

**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.
OCTOBER 23, 2001**

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 6:31 p.m. by Mayor Flickinger in the Council Chambers located at 14177 Frederick Street.

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

INVOCATION - Pastor David E. Schilling, Shepherd of the Valley Lutheran

ROLL CALL

Council:

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

Absent:

William H. Batey	Mayor Pro Tem
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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 Terell	Planning Official
Richard Coz	Police Chief
Wes Alston	Fire Chief
Trent Pulliam	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services
Karen Reams	Recreation Superintendent

SPECIAL PRESENTATIONS

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 Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from John Loper (Item A5).

Councilmember White made a motion, seconded by Councilmember Stewart to approve the Consent Calendars in their entireties. Motion carried 4-0-1. Mayor Pro Tem 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. REQUEST ADOPTION AND PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS. PROJECT NO. 99-25654, IRONWOOD AVENUE REHABILITATION - BARCLAY DRIVE TO PIGEON PASS ROAD
Adopted the plans and specifications that are on file in the office of the Public Works Director; and authorized the City Clerk to advertise this project for construction bids.

- A3. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT- PROJECT NO. 97-25897-2 - NASON STREET TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTIONS OF ALESSANDRO BOULEVARD, COTTONWOOD AVENUE, AND EUCALYPTUS AVENUE
Awarded the construction contract for the traffic signals at the intersections of Nason Street at Alessandro Boulevard, Cottonwood Avenue, and Eucalyptus Avenue, to DBX, Inc., of Temecula, the lowest responsible bidder; authorized the Mayor to execute a contract Agreement with DBX, Inc.; and authorized the issuance of a purchase order to DBX, Inc., in the amount of \$286,782.10 (the bid amount plus 10% contingency), when both parties have signed the contract (Account No. 125.89730)

- A4. RESOLUTION NO. 2001-64 - APPROVE AND AUTHORIZE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. M013, TO THE ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECT NO. 08-5441 FOR THE CONSTRUCTION OF NASON STREET TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTIONS OF ALESSANDRO BOULEVARD, COTTONWOOD AVENUE, AND EUCALYPTUS AVENUE - CITY PROJECT NO. 97-25897-2
Adopted Resolution No. 2001-64, and approved Program Supplement No. M013, to the Administering Agency-State Agreement for Federal-Aid Project No. 08-5441 for the construction of the Nason Street traffic signal improvements at the intersections of Alessandro Boulevard, Cottonwood Avenue, and Eucalyptus Avenue; and authorized the Mayor to execute Program Supplement No. M013.

Resolution No. 2001-64

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. M013 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

- A5. APPROVAL OF PARCEL MAP 30278, EAST SIDE OF DAY STREET, NORTH OF CAMPUS PARKWAY, AND SOUTH OF HIGHWAY 60 (Subdivider – Gateway Company, L.L.C.)
Approved Parcel Map 30278, and authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A6. WARRANT REPORT – SEPTEMBER 30, 2001
Adopted Resolution No. 2001-65, approving the Warrant Reports, including wire transfers, dated September 2001, in the total amount of \$6,504,245.76.

Resolution No. 2001-65

A Resolution of the City Council of the City of Moreno Valley, Approving the Warrant Reports, dated September 30, 2001

- A7. MINUTES – REGULAR MEETING OF SEPTEMBER 25, 2001
Approved as submitted.
- A8. APPROVE CONTINUING APPROPRIATIONS FOR FY 2001/2002 BUDGET
Approved the continuing appropriations for FY 2001-02.

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. SITE LEASE FOR A PERSONAL COMMUNICATION SERVICE (PCS) FACILITY AT TOWNGATE PARK
Executed a PCS Site Agreement with Cox PCS Assets, LLC for approximately 627 square feet being a portion of Towngate Park known as Assessor's Parcel Numbers 291-120-023 and 291-120-035, located at Elsworth Street and Eucalyptus Avenue
- B3. MINUTES – REGULAR MEETING OF SEPTEMBER 25, 2001
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 SEPTEMBER 25, 2001
Approved as submitted.

D. PUBLIC HEARINGS

AGENDA ORDER

- D2. COUNCILMANIC REDISTRICTING

Conducted a third public hearing to consider the four proposed alternative redistricting plans of the Councilmanic districts in the City of Moreno Valley.

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

Councilmember White made a motion, seconded by Councilmember Stewart to adopt Resolution No. 2001-60, with plan D, repealing Resolution No. 91-126, and adjusting the boundaries of Councilmanic districts and designating the number of each such district. Motion carried 4-0-1. Mayor Pro Tem Batey absent. Roll call vote.

Resolution No. 2001-60

A Resolution of the City Council of the City of Moreno Valley, California, Repealing Resolution No. 91-126, and Adjusting the Boundaries of Councilmanic Districts and Designating the Number of Each Such District

AGENDA ORDER

- D1. MORENO VALLEY COMMUNITY SERVICES DISTRICT PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING TO REINSTATE ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AT THE STANDARD SERVICE LEVEL FOR TRACT 17033

Conducted the Public Hearing to consider reinstating Zone D (Parkway Landscape Maintenance) at the standard service level and the annual parcel charge for Tract 17033.

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

**RECESS;
RECONVENE**

The Secretary tabulated the mail ballots for CSD Zone D, Tract 17033 and announced the results as follows: out of 38 ballots that were mailed out, the City Clerk's office received 14 ballots; 14 were validated; Yes votes - 10; No votes - 4.

Boardmember West made a motion, seconded by Boardmember Stewart to verify and accept the results of the mail ballot proceeding and authorize and impose the CSD Zone D charge. Motion carried 4-0-1. Vice President Batey absent. Roll call vote.

AGENDA ORDER

- D3. PUBLIC HEARING FOR FISCAL YEAR 2001 LOCAL LAW ENFORCEMENT

BLOCK GRANT (LLEBG) PROGRAM FUNDING ALLOCATION

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

Councilmember White made a motion, seconded by Councilmember Stewart to accept the Local Law Enforcement Block Grant Program funding in the amount of \$302,762 from the U.S. Department of Justice, Bureau of Justice Assistance; authorize a budget appropriation adjustment in the amount of \$33,640 from General fund account 62210.6381 (Operating Materials and Supplies) to 62566 (Transfers to Fund 254) in order to satisfy the 10% matching requirement; and adopt the proposed use of the Local Law Enforcement Block Grant Program funding, as appropriate. Motion carried 4-0-1. Mayor Pro Tem absent. Roll call vote.

E. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

F. REPORTS

AGENDA ORDER

- F2. WITHDRAWAL OF \$8,000 FROM THE TRUST FUND ESTABLISHED FOR THE ACQUISITION AND RESTORATION OF CULTURAL OR HISTORIC PROPERTIES ADDENDUM TO STAFF REPORT (CONTINUED FROM OCTOBER 9, 2001)

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

Boardmember White made a motion, seconded by Boardmember West to approve the request for the withdrawal of \$8,000 from the trust fund as recommended by the Cultural Preservation Advisory Committee and by staff. Motion carried 4-0-1. Vice President Batey absent. Roll call vote.

- F3. REQUEST FOR CO-SPONSORSHIP AND WAIVER OF FEES FOR THE NINTH ANNUAL INTERNATIONAL HOLIDAY PARADE AND FESTIVAL (APPLICANT: CULTURAL HERITAGE PERFORMERS, INC.)

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

Councilmember White made a motion, seconded by Councilmember West to co-sponsor this event and waive fees, except for insurance costs. Motion carried 4-01. Mayor Pro Tem Batey absent. Roll call vote.

F4. FY 2001-02 BUDGET STATUS REPORT AND CONSIDERATION OF CAPITAL PROJECTS

Mayor Flickinger opened the agenda item for public comments, which were received from Ray Hosman, Pete Bleckert, and Daryl C. Terrell.

Councilmember Stewart made a motion, seconded by Councilmember White to: reject recommendation "A," which would defer the construction of the College Park Fire Station and the Roller Hockey/Skateboard Park to January 2003; defer recommendation "B," which would reserve and designate an additional \$1 million from the General Fund capital expenditure reserve to the Main Library Project; defer recommendation "C," which would defer the determination about whether to appropriate any capital funding to the Cultural Arts Center and/or the Soccer Complex to a later time when additional information is available regarding the funding needs of these projects"; and bring back the above mentioned items along with other capital projects for the December 11, 2001, City Council meeting. Motion carried 4-0-1. Mayor Pro Tem Batey absent. Roll call vote.

**RECESS;
RECONVENE**

AGENDA ORDER

F1. ORAL PRESENTATION BY ROD BALANCE, EXECUTIVE DIRECTOR OF THE WORLD TRADE CENTER OF THE INLAND EMPIRE

No action required.

AGENDA ORDER

F5. CITY MANAGER'S REPORT (Oral presentation only)

None

Mayor Flickinger opened the agenda item for public comments, which were received from Marcia Rodolf-Amino.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION - NONE

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:

Marcia Rodolf-Amino – 10363 Crest Brook

- 1) Repeal of utility user's tax

Bernadette Burks

- 1) Death of Scott Matthew Taplin

Gloria Boyd – Moreno Valley

- 1) Death of Scott M. Taplin

Pete Bleckert – P. O. Box 217

- 1) Item F1 - presentation regarding the World Trade Center
- 2) Budget issues

Smokey Siket – Moreno Valley

- 1) American flag
- 2) Invitation to join American Legion in Flag Disposal Ceremony on 11/11/01 at 5 p.m.

Daryl C. Terrell – address matter of record

- 1) Local law enforcement

Robert C. Anderson –12188 Marigold Avenue

- 1) Comments of Councilmember regarding Ray Hosman
- 2) Utility user's tax
- 3) Senior Center meals

Thomas David Rudolph Jr., 22921 Chambray Drive

- 1) Home Depot – Title 9 of Municipal Code is not being enforced

Kenneth F. Loomis – 25370 Ramblewood Court

- 1) September 11, 2001 terrorist attack

Ray Hosman – address matter of record

- 1) Unjustified criticism of law enforcement
- 2) Moreno Valley Live program on the utility user's tax

Robert Burks – Moreno Valley

- 1) Death of Scott M. Taplin
- 2) Alleged threat by local resident

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

Councilmember White

- 1) Clarified that voters voted down the tax but not the library

Councilmember Stewart

- 1) Moreno Valley Live program on utility user's tax – stated that he was kept informed of the progress and received accurate information from staff. Stated that utility tax was voted by voters of the City in its current form and is not a temporary tax
- 2) Supported Mayor Pro Tem Batey in his reaction to alleged threats made by local resident. Stated that threats must be taken seriously
- 3) Questioned reporting of crime statistics in Moreno Valley
- 3) Stated he would support efforts for revising and enforcing vicious dog ordinance

Councilmember West

- 1) Considers placement of public comments on agenda at the end of the meeting as a trial – he will try to change it in the future if it doesn't work out
- 2) Vicious dog issue – very serious issue; ordinance must be vigorously enforced
- 3) Announced that he attended a study session with Southern California Rail Authority where strategic planning of establishing a rail station in Moreno Valley on Alessandro near Highway 215, and in Perris was discussed
- 4) Stated that Karen Reams did an outstanding job with the beach trip – this kind of service will be available every summer. Encouraged everyone to support it

Mayor Flickinger

- 1) Responded to the complaint regarding providing written materials for the City Manager's report – no action or discussion is taking place; therefore there is no need for written material
- 2) The City Manager and Mayor will discuss the problems and what needs to be fixed in the vicious dog ordinance
- 3) The presentation for firefighters, especially firefighters returning from the New York, had been continued to the first Council meeting in November
- 4) Hazardous waste collection, including electronic components, is scheduled for 10/25/01-10/27/01 at the City Yard

- 5) Official population for Moreno Valley is now 144,600, according to the State Department of Finance
- 6) This month is Hispanic Heritage month, and the art exhibit in the City Council lobby had been replaced with paintings from local artists from our sister city San Juan de los Lagos, Mexico
- 7) During last week's "Celebrate America" program at the Riverside National Cemetery—the primary participants were from Moreno Valley
- 8) Mayor's Ball has been scheduled for November 2
- 9) She attended a public hearing on the State government acquiring about 5,000 acres of undeveloped land for a state park in the San Timoteo Canyon, Badlands area, just outside the northeast border of Moreno Valley to protect 8,000 acres in that canyon
- 10) Anthrax threats—public safety officials indicate that there is no credible threat to Riverside County. Added that all cities in Riverside County and the County discussed the process for defending and protecting residents not only from the biological, but also from chemical and radiological terrorism
- 11) Read "An Ode to America," an article written by a Romanian editor regarding the September 11 terrorist attacks

CLOSED SESSION - None

REPORT OF ACTION FROM CLOSED SESSION BY CITY ATTORNEY, IF ANY - NONE

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 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:

Bonnie Flickinger, Mayor
 President, Moreno Valley Community Services District
 Chairman, Community Redevelopment Agency of the City of Moreno Valley

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