

**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.  
SEPTEMBER 24, 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 6:30 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 Bill Martin Jr., Palm Canyon Community 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
Robert Herrick	City Attorney
Gene Rogers	City Manager
Barry McClellan	Assistant City Manager
Linda Guillis	Community and Economic Development Director
William DiYorio	Police Chief
Kenneth Pimlott	Fire Chief
Trent Pulliam	Public Works Director
Cynthia Pirtle	Library Director
Karen Reams	Recreation Superintendent

**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; there being none, public comments were closed.

Councilmember Flickinger made a motion, seconded by Councilmember West to approve the Consent Calendars in their entireties. Motion carried 5-0. Roll call vote.

**A. CONSENT CALENDAR - CITY COUNCIL**

- A1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
  
- A2. NOTICE OF COMPLETION AND ACCEPTANCE OF MYERS AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD; AND MISCELLANEOUS STREET IMPROVEMENTS WITHIN TRACT 22139, TRACT 24478, AND PLOT PLAN 1338, PROJECT NO. 98-92774-2  
Ratified Contract Change Order Nos. 1 and 2; accepted the work as completed for the Myers Avenue improvements from Heacock Street to Perris Boulevard, and miscellaneous street improvements within Tracts 22139 and 24478, Plot Plan 1338, and the Eastern Municipal Water District (EMWD) waterline relocation constructed by Vance Corporation, Rialto, 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; authorized the Director of Finance to release the retention to Vance Corporation, thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and accepted the improvements into the City's maintained road system.
  
- A3. WARRANT REPORT – AUGUST, 2002  
Adopted Resolution No. 2002-62, approving the Warrant Report, dated August, 2002 in the total amount of \$8,603,035.24.

Resolution No. 2002-62

A Resolution of the City Council of the City of Moreno Valley, California,  
Approving the Warrant Report dated August 31, 2002

- A4. RESOLUTION READOPTING A CONFLICT OF INTEREST CODE  
Adopted Resolution No. 2002-63, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject; acting in its capacity as Members of the Community Redevelopment Agency ("Agency") of the City of Moreno Valley, found that no change in the Conflict of Interest Code for the Agency is needed and acting in its capacity as Board of Directors of the Moreno Valley Community Services District ("District"), found that no change in the Conflict of Interest Code for the District is needed.

Resolution No. 2002-63

A Resolution of the City Council of the City of Moreno Valley, California,  
Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, and Repealing all Prior Enactments on the Same Subject

- A5. ACCEPTANCE OF OFFICE OF TRAFFIC SAFETY GRANT  
Authorized the acceptance of an Office of Traffic Safety Grant Award for \$41,000.
- A6. MINUTES – REGULAR MEETING OF SEPTEMBER 10, 2002  
Approved as submitted.

**B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

- B1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- B2. MINUTES – REGULAR MEETING OF SEPTEMBER 10, 2002  
Approve as submitted.

**B3. NAMING OF PA 46 PARK SITE**

Adopted the name as approved and submitted by the Parks and Recreation Advisory Committee for the park currently referred to as "PA 46" be named "Vista Lomas Park".

**C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

**C1. ORDINANCES - FIRST READING BY TITLE ONLY**

Recommendation: Waive reading of all Ordinance Introductions and read by title only.

**C2. MINUTES – REGULAR MEETING OF SEPTEMBER 10, 2002**

Approved as submitted.

**D. PUBLIC HEARINGS**

**D1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AT THE REDUCED STREET TREE SERVICE LEVEL FOR TRACT 19957**

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

Vice-President Batey made a motion, seconded by Boardmember Stewart to verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing; receive and file with the City Clerk's Office the accepted Official Tally Sheet and (APN) listing; and authorize and impose the applicable CSD Zone D annual service charge. Motion carried 5-0. Roll call vote.

**D2. RESOLUTION NO. 2002-64 RELATING TO THE DENIAL OF THE TRANSFER OF CONTROL OF THE FRANCHISE AGREEMENT GRANTED TO AN ENTITY IN WHICH AT&T CORPORATION HOLDS A "CONTROLLING" INTEREST TO AT&T COMCAST CORPORATION**

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 Resolution No. 2002-64, relating to the denial of the transfer of control of the franchise agreement granted to an entity in which AT&T Corporation holds a “controlling” interest to AT&T Comcast Corporation. Motion carried 5-0. Roll call vote.

Resolution No. 2002-64

A Resolution of the City Council of the City of Moreno Valley, California, Relating to the Denial of the City of Moreno Valley, California to the Transfer of Control of the Franchise Agreement Granted to an Entity in Which AT&T Corp. Holds a “Controlling” interest to AT&T Comcast Corporation

- D3. DAVIS ROAD STREET VACATION (PUBLIC HEARING DATE OF SEPTEMBER 24, 2002 SET BY RESOLUTION NO. 2002-53 AT THE JULY 9, 2002 CITY COUNCIL MEETING)

Mayor White opened the public testimony portion of the public hearing. Public comments were received by Staci Kohr, Herman Mauritz, and Pete Bleckert.

Councilmember Stewart made a motion, seconded by Councilmember West to continue the public hearing for the vacation of the portion of Davis Road located within the City from the northerly boundary of the San Jacinto Wildlife Preserve southerly to the City Limits to November 26, 2002 at 6:30 pm, in the City Council Chamber at City Hall, and direct the City Clerk to re-publish and re-advertise the hearing notice as required by law.

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

**F. REPORTS**

- F1. UPDATE BY ASSEMBLYMEMBER RUSS BOGH

F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE E-4A (TRACT 30195 – INTERNAL LANDSCAPE MAINTENANCE) TENTATIVE TRACT 30195 (AND ALL AFFECTED PHASES)

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

Vice-President Batey made a motion, seconded by Boardmember West to accept public comments regarding the proposed inclusion of Tentative Tract 30195 (and all affected phases) into the CSD Zone E-4A (Tract 30195 – Internal Landscape Maintenance) and the annual service charge. Motion carried unanimously.

F3. APPROVAL OF CITY SPONSORSHIP FOR SPECIAL EVENTS (CONTINUED FROM SEPTEMBER 10, 2002)

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

Mayor White made a motion, seconded by Councilmember Stewart to approve as amended modifying A to read “fundraising shall not be primary purpose; if so, all fees shall be paid to the City”. Motion carried 3-2, Mayor Pro Tem Batey and Councilmember Flickinger dissenting. Roll call vote.

Mayor White made a motion, seconded by Councilmember Stewart to reconsider the prior motion. Motion carried 5-0. Roll call vote.

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to approve the City Sponsorship Policy for Special Events as amended. Section IV – Event Eligibility, ‘A’ shall read “Fundraising shall not be primary purpose of the event” and Section IV – Event Eligibility ‘E’ shall read “Located within the City, the City’s sphere of influence, March Air Reserve Base, March Joint Powers Authority Property and Box Springs Park”, and VI – Sponsorship Amounts “C” shall read: (1) 250-500 in attendance = \$300 per event; (2) 501-750 in attendance = \$500 per event; (3) 751-1,000 in attendance = \$700 per event; and 4. over 1,001 in attendance = \$1,000 per event. Motion carried 3-2, Mayor Pro Tem Batey and Councilmember West dissenting. Roll call vote.

**RECESS;  
RECONVENE**

- F4. AN AMENDMENT OF TITLE 7, CHAPTER 7.03 OF THE MUNICIPAL CODE (PA02-0086), AMENDING THE MAXIMUM NUMBER OF MEMBERS SERVING ON THE CULTURAL PRESERVATION ADVISORY COMMITTEE (CPAC) FROM NINE (9) MEMBERS TO SEVEN (7) MEMBERS AS SUBMITTED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

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

Councilmember West made a motion, seconded by Mayor Pro Tem Batey to recognize that the proposed amendment is not considered a project under the California Environmental Quality Act (CEQA), pursuant to Section 15378 (b) (5) of the CEQA Guidelines; and introduce Ordinance No. 610, thereby approving amendments to Title 7, Chapter 7.03 (Section 7.03.020) of the City of Moreno Valley Municipal Code, related to the establishment of an advisory board. Motion carried 5-0. Roll call vote.

Ordinance No. 610

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 7, Chapter 7.03 of the City of Moreno Valley Municipal Code, Changing the Number of Committee Members Serving on the Cultural Preservation Advisory Committee (CPAC) from Nine (9) to Seven (7) Total Members

- F5. SEMI-ANNUAL PRESENTATION ON ECONOMIC DEVELOPMENT

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

City Council received the Semi-Annual presentation on Economic Development.

- F6. LEGISLATIVE UPDATE

Mayor White opened the agenda item for public comments, which were received from George Albanese.

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to receive and file the Legislative Status Report. Motion carried 5-0. Roll call vote.

- F7. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

**G. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. ORDINANCE REPEALING AND REENACTING CHAPTER 11.50 RELATING TO THE GAME OF BINGO

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

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to introduce Ordinance No. 611, repealing and reenacting Chapter 11.50 of Title 11 of the City of Moreno Valley Municipal Code, relating to the game of bingo. Motion carried 5-0. Roll call vote.

Ordinance No. 611

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 11 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 11.50, Relating to the Game of Bingo

ORDINANCES - 2ND READING AND ADOPTION

- G2. ADOPTION OF ORDINANCE NO. 607, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.20.020 OF CHAPTER 12.20 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO A PRIMA FACIE SPEED LIMIT FOR CERTAIN STREETS (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 10, 2002 ON A 5-0 VOTE)

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

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to adopt Ordinance No. 607. Motion carried 5-0. Roll call vote.

Ordinance No. 607

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

- G3. ADOPTION OF ORDINANCE NO. 608, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A ZONE CHANGE (PA02-0039), FROM OFFICE TO RESIDENTIAL 20 FOR 9.81 ACRES LOCATED ON THE NORTHEAST CORNER OF BOX SPRINGS AND MORTON ROADS (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 10, 2002 ON A 5-0 VOTE)

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

Councilmember Stewart made a motion, seconded by Councilmember Flickinger to adopt Ordinance No. 608. Motion carried 5-0. Roll call vote.

Ordinance No. 608

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA02-0039), from Office to Residential 20 for 9.81 Acres Located on the Northeast Corner of Box Springs and Morton Roads

- G4. ADOPTION OF ORDINANCE NO. 609, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTERS 9.08 AND 9.14 OF TITLE 9, OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, REGARDING THE REQUIREMENTS FOR INSTALLATION OF TELECOMMUNICATIONS NETWORK FACILITIES (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 10, 2002 ON A 5-0 VOTE)

Mayor White opened the agenda item for public comments; which were received from David Mielke representing Verizon.

Mayor Pro Tem Batey made a motion, seconded by Councilmember Flickinger to adopt Ordinance No. 609. Motion carried 5-0. Roll call vote.

Ordinance No. 609

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapters 9.08 and 9.14 of Title 9, of the City of Moreno Valley Municipal Code, Regarding the Requirements for Installation of Telecommunications Network Facilities

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

Daryl Terell – Address matter of record

- 1) State government taking away independence from local government
- 2) Thanked Police Department for protecting our rights

George Albanese – Address matter of record (Submitted discourse for the public record)

- 1) Councilmember Flickinger's comments regarding retention of audio tapes, verbatim minutes vs. action minutes
- 2) Posting of Legislative Update at the Library and Senior Center

Priscilla Banks – 13560 Seanson Dr.

- 1) Opposes Utility User's Tax and proposed library

Joe Teague – 24342 Eucalyptus

- 1) Unhappy with the Police Department regarding recent burglary at his property
- 2) Problem with building department

Wybe Schaafsma - Address matter of record

- 1) Feels City does not need Utility User's Tax
- 2) Moreno Valley residents don't want a new library

Emil Dragovich, Jr. – 15725 Biarritz Ct.

- 1) Thanked the City for dealing with the parking issues in his neighborhood
- 2) Would like to see truancy issues addressed

Louise Palomares, - Address matter of record

- 1) Has not seen any "Executive Housing" going up in Moreno Valley
- 2) City doesn't need Utility User's Tax

Pete Bleckert – Address matter of record

- 1) Spoke against Utility User's Tax

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

Mayor Pro Tem Batey

- 1) Announced that Martin Luther King III visited the City today and was interviewed by MVTV-3

Councilmember West

- 1) Feels there should be no problem in making the agenda available in more places
- 2) Stated he and Mayor Pro Tem Batey have met with the City Manager regarding matters with Building and Safety
- 3) Parking problems with Lake Perris traffic should be addressed and corrected
- 4) Feels truancy issues should be dealt with
- 5) City of Moreno Valley is truly "1<sup>st</sup> in Family Recreation"

Councilmember Flickinger

- 1) Supports Councilmember West in making the agenda packet available at the Senior Center and the Library
- 2) Crime in Sunnymead Park in July was an isolated incident – one of the four suspects has been arrested – Sunnymead Park is still a safe place to be
- 3) Would like to provide a used bus to be utilized by disabled school in our Sister City San Juan de Los Lagos
- 4) Registered sex offender data is in the process of being placed on the City's website
- 5) Expressed she would prefer to have verbatim minutes instead of action

Councilmember Stewart

- 1) Opponents of Measure "F" are Moreno Valley residents and interested parties
- 2) Stated the Utility User's Tax is necessary, especially for public safety
- 3) Announced he will be meeting with the residents living in the area of the Empire Homes, Shadow Ridge development – regarding the blasting in the neighborhood – City is reviewing their permits

Mayor White

- 1) Stated one of the concerns of Martin Luther King III was the lack of voter turnout
- 2) Challenged those who dispute the Utility User's Tax to come and meet with him to show him where the City is wasting funds

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 9:42 p.m. by unanimous informal consent.

Submitted by:

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Alice Reed, City Clerk  
Secretary, Moreno Valley Community Services District  
Secretary, Community Redevelopment Agency of the City of Moreno Valley

Approved by:

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