

**MINUTES  
JOINT MEETING OF THE  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
ADJOURNED REGULAR MEETING – 6:00 P.M.  
OCTOBER 11, 2006**

The meeting was continued from the Adjourned Regular City Council Meeting held on August 29, 2006 at 6:00 p.m.

**CALL TO ORDER** – The Adjourned City Council Regular Meeting was called to order at 6:05 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street, Moreno Valley, California.

**ROLL CALL**

Council:	Bonnie Flickinger William H. Batey, II Richard A. Stewart Frank West	Mayor Council Member Council Member Council Member
Absent:	Charles R. White	Mayor Pro Tem
Staff:	Alice Reed Robert Gutierrez Robert Herrick Robert Hansen Betsy Adams Rick Hartmann Mitch Slagerman	City Clerk City Manager City Attorney Assistant City Attorney Assistant City Manager Deputy City Manager Redevelopment Manager

**E. PUBLIC HEARINGS**

- E1. CONTINUATION OF QUASI-JUDICIAL HEARING REGARDING AN APPEAL OF CITY MANAGER'S DECISION TO APPROVE A PASS-THROUGH PAYMENT TO RESIDENTS OF COUNTRY SQUIRE MOBILE ESTATES (Report of: Economic Development Department)  
Recommendation: That the City Council, after conducting a quasi-judicial hearing:

Mayor Flickinger introduced Bruce Gridley of Burke, Williams and Sorensen as special counsel to the City Council who advised the City Council regarding the application of rules, admissibility of evidence and due process.

Bruce Gridley made preliminary remarks about the purpose of the Quasi-hearing.

Attorney Mark Alpert of Hart, King & Coldren then spoke on behalf of Cross-Appellant (Park Owner), requesting that Exhibit A be withdrawn.

Margarita Stice, representing the Country Squire Resident Committee, opposed Exhibits A and B being considered and commented that the residents were notified by Mr. Gridley that there would be no communications with City Council and asked that this objection be made part of the record. The committee agreed to proceed with closing arguments.

- a. That the Council vote to sustain the objections to Exhibit A (letter from park owners) and Exhibit B (letter from park owners' attorney)

**Approved by 4-0-1 vote, m/West, s/Batey, White absent.**

- b. That the Council vote to accept Exhibit B as the closing brief of the land owners and that the Residents be authorized to submit a closing brief.
- c. That the Council vote to affirm that the ex-parte communication of Exhibit A as well as any pre-appeal statements of Residents, will not be considered in deliberation on this Appeal.

Both sides agreed that no further written statements would be presented and that the hearing continue for oral arguments and Council's final decision on the appeal.

Mayor Flickinger opened the public testimony of the hearing; public testimony was received from: Lori Sanchez, Wendy Walter, Forest Smith, Herbert Bunning, Joseph Aiello, Margarita Stice, Martha Evelyn Spencer, and John Jimenez.

Mayor Flickinger closed the Public Testimony portion of the hearing.

Oral arguments were presented by Appellant (Resident Committee), represented by Margarita Stice and Martha Evelyn Spencer.

Attorney Mark Alpert of Hart, King & Coldren and Karin Staddon of Community Asset Management presented oral arguments on behalf of Cross-Appellant (Park Owners).

**Alternative B motion to reject the City Manager's Statement of Decision, with direction to staff to return with Resolution of Findings at future Council Meeting for final ratification of**

**decision. Approved by 4-0-1 vote, m/West, s/Flickinger, White absent.**

## **ADJOURNMENT**

The meeting was adjourned at 8:18 p.m. by unanimous informal consent to the November 28, 2006 Regular City Council Meeting.

Submitted by:

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Alice Reed, City Clerk

Approved by:

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Bonnie Flickinger, Mayor

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