1, Mayor Batey dissenting. Roll call vote.

Ordinance No. 646

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA03-0049, a Zone Change for Assessor's Parcel Numbers 477-220-048 and 049 from Office to R5 for 17.58-Net Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street

Councilmember Flickinger made a motion, seconded by Councilmember White to approve, in concept, City Council Resolution No. 2003-95, as amended to add four additional trees to the Conditions of Approval. Motion carried 4-1, Mayor Batey dissenting. Roll call vote.

Resolution No. 2003-95

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map No. 31327 (PA03-0051) to Subdivide the 17.58-Net Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street into 69 Single-Family Residential Lots

- D2. A PUBLIC HEARING ON THE PLANNING COMMISSION'S JULY 31, 2003 APPROVAL RECOMMENDATION OF REPEAL OF SPECIFIC PLAN 215 (PA03-0089), PA03-0090 (CHANGE OF ZONE TO RESIDENTIAL 5), AND PA03-0091 (GENERAL PLAN AMENDMENT DESIGNATION TO RESIDENTIAL 5).

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

A presentation was made by David Slawson of Winchester Associates, the applicant for the project.

Councilmember Flickinger made a motion, seconded by Councilmember White to recognize that PA03-0089 (Repeal of Specific Plan 215 Amendment), General Plan Amendment (PA03-0091), and a Zone Change (PA03-0090), are exempt from CEQA. Motion carried 5-0. Roll call vote.

Councilmember Flickinger made a motion, seconded by Councilmember White to introduce City Council Ordinance No. 647. Motion carried 5-0. Roll call vote.

Ordinance No. 647

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Ordinance No. 263, Specific Plan 215 (SP215) for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

Councilmember Flickinger made a motion, seconded by Councilmember White to approve City Council Resolution No. 2003-94. Motion carried 4-1, Mayor Batey dissenting. Roll call vote.

Resolution No. 2003-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA03-0050) Changing the Designation for Assessor's Parcel Numbers 477-220-048 and 049 from Office to Residential 5 for 17.58 Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street and a General Plan Amendment (PA03-0091) Rescinding the Existing Specific Plan 215 Designation, and Establishing Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to introduce City Council Ordinance No. 648. Motion carried 5-0. Roll call vote.

Ordinance No. 648

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA03-0090), from SP215 Zoning to Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

- D3. A PUBLIC HEARING REGARDING AMENDMENT #1 TO THE CACTUS CORRIDOR SPECIFIC PLAN (SP #214) TO ADDRESS CHANGES TO THE INTERIOR SIDE YARD SETBACK FOR SINGLE-FAMILY RESIDENTIAL ZONES, AND TO REVISE LANGUAGE IN THE DESIGN GUIDELINES FOR THE SPECIFIC PLAN, WHICH ARE RELATED TO FENCE AND WALL

DESIGNS, LANDSCAPE CRITERIA AND ARCHITECTURAL DESIGNS FOR SINGLE-FAMILY RESIDENCES. THE SPECIFIC PLAN IS BOUNDED GENERALLY ON THE WEST BY MORENO BEACH BOULEVARD, ON THE NORTH BY BRODIAEA AVENUE AND ON THE SOUTH BY CACTUS AVENUE, AND ON THE EAST BY THEODORE STREET

A presentation was made by Ellen Michael of Corman Leigh Communities, the applicant for the project.

Mayor Batey 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 introduce City Council Ordinance No. 649. Motion carried 5-0. Roll call vote.

Ordinance No. 649

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P03-129, or Amendment No. 1 to Cactus Corridor Specific Plan (SP #214) to Reduce the Side Yard Setback for a Single-Family Residential Zone, and to Revise the Design Guidelines to Address Changes in Fence/Wall Criteria, Landscape Criteria, and Architectural Designs for Single-Family Residences

**RECESS;
RECONVENE**

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

Shannon Alvarez – 12360 Shasta Place - Representing “Canine Friends of Moreno Valley”

- 1) Seeking volunteers and funding for the proposed dog park at the Equestrian Arena – announced next meeting will be held on January 8th at 7:00 p.m. at the Equestrian Center or for information call 247-5600

Daryl Terrell – Address matter of record

- 1) New challenges facing City
- 2) Community spirit

- 3) Jobs to City of Moreno Valley

Ray Hosman – Address matter of record

- 1) Fiscal responsibility
- 2) Building moratorium, zone fees, sales tax

Priscilla Banks – Address matter of record

- 1) Utility User's Tax
- 2) City's greed & deceit
- 3) Board of Library Trustees

Tom Jerele, Sr. – 24895 Sunnymead Blvd., #133

- 1) Quality work of MVTV-3
- 2) Need to televise Study Sessions
- 3) Directly elected Mayor

Pete Bleckert – Address matter of record

- 1) Vehicle License Fee
- 2) Spending of general fund monies

Scott Walker – 11559 Valle Lindo

- 1) Supports Wal-Mart project but is concerned about the traffic congestion and safety to school students in the vicinity

ADJOURNMENT OF THE CITY COUNCIL TO A SPECIAL MEETING OF THE BOARD OF LIBRARY TRUSTEES OF THE CITY OF MORENO VALLEY

THE SPECIAL MEETING OF THE BOARD OF LIBRARY TRUSTEES OF THE CITY OF MORENO VALLEY WAS CALLED TO ORDER AT 9:30 P.M.

ROLL CALL

William H. Batey, II	Chairman
Frank West	Vice-Chairman
Bonnie Flickinger	Boardmember
Richard A. Stewart	Boardmember
Charles R. White	Boardmember

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Pete Bleckert – Address matter of record

- 1) Service on Library Board should be voluntary

Ray Hosman – Address matter of record

- 1) Agrees with Mr. Bleckert regarding compensation

1. RESOLUTION SETTING THE TIME AND PLACE FOR REGULAR MEETINGS OF THE BOARD OF LIBRARY TRUSTEES; AND ORDINANCE SETTING COMPENSATION FOR THE BOARD OF LIBRARY TRUSTEES

Boardmember Stewart made a motion, seconded by Boardmember Flickinger to adopt Resolution No. 2003-93, setting the time and place of meeting of the Board of Library Trustees. Motion carried 5-0. Roll call vote.

Resolution No. 2003-93

A Resolution of the City Council of Moreno Valley, Setting the Time and Place for the Holding of Regular Meetings of Said Board

Boardmember Stewart made a motion to introduce Ordinance No. 645. Motion died for lack of a second.

ADJOURNMENT OF THE SPECIAL MEETING OF THE BOARD OF LIBRARY TRUSTEES OF THE CITY OF MORENO VALLEY TO A SPECIAL MEETING OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF MORENO VALLEY

THE SPECIAL MEETING OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF MORENO VALLEY WAS CALLED TO ORDER AT 9:35 P.M.

ROLL CALL

William H. Batey, II	Chairman
Frank West	Vice-Chairman
Bonnie Flickinger	Boardmember
Richard A. Stewart	Boardmember
Charles R. White	Boardmember

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Chairman Batey opened the agenda items for public comments; there being none, public comments were closed.

RESOLUTION SETTING TIME AND PLACE FOR REGULAR MEETINGS OF THE BOARD OF DIRECTORS OF THE INDUSTRIAL DEVELOPMENT AUTHORITY

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to adopt Resolution No. IDA 89-06, and establishing the time and place for the holding of regular meetings of the Board of Directors of said Authority. Motion carried 5-0. Roll call vote.

Resolution No. IDA 2003-01

A Resolution of the Board of Directors of the Industrial Development Authority of the City of Moreno Valley, California, Repealing Resolution No. IDA 89-06, and Establishing the Time and Place for Regular Meetings of Said Board of Directors

RECONVENE 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

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

F. REPORTS

AGENDA ORDER

F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31438 (AND ALL AFFECTED PHASES) FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE

SCHEDULE – NORTH SIDE OF LAWLESS ROAD AND EAST TO PIGEON PASS ROAD

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. Motion carried unanimously.

F3. APPOINTMENTS TO CULTURAL PRESERVATION ADVISORY COMMITTEE

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

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West to appoint Leslie Smith to the Cultural Preservation Advisory Committee for a term expiring June 30, 2004. Motion carried 5-0. Roll call vote.

F4. PARTICIPATION IN GANG TASK FORCE ADMINISTERED BY RIVERSIDE COUNTY DISTRICT ATTORNEY (CONTINUED FROM NOVEMBER 18, 2003)

Mayor Batey opened the agenda item for public comments which were received from Pete Bleckert.

Councilmember Flickinger made a motion, seconded by Councilmember White to adopt Resolution No. 2003-96, supporting the Riverside County District Attorney's proposal to establish a gang coordinator and to participate non-financially in the program, **as amended** to change the last Whereas in the Resolution to read "said Anti-Gang Task Force"; and to change "Greater Riverside County to Western Riverside County" and commit in-kind resources to support and subsidize Task Force operations, in lieu of City funds. Motion carried 5-0. Roll call vote.

Resolution No. 2003-96

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the Riverside County District Attorney's Office Anti-Gang Task Force

F5. MASTER POWER PURCHASE AND SALE AGREEMENT AND COMPLETED CONFIRMATIONS BY AND BETWEEN THE CITY OF

MORENO VALLEY, CALIFORNIA AND THE CITY OF CORONA, CALIFORNIA

Mayor Batey opened the agenda item for public comments which were received from Pete Bleckert, Jack Wyatt and Ray Hosman.

**RECESS;
RECONVENE**

Councilmember White made a motion, seconded by Councilmember Flickinger to approve and authorize the Mayor to execute the Master Power Purchase and Sale Agreement by and between the City of Moreno Valley, California and the City of Corona, California, subject to any modifications approved by the Enterprise Services Manager and the City Attorney; authorize the City Manager to execute Confirmation orders with the City of Corona in amounts necessary to provide electrical service to new customers (Account Nos. to be provided by the Finance Department), **confirmation orders will be brought to Council on a monthly basis as part of the Warrant Report**; authorize the Finance Director to issue a Purchase Order to the City of Corona in the amount equal to the total of all Confirmations anticipated under this Agreement for the period from February 1, 2004 – June 30, 2004 totaling \$688,000 (Account Nos. to be provided by the Finance Department); authorize the Finance Director to establish a working capital loan from the general fund in the amount of \$150,000 for the purchase of electrical energy; authorize the Finance Director to establish a revenue account with an estimated budget of \$688,000 (Account Nos. to be provided by the Finance Department); and authorize the Finance Director to appropriate \$688,000 for the purchase of energy (Account Nos. to be provided by the Finance Department). Motion carried 4-1, Mayor Batey dissenting. Roll call vote.

F6. REQUEST TO APPROVE AND EXECUTE WHOLESALE DISTRIBUTION ACCESS TARIFF (WDAT) AGREEMENTS TO RECEIVE ACCESS TO WHOLESALE ELECTRICAL ENERGY FOR DISTRIBUTION

Mayor Batey opened the agenda item for public comments which were received from Pete Bleckert.

Councilmember White made a motion, seconded by Mayor Pro Tem West to approve the Draft Wholesale Distribution Access Tariff (WDAT) Service Agreements (Agreements) between the City of Moreno Valley and Southern California Edison; and authorize the Mayor to execute the final WDAT Service Agreement upon City Attorney's review and approval of the original

Agreements. Motion carried 5-0. Roll call vote.

- F7. 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 NOVEMBER 25, 2003)

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West to continue the item to January 13, 2004. Motion carried unanimously.

- F8. 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. Motion carried unanimously.

Councilmember White made a motion, seconded by Councilmember Flickinger to extend the meeting past 11:00 P.M. Motion carried unanimously.

- F9. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action) – None given

AGENDA ORDER

- F1. CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR AND MAYOR PRO TEM

Councilmember White made a motion, seconded by Councilmember Stewart to conduct the selection by voice vote. Motion carried unanimously.

Mayor Batey opened the agenda item for public comments which were received

from Daryl Terrell.

Councilmember White made a motion, seconded by Councilmember Stewart to nominate Mayor Pro Tem West as Mayor for a one-year term. Motion carried 5-0. Roll call vote.

Councilmember White made a motion, seconded by Mayor Pro Tem West to nominate Councilmember Stewart as Mayor Pro Tem for a one-year term. Motion carried 5-0. Roll call vote.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. ORDINANCES OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, PROVIDING FOR THE ESTABLISHMENT AND ADJUSTMENT OF ELECTRICAL RATES AND TARIFFS BY RESOLUTION FOR MORENO VALLEY UTILITIES

Mayor Batey opened the agenda item for public comments which were received from Pete Bleckert.

Councilmember White made a motion, seconded by Councilmember Flickinger to introduce Ordinance No. 650 that Provides for the Establishment and Adjustment of Electrical Rates and Tariffs by Resolution for Moreno Valley Utilities.

Ordinance No. 650

An Ordinance of the City Council of the City of Moreno Valley, California, that Provides for the Establishment and Adjustment of Electrical Rates and Tariffs by Resolution for Moreno Valley Utilities

Councilmember White made a motion, seconded by Councilmember Flickinger to introduce and Adopt Urgency Ordinance No. 651 that Provides for the Establishment and Adjustment of Electrical Rates and Tariffs by Resolution for Moreno Valley Utilities. Motion carried 5-0. Roll call vote.

Ordinance No. 651

An Urgency Ordinance of the City Council of the City of Moreno Valley, California, that Provides for the Establishment and Adjustment of Electrical Rates and Tariffs by Resolution for Moreno Valley Utilities

ORDINANCES - 2ND READING AND ADOPTION

- G2. CSD ORDINANCE NUMBER CSD 43 INCREASING AND ESTABLISHING FEES (RECEIVED FIRST READING ON NOVEMBER 25, 2003 ON A 5-0 VOTE)

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

Boardmember Flickinger made a motion, seconded by Boardmember Stewart to adopt Ordinance No. CSD 43. Motion carried 5-0. Roll call vote.

Ordinance No. CSD 43

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, the Use of the Towngate Community Center, the Use of the Equestrian Park, the Use of the Mobile Stage Unit, the Use of the Valley Skate Park and Rescinding Certain Prior Enactments

- G3. ORDINANCE NO. 643, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING RESOLUTION NUMBER 2003-45; AMENDING TABLE 9.04.040-7, SECTIONS 9.05.040, 9.07.030, AND 9.017.020; AND ADDING SECTIONS 9.09.220 AND 9.09.230 TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO COMMERCIAL AND INDUSTRIAL DISTRICTS, LANDSCAPE REQUIREMENTS, MONUMENT SIGNAGE, AND OTHER DEVELOPMENT STANDARDS (RECEIVED FIRST READING AND INTRODUCTION, NOVEMBER 25, 2003 ON A 5-0 VOTE)

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

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West to adopt Ordinance No. 643. Motion carried 5-0. Roll call vote.

Ordinance No. 643

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Resolution Number 2003-45; Amending Table 9.04.040-7, Sections 9.05.040, 9.07.030, and 9.17.020; and Adding Sections 9.09.220 and 9.09.230 to Title 9 of the City of Moreno Valley Municipal Code Relating to Commercial and Industrial Districts, Landscape Requirements, Monument Signage, and other Development Standards

- G4. ORDINANCE NO. 644, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA (P02-074), APPROVING SPECIFIC PLAN AMENDMENT NO. 4 TO THE MORENO VALLEY AUTO MALL SPECIFIC PLAN (NO. 209) TO MODIFY PHASE 3 IN FULL, REVERT TO REGULATIONS OF THE MUNICIPAL CODE AND CHANGE THE LAND USE DESIGNATION ON A MAJOR PORTION OF THE SITE FROM D (DEALERSHIP), C (COMMERCIAL) AND PD (PLANNED DEVELOPMENT) TO CC (COMMUNITY COMMERCIAL), WHICH INCLUDES 38.87 NET ACRES (42.63 GROSS ACRES) AND R-15 (RESIDENTIAL-15 UNITS PER ACRE) WHICH INCLUDES 20.00 NET ACRES (25.68 GROSS ACRES) AND AMEND THE OFFICIAL ZONING ATLAS FOR A 71.86 ACRE PARCEL OF LAND. THE AMENDMENT ALSO PROPOSES HEIGHT MODIFICATIONS FOR SIGNS AND ALLOWS FOR AN ADJUSTMENT OF INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS. THE SITE IS LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 60 AND MORENO BEACH DRIVE AT THE MORENO BEACH DRIVE OFF RAMP (RECEIVED FIRST READING AND INTRODUCTION, AS AMENDED, NOVEMBER 25, 2003 ON A 5-0 VOTE)

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

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem West to adopt Ordinance No. 644. Motion carried 5-0. Roll call vote.

Ordinance No. 644

An Ordinance of the City Council of the City of Moreno Valley, California (P02-

074), Approving Specific Plan Amendment No. 4 to the Moreno Valley Auto Mall Specific Plan (No. 209) to Modify Phase 3 In Full, Revert to Regulations of the Municipal Code and Change the Land Use Designation on a Major Portion of the Site From D (Dealership), C (Commercial) and PD (Planned Development) to CC (Community Commercial), which Includes 38.87 Net Acres (42.63 Gross Acres) and R-15 (Residential-15 Units Per Acre) which Includes 20.00 Net Acres (25.68 Gross Acres) and Amend the Official Zoning Atlas for a 71.86 Acre Parcel Of Land. The Amendment Also Proposes Height Modifications for Signs and Allows for an Adjustment of Interior Parking Lot Landscape Requirements. The Site Is Located on the Southwest Corner of Highway 60 and Moreno Beach Drive at the Moreno Beach Drive Off Ramp

RESOLUTIONS – NONE

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

Mayor Pro Tem West

- 1) Thanked his colleagues for vote as Mayor

Councilmember Flickinger

- 1) Congratulated Mayor elect West and Mayor Pro Tem elect Stewart on their selection and thanked her colleagues
- 2) Questioned the possibility of creating a Public Safety Tax for new home developments
- 3) Announced the new Skatepark was dedicated last week
- 4) MVTV3 and the Moreno Valley Police Department made a video regarding identity theft – Federal Trade Commission is raving about it and using it
- 5) Light display at Mission Inn is accessible by a bus being provided by the RTA this Saturday – leaving from the Senior Center at 5:00 P.M. – cost is only \$2 per person – need advance reservations
- 6) Donation ceremony for the bus for our sister city – San Juan de los Lagos will be held on Monday, December 15th
- 7) Wished all a Happy Holiday

Councilmember White

- 1) Thanked the Council for the many accomplishments made in the past year
- 2) Stated the next year will be difficult for the City

Councilmember Stewart

- 1) Stated he has received calls about the situation at the off-ramp at Day St. and the 60 freeway – part of the area is Riverside and part is Moreno Valley – hopefully the situation will be improved with the help of the MV Police Department – a traffic signal should also be coming soon
- 2) Construction on North side of 60 between Pigeon Pass and Day Street is being done by Caltrans – it is a soundwall
- 3) March Joint Powers Authority has been given condemnation powers – would like staff to put together briefing for Council Members – asked City Manager to do an executive summary
- 4) Navy pharmacy at March Air Reserve Base may be closing – asked residents to write their congressperson to request funding to keep it open
- 5) Wished all Happy Holidays

Mayor Batey

- 1) Indoor swap meets are a disaster waiting to happen – don't meet building codes – something needs to be done to control the problem – met with staff to request the City to take action to stop such businesses

City Manager Rogers announced this item will be addressed at a Special Council Meeting on December 16, 2003.

- 2) Don's Auto Sales is now in the Moreno Valley Mall – not a good tenant for the Mall – encouraged the residents to contact the mall management and express what type of stores they would like to see in the mall
- 3) Attended the grand opening of the Skateboard Park – was a great pleasure – feels it will probably need an expansion soon
- 4) Stated it has been a pleasure being Mayor this past year
- 5) Wished all a Happy Holiday – and reminded public to keep their Christmas tree watered and not to burn wrapping paper in fireplace

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 11:27 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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