

**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.
MAY 14, 2002**

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 6:32 p.m. by Mayor White in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Pastor Paul M. Cunningham, Calvary Baptist Church of Moreno Valley Church

ROLL CALL

Council:

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

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Gene Rogers	City Manager
Barry McClellan	Assistant City Manager
Linda Guillis	Community and Economic Development Director
William Di Yorio	Police Chief
Wes Alston	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 White opened the agenda items for the Consent Calendars for public comments.

Era Preston – 27389 Cottonwood (Item A7)

- 1) Feels the City should abide by the Zoning Code
- 2) Stated her property has depreciated due to zoning violations by neighbor

Charlene Smout – Address matter of record (Item A7)

- 1) Agrees with Ms. Preston on the Zoning Code
- 2) Concerned with all of the code violations present at the Skate Ranch and also the disruption to the neighborhood - feels the Ranch should be shut down

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to approve the Consent Calendars in their entirety, except for Item A7 which was 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. ACCEPT AND APPROVE THE EMWD REIMBURSEMENT AGREEMENT FOR WATER AND SEWER PIPELINE IMPROVEMENTS ALONG SAN MICHELE ROAD FROM PERRIS BOULEVARD TO INDIAN STREET, PROJECT NO. 99-12567420
Accepted and approved the "Reimbursement Agreement for Water and Sewer Facilities located within San Michele Road" with Eastern Municipal Water District (EMWD) and authorized the Mayor to execute the Reimbursement Agreement for the relocation of the EMWD pipeline facilities.
- A3. RATIFICATION OF CONTRACT CHANGE ORDERS, NOTICE OF COMPLETION AND ACCEPTANCE FOR THE RELOCATION OF FIRE STATION NO. 2, PROJECT NO. 98-34725
Ratified Contract Change Order Nos. 1, 2 and 3; accepted the work as completed for Fire Station No. 2, constructed by Triquest Builders, Inc., of Rancho Cucamonga, California; directed the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code and authorized the Director of Finance to release the retention to Triquest Builders, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project (Account No. 434.72540).
- A4. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL AT PERRIS BOULEVARD AND NORTHERN DANCER DRIVE, PROJECT NO. 01-42669020

Awarded the construction contract for the traffic signal at Perris Boulevard and Northern Dancer Drive to Moore Electrical Contracting, Inc., 463 North Smith Avenue, Corona, California 92880, the lowest responsible bidder; authorized the Mayor to execute a contract with Moore Electrical Contracting, Inc.; authorized the issuance of a Purchase Order to Moore Electrical Contracting, Inc. in the amount of \$143,152 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 426.69020) and authorized the Finance Director to create a new account in the Measure "A" Fund, and to transfer \$25,000 from Measure "A" Fund (Account No. 125.89730) into the new Measure "A" Fund account.

- A5. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR A TRAFFIC SIGNAL AT FREDERICK STREET AND BRABHAM STREET/TOWNGATE CENTER DRIVEWAY, PROJECT NO. 01-12567321(3)
Adopted the Plans and Specifications on file in the office of the Public Works Director and authorized the City Clerk to advertise the project to solicit construction bids.
- A6. APPROVAL OF QUARTERLY INVESTMENT REPORT –QUARTER ENDED MARCH 21, 2002
Approved and accepted the quarterly investment report, in compliance with the California Government Code Section 53646.
- A8. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE DRACAEA AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD, PROJECT NO. 00-92774, AND APPROVE THE TRANSFER OF RDA FUNDS
Adopted the Plans and Specifications on file in the office of the Public Works Director; authorized the City Clerk to advertise the project for bids and approved the transfer of \$355,000 from RDA (Account No. 892.80121) Atwood Improvements to RDA (Account No. 892.81621) Dracaea Improvements.
- A9. APPROVAL OF FINAL MAP 30301 – SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPTANCE OF AGREEMENT AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS NORTH SIDE OF CALLE AGUA, WEST OF LASELLE ST., K.HOVNANIAN FORECAST HOMES, INC. (CONTINUED FROM APRIL 9, 2002)
Approved Final Map 30301, 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.

- A10. MINUTES – REGULAR MEETING OF APRIL 9, 2002
Approved as submitted.
- A11. MINUTES – SPECIAL MEETING OF APRIL 10, 2002
Approved as submitted.
- A12. ANNUAL STATEMENT OF INVESTMENT POLICY
Adopted the Annual Statement of Investment Policy, in compliance with California Government Code Section 53646.
- A13. YOUTH OPPORTUNITIES PROGRAM STAFFING
Authorized additional staff positions for the Youth Opportunities Program.
- A14. ACCEPTANCE, ENCUMBRANCE, AND EXPENDITURE OF FRIENDS OF THE LIBRARY DONATION
Approved the acceptance, encumbrance, and expenditure of funds from the Friends of the Moreno Valley Public Library in the amount of \$11,550.
- A15. APPROVAL OF PARCEL MAP 30472 – WALGREEN'S DISTRIBUTION CENTER – ACCEPT AGREEMENTS, BONDS, AND LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS – EAST SIDE OF PERRIS BOULEVARD AT NANDINA AVENUE (WALGREEN CO.)
Approved Parcel Map 30472, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accepted the bonds and Agreements for Public Improvements; accepted the Letters of Credit, as reviewed and approved by the City Attorney, as security for the required public improvements; authorized the Mayor to execute the agreements; and directed the City Clerk to forward the signed agreements 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 APRIL 9, 2002
Approved as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C1. ORDINANCES - FIRST READING BY TITLE ONLY

Waived reading of all Ordinance Introductions and read by title only.

- C2. MINUTES – REGULAR MEETING OF APRIL 9, 2002
Approved as submitted.
- C3. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE DRACAEA AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD, PROJECT NO. 00-92774, AND APPROVE THE TRANSFER OF RDA FUNDS
Adopted the Plans and Specifications on file in the office of the Public Works Director; authorized the City Clerk to advertise the project for bids and approved the transfer of \$355,000 from RDA (Account No. 892.80121) Atwood Improvements to RDA (Account No. 892.81621) Dracaea Improvements

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2002/03

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

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to adopt the Community Development Block Grant Program Annual Action Plan for Fiscal Year 2002/03. Motion carried 5-0. Roll call vote.

- D2. PUBLIC HEARING TO CONSIDER AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2001-02 ANNUAL ACTION PLAN - AMENDMENT 1 (CONTINUED FROM APRIL 23, 2002)

Mayor White 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 approve the proposed amendment to the FY 2001-02 Annual Action Plan and authorize the transfer of \$21,667 from unprogrammed funds to new project for small business counseling. Motion carried 5-0. Roll call vote.

- D3. PUBLIC HEARING TO CONSIDER AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2001-02 ANNUAL ACTION PLAN - AMENDMENT 2 (CONTINUED FROM APRIL 23, 2002)

Mayor White 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 continue this item to May 28, 2002 City Council meeting. Motion carried unanimously.

- D4. A PUBLIC HEARING REGARDING PA00-0021 – AMENDMENT NO. 1 TO THE EASTGATE RANCH SPECIFIC PLAN (SP#207) LOCATED AT THE NORTHWEST CORNER OF MORENO BEACH DRIVE AND JOHN F. KENNEDY DRIVE AND SUBMITTED BY WINCHESTER ASSOCIATES, INC. THE PROPOSED SPECIFIC PLAN AMENDMENT INCLUDES CHANGES TO ACCESS, INTERNAL CIRCULATION, THE FLOOD CONTROL CHANNEL, AND THE ZONING ORDINANCE

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

Councilmember Stewart made a motion, seconded by Councilmember West to adopt a subsequent Negative Declaration for PA00-0021 (Amendment No. 1 to the Eastgate Ranch Specific Plan), in that this application will not result in significant environmental impacts. Motion carried 5-0. Roll call vote

Councilmember Stewart made a motion, seconded by Councilmember West to introduce City Council Ordinance No. 601 approving PA00-0021 (Amendment No. 1 to the Eastgate Ranch Specific Plan) based on the findings in Ordinance No. 601; and the Specific Plan document as attached to the ordinance as Exhibit 1. Motion carried 5-0. Roll call vote.

Ordinance No. 601

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA00-0021 (Amendment No. 1 to the Eastgate Ranch Specific Plan) Which Addresses Changes to Access, Internal Circulation, the Flood Control Channel, and the Zoning Ordinance

- D5. A PUBLIC HEARING REGARDING PA00-0004, AMENDING CHAPTER 9.02 (Section 9.02.180) ENTITLED “NONCONFORMING USES AND PROVISIONS” AND RELATED SECTIONS OF THE MORENO VALLEY MUNICIPAL CODE CITYWIDE, AND SUBMITTED BY THE CITY OF MORENO VALLEY COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Mayor White opened the public testimony portion of the public hearing. Public comments were received by Pete Bleckert and Ray Hosman.

Councilmember Flickinger made a motion, seconded by Mayor White to recognize

that the proposed Municipal Code amendment is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061 of the CEQA Guidelines. Motion carried 4-1, Mayor Pro Tem Batey dissenting. Roll call vote.

Councilmember Flickinger made a motion, seconded by Mayor White to introduce Ordinance No. 602, thereby approving amendments to Chapter 9.02 (Section 9.02.180) and related sections of the City of Moreno Valley Municipal Code. Motion carried 4-1, Mayor Pro Tem dissenting. Roll call vote.

Ordinance No. 602

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA00-0004, Amending Chapter 9.02 (Section (9.02.180) Entitled "Nonconforming Uses and Provisions" and Related Sections of the Moreno Valley Municipal Code Citywide

D6. PUBLIC HEARING TO ADOPT FY 2002/03 FEE RESOLUTION AND FEE SCHEDULE

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

Councilmember West made a motion, seconded by Mayor Pro Tem Batey to adopt Resolution No. 2002-31, as amended. Motion carried 5-0. Roll call vote.
Resolution No. 2002-31

A Resolution of the City Council of the City of Moreno Valley, California, Increasing and Establishing Specified Fees for Various Services; Maintaining the Present Level of Certain Fees; Reducing the Level of Certain Fees; and Incorporating Certain Prior Enactments

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

A7. ADOPTION OF RESOLUTION NUMBER 2002-24

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

Mayor Pro Tem Batey made a motion, seconded by Mayor White to adopt Resolution Number 2002-24. Motion carried 5-0. Roll call vote.

Resolution No. 2002-24

A Resolution of the City Council of the City of Moreno Valley, California, Regarding 27381 Cottonwood Avenue, Making Findings, Ordering Correction of Code Violations and Directing Abatement of Uncorrected Violations

F. REPORTS

F1. PUBLIC COMMENTS AND CONTINUED DISCUSSION ON FY 2002-03 PROPOSED BUDGET

Mayor White opened the agenda item for public comments, which were received from Daryl Terrell, Pete Bleckert and Priscilla Banks.

F2. STAFF REPORT SCHEDULED FOR MAY 14, 2002, CITY COUNCIL MEETING TITLED PRESENTATION OF DEPARTMENTAL 5-YEAR PLAN/POWERPOINT PRESENTATION – PUBLIC WORKS (CONTINUED FROM APRIL 23, 2002)

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem Batey to continue this item to June 25, 2002. Motion carried unanimously.

F3. LEGISLATIVE UPDATE

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

F4. CITY MANAGER’S REPORT (Informational Oral Presentation only - not for Council action)

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:

Ray Hosman – Address matter of record

- 1) City’s full-page ad in the Press Enterprise was positive but not fiscally responsible

Daryl Terrell – Address matter of record

- 1) Impact of the state budget on cities

Pete Bleckert – Address matter of record

- 1) City's budget and Utility User's Tax

Priscilla Banks – Address matter of record

- 1) Safety for residents
- 2) Kops and Kids program
- 3) Asked for definition of unprogrammed funds
- 4) Residents should get involved in City issues

Jim Willem – 13225 Terry Ct.

- 1) Supports budget for AYSO fields at March ARB

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

Mayor Pro Tem Batey

- 1) Stated the City did not drag its feet on the AYSO fields at MARB– approvals were needed by the Department of Defense

Councilmember Flickinger

- 1) Responded that the Measure A funds were not wasted
- 2) Asked the Finance Director to address Ms. Banks' questions regarding unprogrammed funds

Councilmember Stewart

- 1) Welcomes suggestions regarding the needs of the new library – existing building is not adequate
- 2) Stated the City has not designated any funds for the new dispatch center
- 3) Parks & Recreation programs for youth are a priority with the Council
- 4) Fire Station No. 58 needs to be relocated – also need more firefighters
- 5) March Joint Powers Authority has selected Phil Rizzo as its new Executive Director
- 6) Asked the Public Works director to give update on the reconstruction of Pigeon Pass Road

Councilmember West

- 1) Stated that the City cannot use surplus funding to pay for personnel services and public safety
- 2) Announced that Metrolink "Beach Trains" are starting up again

Mayor White

- 1) Pleased with the Press Enterprise article regarding the City's budget

CLOSED SESSION

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

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:31 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:

Charles White, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley

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