

**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
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 P.M.
AUGUST 24, 2004**

CALL TO ORDER - The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:35 p.m. by Mayor West in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey.

INVOCATION - Pastor, Robert Mink, Discovery Christian Church

ROLL CALL

Council:

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

Staff:

Margaret Ayars	Assistant City Clerk
Jane Halstead	Administrative Technician
Steve Chapman	Finance Director/City Treasurer
Robert Hansen	Assistant City Attorney
Gene Rogers	City Manager
Betsy Adams	Administrative Services Director
Linda Guillis	Community and Economic Development Director
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
Denese Wilson	Human Resources Director

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

Mayor Pro Tem Stewart made a motion, seconded by Council Member Flickinger to pull Item C5 from the Consent Calendar. Motion carried 5-0. Roll Call Vote.

Mayor West opened the agenda items for the Consent Calendars for public comments.

Pete Bleckert – Address matter of record – (Item A5, A18, & B5)

- 1) Ambulance service
- 2) RDA purchase of property
- 3) Street lighting service

Council Member Flickinger made a motion, seconded by Council Member White to approve the Consent Calendars in their entireties, except for Items A16 and A20 which were pulled for separate discussion/action. 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 REPORT – JULY 31, 2004
Adopted Resolution No. 2004-60, approving the Warrant Report, dated July 31, 2004 in the total amount of \$9,143,129.42.

Resolution No. 2004-60

A Resolution of the City Council of the City of Moreno Valley, California,
Approving the Warrant Report Dated July 31, 2004

- A3. MINUTES – REGULAR MEETING OF JULY 13, 2004
Approved as submitted.
- A4. MINUTES – SPECIAL MEETING OF JULY 6, 2004
Approved as submitted.
- A5. MEMORANDUM OF UNDERSTANDING (MOU) WITH COUNTY OF RIVERSIDE REGARDING RECEIPT OF FINES FROM EMERGENCY MEDICAL SERVICE PROVIDER (CONTINUED FROM JUNE 22, 2004)
Approved the MOU with the County of Riverside regarding receipt of fines

from the emergency medical service provider.

A6. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2004

Approved and accepted the quarterly investment report, in compliance with California Government Code Section 53646.

A7. REQUEST FOR STREET NAME CHANGES – ADOPT RESOLUTION NO. 2004-61, A RESOLUTION OF THE CITY COUNCIL CHANGING THE STREET NAME OF NEWHOPE STREET TO VETERANS WAY, BETWEEN CACTUS AVENUE AND ALESSANDRO BOULEVARD AND ADOPT RESOLUTION NO. 2004-62, A RESOLUTION OF THE CITY COUNCIL CHANGING THE STREET NAME OF BUSINESS CENTER DRIVE TO NEWHOPE DRIVE, BETWEEN ELSWORTH STREET AND NEWHOPE STREET

Adopted Resolution No. 2004-61, and thereby changed the street name of Newhope Street to Veterans Way, between Cactus Avenue and Alessandro Boulevard; adopted Resolution No. 2004-62, and thereby changed the street name of Business Center Drive to Newhope Drive, between Elsworth Street and Newhope Street; and directed the City Clerk to certify said resolutions and transmit a copy of the resolutions to the Riverside County Assessor's office, Chief of Police, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California.

Resolution No. 2004-61

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Newhope Street to Veterans Way, Between Cactus Avenue and Alessandro Boulevard

Resolution No. 2004-62

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Business Center Drive to Newhope Drive, Between Elsworth Street and Newhope Street

A8. APPOINTMENT OF COUNCIL MEMBER BONNIE FLICKINGER AS THE CITY'S VOTING DELEGATE AND CITY MANAGER GENE ROGERS AS THE CITY'S ALTERNATE VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2004 ANNUAL CONFERENCE BUSINESS MEETING TO BE HELD SUNDAY, SEPTEMBER 19, 2004 (Oral Presentation only – No written material provided)

Appointed Council Member Bonnie Flickinger as the City's voting delegate and City Manager Gene Rogers as the City's alternate voting delegate to the

League of California Cities 2004 Annual Conference Business Meeting to be held Sunday, September 19, 2004.

- A9. EXTENSION OF PLANNING COMMISSION TERMS
Extended the four Planning Commission terms that expire on January 1, 2005, to such time as new appointments are made.
- A10. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AT COTTONWOOD AVENUE AND MORENO BEACH DRIVE, PROJECT NO. 02-12566922
Accepted the work as complete for the traffic signal at Cottonwood Avenue and Moreno Beach Drive, constructed by Macadee Electrical Construction, 14771 Cherry Circle, Chino Hills, California 91709; directed the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorized the Director of Finance to release the retention to Macadee Electrical Construction thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; accepted the improvements into the City's maintained road system.
- A11. AGREEMENT FOR STREET LIGHTING SERVICE MORENO VALLEY UTILITIES SYSTEMS SCHEDULE SL – STREET LIGHTING SERVICE
Reviewed and approved the Agreement for Street Lighting Service, Moreno Valley Utilities System, SL – Street Lighting Service (the "Agreement"), between the City of Moreno Valley and the Moreno Valley Community Services District (CSD) for the purpose of funding City owned and operated arterial and residential streetlights through a portion of revenues collected through CSD Zones B (Residential) and C (Arterial) parcel charges .
- A12. APPROVE DESIGN COOPERATIVE AGREEMENT WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE ROUTE 60/NASON INTERCHANGE IMPROVEMENT PROJECT, PROJECT NO. 98-25897
Approved the Design Cooperative Agreement with Caltrans for the design phase of the Route 60/Nason Interchange Improvement Project and authorized the Mayor to execute the Design Cooperative Agreement with Caltrans.
- A13. MAIL BALLOT PROCEEDINGS FOR TRACTS 27593, 29920 AND 31319 (AND ALL THEIR AFFECTED PHASES) FOR: 1) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE AND 2) INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND

APPROVAL OF THE ANNUAL CHARGE.
MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31431 (AND ALL AFFECTED PHASES) FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE

Accepted public comments regarding the mail ballot proceedings for Tentative Tracts 27593, 29920, 31319, and 31431 (and all their affected phases) for approval of the National Pollutant Discharge Elimination System (NPDES) regulatory rate schedule.

- A14. FOLLOW-UP REPORT – INSTALLATION OF 4-WAY STOP SIGNS AT MORENO VALLEY BEACH DRIVE/CACTUS AVENUE INTERSECTION
Approved the installed 4-way stop signs at the intersection of Moreno Beach Drive/Cactus Avenue as an interim traffic control measure prior to the installation of the traffic signal.
- A15. APPROVAL OF PARCEL MAP 32469 - SOUTHEAST CORNER OF LASSELLE STREET AND IRIS AVENUE - SUBDIVIDER - EMPIRE LAND, LLC, ONTARIO, CA 91764
Approved Parcel Map 32469; authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A17. RATIFICATION OF AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON – GRAHAM STREET INTERCONNECTION FACILITY
Ratified the following agreements between Southern California Edison and the City of Moreno Valley for the Graham Street Interconnection Facility: Graham Street Wholesale Distribution Load Interconnection Facilities Agreement and Service Agreement for Wholesale Distribution Service – Graham Street
- A18. AUTHORIZATION OF CREDIT BID AT SHERIFF'S FORECLOSURE SALE FOR THREE (3) DELINQUENT PROPERTIES LOCATED WITHIN ASSESSMENT DISTRICT 87-4 (CENTERPOINTE)
Adopted Resolution No. 2004-64 to approve the purchase of certain Centerpointe properties via credit bid to facilitate economic development.

Resolution No. 2004-64

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Purchase of Certain Centerpointe Properties via Credit Bid to Facilitate Economic Development

- A19. APPROVAL OF RESOLUTION NO. 2004-65, SUMMARY VACATION OF PORTIONS OF GLOBE STREET AND OLEANDER AVENUE PUBLIC

RIGHT-OF-WAY - EAST OF PERRIS BOULEVARD, NORTH OF THE OLEANDER CHANNEL

Adopted Resolution No. 2004-65, summarily vacating portions of Globe Street and Oleander Avenue public right-of-way located east of Perris Boulevard, north of the Oleander Channel; and directed the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

Resolution No. 2004-65

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Portions of Globe Street and Oleander Avenue Public Right-of-Way

- A21. **MARCH JOINT POWERS AGREEMENT AMENDMENT #9**
Approved Amendment #9 to the Joint Powers Agreement between the Cities of Moreno Valley, Perris and Riverside and the County of Riverside relating to the use and reuse of March Air Force Base to enable the Joint Powers Authority to perform the land use review for the expansion of Air Force Village West.

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 JULY 13, 2004**
Approved as submitted.
- B3. **MINUTES – SPECIAL MEETING OF JULY 6, 2004**
Approved as submitted .
- B4. **APPROVE RESOLUTIONS AND FILING OF GRANT APPLICATIONS FOR PROPOSITION 40 GRANT FUNDING**
1. Approved the filing of an application for local assistance funds in the amount of \$644,000 to be funded from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002;
 2. Adopted Resolution No. CSD 2004-19 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 Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2003/2004, 2004/2005, and 2005/2006.

Resolution No. CSD 2004-19

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 Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004, 2004/2005 and 2005/2006

3. Approved the filing of an application for local assistance funds in the amount of \$396,430 to be funded from the Roberti-Z'Berg-Harris Open Space and Recreation Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.
4. Adopted Resolution No. CSD 2004-20 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 Roberti-Z'Berg-Harris Urban Open Space and Recreation Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2003/2004, 2004/2005, and 2005/2006.

Resolution No. CSD 2004-20

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 Roberti-Z'Berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004, 2004/2005 and 2005/2006

B5. AGREEMENT FOR STREET LIGHTING SERVICE MORENO VALLEY

UTILITIES SYSTEMS SCHEDULE SL – STREET LIGHTING SERVICE
Reviewed and approved the Agreement for Street Lighting Service, Moreno Valley Utilities System, SL – Street Lighting Service (the “Agreement”), between the City of Moreno Valley and the Moreno Valley Community Services District (CSD) for the purpose of funding City owned and operated arterial and residential streetlights through a portion of revenues collected through CSD Zones B (Residential) and C (Arterial) parcel charges .

- B6. MAIL BALLOT PROCEEDINGS FOR TRACTS 27593, 29920 AND 31319 (AND ALL THEIR AFFECTED PHASES) FOR: 1) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE AND 2) INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND APPROVAL OF THE ANNUAL CHARGE.

MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31431 (AND ALL AFFECTED PHASES) FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE

Accepted public comments regarding the mail ballot proceedings for Tentative Tracts 27593, 29920 and 31319 (and all their affected phases) for inclusion into CSD Zone B (Residential Street Lighting) and approval of the annual charge .

- B7. TRACT 30233-1 – APPROVE GRANT OF EASEMENT TO VERIZON WITHIN LOT ‘A’ – EQUESTRIAN TRAIL AND FIRE ACCESS ROAD - SOUTHEAST CORNER OF JOHN F. KENNEDY DRIVE AND CHAMPIONSHIP DRIVE

Approved the Easement Deed granting to Verizon an easement within Lot ‘A’ – Equestrian Trail and Fire Access Road of Tract 30233-1; authorized the President to execute the Easement Deed; and directed the City Clerk to forward the signed Easement Deed to Verizon for their acceptance of the easement and recordation.

- B8. APPROVE OFFER OF DEDICATION TO THE CITY OF MORENO VALLEY FOR TRAFFIC SIGNAL OPERATION AND MAINTENANCE - NORTHEAST CORNER OF JOHN F. KENNEDY DRIVE AND CHAMPIONSHIP DRIVE

Approved the Offer of Dedication dedicating to the City of Moreno Valley an easement and right of way at the northeast corner of John F. Kennedy Drive and Championship Drive for traffic signal operation and maintenance; authorized the President to execute the Offer of Dedication; and directed the City Clerk to forward the signed 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. MINUTES – REGULAR MEETING OF JULY 13, 2004
Approved as submitted.
- C3. MINUTES – SPECIAL MEETING OF JULY 6, 2004
Approved as submitted
- C4. AUTHORIZATION OF AGREEMENT FOR PURCHASE AND THE CONVEYANCE OF TITLE TO ASSESSOR'S PARCEL NUMBER 481-084-016 AT THE SOUTHWEST CORNER OF SHEILA STREET AND FILAREE AVENUE
Authorized the Chairman to execute the agreement of Purchase and Sale of the above-described parcel; authorized the Chairman to execute escrow instructions and other documents as may be necessary to convey title to the parcel described above; appropriated funds from the Shelia Street program shown as account number 894.91310.6833 not to exceed \$430,000 and authorized the Finance Director to wire transfer funds necessary to escrow to complete conveyance of title to the parcel described above; and authorized the acceptance of title to the above-described parcel in accordance with the Agreement and directed the City Clerk to certify to the acceptance and place said certification in escrow for recordation with the original grant deed when the escrow is complete.
- C5. MORENO VALLEY RECREATION AND CONFERENCE CENTER – APPROVE OFFER OF DEDICATION FOR EASEMENT AND RIGHT OF WAY FOR PUBLIC UTILITY PURPOSES - SOUTH SIDE OF ALESSANDRO BOULEVARD, 200' WEST OF FREDERICK STREET
Approved the Offer of Dedication dedicating an easement and right of way for public utility purposes for property located on the Moreno Valley Recreation and Conference Center site; authorized the Chairman to execute the Offer of Dedication; and directed the City Clerk to forward the signed Offer of Dedication to the County Recorder's Office for recordation.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title on
- D2. MINUTES – REGULAR MEETING OF JULY 13, 2004

Approved as submitted

E. PUBLIC HEARINGS

- E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACTS 30708 AND 30924 (AND ALL THE AFFECTED PHASES) INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING); AND APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE

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

Board Member White made a motion seconded by President West, directing the Secretary to tabulate the ballots. Motion carried 5-0. Roll call vote.

The Secretary announced the results as follows:

APN – 486-160-030 - Tract 30708 Zone B - Yes
APN – 486-160-030 - Tract 30708 NPDES - Yes
APN – 477-150-014 - Tract 30924 Zone B - Yes
APN – 477-150-014 - Tract 30924 NPDES - Yes

Council Member White made a motion seconded by Council Member Batey to verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing; receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and authorize and impose the applicable CSD charge and the NPDES regulatory rate for Tentative Tracts 30708 and 30924 (and all affected phases). Motion carried 5-0. Roll call vote.

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

- A16. APPROVAL OF RESOLUTION NO. 2004-63, SUMMARY VACATION OF PORTIONS OF THE EQUESTRIAN TRAIL WITHIN FINAL MAP 30300-2 AND PARCEL MAP 22701 - SOUTH SIDE OF KRAMERIA AVENUE, EAST OF LASSELLE STREET - SUBDIVIDER – MVR-MORENO VALLEY, LP, CARLSBAD, CA 92008

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

Council Member Flickinger made a motion, seconded by Council Member White, to approve Resolution No. 2004-63, summary vacation of portions of the equestrian trail within Final Map 30300-2 and Parcel Map 22701 – south side of Krameria Avenue, East of Lasselle Street – Subdivider – MVR-Moreno Valley, LP, Carlsbad, CA 92008, and directed the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's Office for recordation. Motion carried 5-0. Roll call vote.

Resolution No. 2004-63

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Portions of the Equestrian Trail within Final Map 30300-2 and Parcel Map 22701

A20. MARCH JOINT POWERS AGREEMENT AMENDMENT #8 (CONTINUED FROM JULY 13, 2004)

Phil Rizzo, Executive Director of the March Joint Powers Authority spoke on behalf of the MJPA.

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

Council Member Flickinger seconded by Council Member White, to require only the vote of five members for the transaction of business, rather than six as currently required; to grant March Joint Powers Authority (MJPA) the power to issue bonds; to grant MJPA the power to tax; and to grant MJPA the power to exercise eminent domain predicated on the opinion issued by the MJPA General Counsel, that the City reserves its right to veto actions of eminent domain within or contiguous to its boundaries, as stated in Section 12 of the MJPA Agreement. Motion carried 5-0. Roll call vote

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

- a. Report on March Joint Powers Authority (MJPA) by Mayor Pro Tem Stewart

Phil Rizzo, Executive Director of the March Joint Powers Authority spoke on the subject.

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

G2. WOODEN FENCE REPLACEMENT/DEMONSTRATION PROJECT

Mayor West opened the agenda item for public comment. Public testimony was given by Ray Hosman.

Agency Member Flickinger made a motion, seconded by Agency Member Batey to authorize the implementation of the Fence Replacement/Demonstration Project; approve program documents as provided in Exhibits C through E; and authorize the City Manager, in the capacity of the Executive Director of the Redevelopment Agency, to execute related program documents as required once the program is in full operation. Motion carried 5-0. Roll call vote.

G3. APPOINTMENTS TO THE ACCESSIBILITY APPEALS BOARD, RECREATIONAL TRAILS BOARD AND SENIOR CITIZENS BOARD

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

Council Member Flickinger made a motion, seconded by Council Member Batey to appoint James Edward White to the Accessibility Appeals Board as a Physically Challenged Representative for a term expiring June 30, 2007; appointed Jackie LeSan and Kim M. Nelson to the Recreational Trails Board for terms expiring June 30, 2007; appointed Dorothy Stringer to the Senior Citizens' Board for a term expiring June 30, 2006 and Barbara B. Koehn to the Senior Citizens' Board for a term expiring June 30, 2007. Motion carried 5-0. Roll call vote.

G4. RESOLUTION DEDICATING SURPLUS UTILITIES REVENUES TO POLICE AND FIRE

Mayor West opened the agenda item for public comments. Public testimony was received from Pete Bleckert, Ray Hosman and Robert Burkes.

Council Member Flickinger made a motion, seconded by Council Member

White, approving Resolution No. 2004-66 that would dedicate surplus utilities revenues, when they are available, to Police and Fire. This policy is consistent with Council's priority to provide enhanced funds for fire and police services. Motion carried 5-0. Roll call vote

Resolution No. 2004-66

A Resolution of the City Council of the City of Moreno Valley, California, Committing and Dedicating Any and All Excess Revenues from the City's Electric Utility to Fire and Police Services for the City of Moreno Valley

G5. 20th BIRTHDAY CELEBRATION PLANS

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

Council Member White made a motion, seconded by Mayor West to receive and file the report on the preliminary plans for the City of Moreno Valley's 20th Birthday Celebration. Motion carried unanimously. Roll call vote.

G6. LEGISLATIVE UPDATE

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

Mayor Pro Tem Stewart made a motion, seconded by Council Member White, to receive and file. Motion carried 5-0. Roll call vote.

G7. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

H1. ORDINANCE NO. 664 ORDINANCE REGULATING SALES AND SPECIAL EVENTS IN PARKING LOTS, AMENDING SECTION 9.02.150 AND 9.08.120 WITH RESPECT TO TEMPORARY USES AND OUTDOOR SALES OF MERCHANDISE (RECEIVED FIRST READING AND INTRODUCTION ON JULY 13, 2004 ON A 5-0 VOTE)

Council Member Flickinger made a motion, seconded by Council Member White to adopt Ordinance 664. Motion carried 5-0. Roll call vote.

Ordinance No. 664

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sections 9.02.150 and 9.08.120 with Respect to Temporary Uses and Outdoor Sales of Merchandise

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:

Ray Hosman – Address matter of record

- 1) “Silly Season”
- 2) Greenfield Utility Profits
- 3) City Logo

Priscilla Banks - 13560 Searson, Moreno Valley

- 1) Prepping council candidate
- 2) Potential candidate’s conviction’
- 3) Removal of candidate from Traffic Safety Commission
- 4) Measure “M”

Victoria Baca – Address matter of record

- 1) Utility Tax
- 2) Fund Raising Event
- 3) Commended Council Member Flickinger

Marcia Amino – 10363 Crest Brook, Moreno Valley

- 1) Enterprise Fund for City’s Electric Utility
- 2) Opposing government competing with private business
- 3) Tax money
- 4) Riverside Utility

Daryl Terrell – Address matter of record

- 1) Resignation from Traffic Safety Commission
- 2) Would not actively campaign for City Council

- 3) Thanked residents for their support

Emil Dragovich, Jr. - 15725 Biarrity Court, Moreno Valley

- 1) Traffic Safety Advisory Commissioner, thanked council for their support
- 2) Safety Program

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

Mayor Pro Tem Stewart

- 1) Great majority of General Fund spent on public safety issues; new public safety building; new fire engines; fire trucks; equipment, costs millions of dollars and contemplating new paramedic services on engines to increase public safety; grant money for POP teams; special traffic teams; speed bumps added; Station 58 will be breaking ground; looking at new ways to improve public safety; lots to do with limited funds
- 2) Commended Candidate Daryl Terrell as a bright and hardworking man that has his heart in the right place.
- 3) Unit from Washington currently at March Reserve base; support the military and the base.

Council Member Batey

- 1) No comments.

Council Member Flickinger

- 1) The General Fund had loaned a start up loan of \$870,000 to the municipal utility, there were no CSD funds used. The loan will be paid back by the utility ratepayers. When the cost of the product you sell goes up, the price you sell it goes up. The electric utility business would not be a loss. It is a matter of supply and demand rule.

Council Member White

- 1) Council is not using scare tactics - just being truthful, when funds are not available the City cannot provide services.
- 2) Will vote "No" on Measure M and N as a citizen of Moreno Valley; both measures are not good for the city;
- 3) The City has the authority to get into the electric business according to State law.

Mayor West

- 1) Reputation of Moreno Valley improving dramatically; City is making gains
- 2) Public Works started the restoration program; goal to improve streets; thanked the

Public Works department

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 to closed session at 8:35 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
Secretary, Board of Library Trustees

Approved by:

Frank West, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees
jmh