

**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.
JANUARY 8, 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 Mayor Pro Tem Batey

INVOCATION - Pastor Ray Hahn, Moreno Valley Christian Fellowship

ROLL CALL

Council:

Charles 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; there being none, public comments were closed.

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem Batey to approve the Consent Calendars in their entirety, except for Item A3 which was pulled for a separate vote. Motion carried 5-0.

Item A3: City Council Resolution of Support – Proposition 40 the “Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002”. Motion carried 4-0-1. Councilmember Flickinger abstained. 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 REPORTS – NOVEMBER 30, 2001
Adopted Resolution No. 2002-01, approving the Warrant Reports, including wire transfers, dated November 2001 in the total amount of \$7,319,635.86.

Resolution No. 2002-01

A Resolution of the City Council of the City of Moreno Valley, California,
Approving the Warrant Reports Dated November 30, 2001

- A3. CITY COUNCIL RESOLUTION OF SUPPORT – PROPOSITION 40 THE “CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002”
Supported Proposition 40, which is on the March 5, 2002 ballot, and adopted and directed the Mayor to sign Resolution No. 2002-02.

Resolution No. 2002-02

A Resolution of the City Council of the City of Moreno Valley to Support Proposition 40, the "Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002"

- A4. FINAL MAP 23008-1 – ACCEPT SUBSTITUTION OF BONDS AND AGREEMENT FOR PUBLIC RIGHT OF WAY IMPROVEMENTS ON THE SOUTH SIDE OF IRIS AVENUE AND EAST OF LASSELLE STREET – SUBDIVIDER – MORENO VALLEY RANCH VENTURES I, LLC (TEMECULA)
Accepted the substitution of bonds and Agreement for Public Improvements; authorized the Mayor to execute the agreement; directed the City Clerk to forward the signed agreement to the County Recorder's Office for recordation; and instructed the City Engineer to prepare the exoneration of the Faithful Performance Bond and Material & Labor Bond placed by MVR Properties, LLC upon acceptance of the substitution bonds and agreement.
- A5. FINAL MAP 22381, LOTS 46-70 AND 93-216 – ACCEPT SUBSTITUTION OF BONDS AND AGREEMENT FOR PUBLIC RIGHT OF WAY IMPROVEMENTS - NORTHWEST CORNER OF LASSELLE STREET AND KRAMERIA AVENUE – SUBDIVIDER – MORENO VALLEY LAKES 146-VIA DEL REY, LLC (TEMECULA)
Accepted the substitution of bonds and Agreement for Public Improvements; authorized the Mayor to execute the agreement; directed the City Clerk to forward the signed agreement to the County Recorder's Office for recordation; and instructed the City Engineer to prepare the exoneration of the Faithful Performance Bond and Material & Labor Bond placed by Moreno Valley Ranch Investors, LLC upon acceptance of the substitution bonds and agreement.
- A6. APPROVE PARCEL MAP 27548 AND ACCEPT AGREEMENT AND DEED OF TRUST FOR PUBLIC RIGHT OF WAY IMPROVEMENTS– FRANKHALE ROAD, NORTH SIDE, EAST OF MORTON ROAD– SUBDIVIDER – MICHAEL P. JENNINGS (MORENO VALLEY)
Approved Parcel Map 27548, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accepted the Agreement for Public Improvements; authorized the Mayor to execute the agreement; accepted the Deed of Trust, as reviewed and approved by the City Attorney, as security for the required public improvements; and directed the City Clerk to forward the signed agreement and the Deed of Trust to the County Recorder's Office for recordation.
- A7. ACCEPT AND APPROVE THE AGREEMENT BETWEEN RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND

THE CITY OF MORENO VALLEY FOR THE MORENO MASTER DRAINAGE PLAN – NASON STREET DETENTION BASIN

Accepted and approved the Agreement between Riverside County Flood Control and Water Conservation District (RCFC and WCD) and the City of Moreno Valley for design, conveyance of easements for ingress and egress, and granting of fee simple title to certain real property necessary to construct, operate, and maintain the Moreno Master Drainage Plan; and authorized the Mayor to execute the Agreement.

A8. MINUTES – REGULAR MEETING OF DECEMBER 11, 2001
Approved as submitted.

A9. APPROVAL OF FINAL MAP 30286-1 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENTS & BONDS FOR PARK AND PUBLIC RIGHT-OF-WAY IMPROVEMENTS - NORTH SIDE OF IRIS AVENUE, EAST OF LASSELLE STREET - SUBDIVIDER -FORECAST HOMES (CORONA)
Approved Final Map 30286-1, 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; accepted the bonds and Agreement for Park Improvement; 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 DECEMBER 11, 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 DECEMBER 11, 2001
Approved as submitted.

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING FOR INCLUSION OF PARCEL MAP NO. 27548 (ASSESSOR PARCEL NO. (APN) 256-150-013) AND APNs 256-150-029, 256-150-030, 256-150-033, AND ANY DIVISION THEREOF INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) SERVICE PROGRAM

Conducted the Public Hearing to consider the inclusion of Parcel Map No. 27548 (APN 256-150-013), APNs 256-150-029, 256-150-030, 256-150-033, and any division thereof into the CSD Zone B (Residential Street Lighting) program and the associated annual service charge.

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

The Secretary tabulated the mail ballots for CSD Zone B, Parcel Map No. 27548 (APN 256-150-013), APNs 256-150-029, 256-150-030, 256-150-033, and any division thereof, and announced the results as follows: the City Clerk's office received one (1) ballot with a "Yes" vote; No vote: 0.

Vice President Batey made a motion, seconded by Boardmember West to verify and accept the results of the mail ballot proceeding. Motion carried 5-0. Roll call vote.

Boardmember Flickinger made a motion, seconded by Vice President Batey to authorize and impose the CSD Zone B service charge. Motion carried 5-0. Roll call vote.

- D2. PUBLIC HEARING FOR MORENO VALLEY AUTO MALL SPECIFIC PLAN, AMENDMENT 3 (SP209A3); LOCATION: SOUTH OF STATE HIGHWAY 60 BOTH EASTERLY AND WESTERLY OF MORENO BEACH DRIVE

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 adopt a Subsequent Negative Declaration for SP209A3, the Third Specific Plan Amendment; and introduce Ordinance No. 596, thereby approving the third amendment to Specific Plan 209. Motion carried 5-0. Roll call vote.

Ordinance No. 596

An Ordinance of the City Council of the City of Moreno Valley, California, Approval of a Specific Plan Amendment (SP209A3) Amending the Official Zoning Atlas from SP209 (Dealerships and Commercial to Commercial and Commercial/Residential) on Acres Located in the Vicinity of State Highway 60 and Moreno Beach Drive

- D3. A PUBLIC HEARING FOR P01-069 (AMENDED CONDITIONAL USE PERMIT), SUBMITTED BY STEVE PHARAR/SHIVALIK, INC., FOR A RECENTLY CONSTRUCTED TEXACO RETAIL AUTOMOBILE SERVICE STATION WITH ANCILLARY USES (PA99-0033), TO MODIFY CONDITION NOS. 11 AND 70 REGARDING THE TIMING AND COMPLETION OF REQUIRED TRAFFIC SIGNAL IMPROVEMENTS LOCATED ON 24840 SUNNYMEAD BOULEVARD ADJACENT TO THE HIGHWAY 60 OFF-RAMP TO PERRIS BOULEVARD WITHIN THE VILLAGE SPECIFIC PLAN (SP NO. 204)

Mayor White opened the public testimony portion of the public hearing. Public comments were received from Megan Christenberry and Glenda Roberts.

Mayor White closed the public comments portion of the public hearing.

Mayor Pro Tem Batey made a motion, seconded by Councilmember Stewart to recognize that the proposed Modification to Conditions are not considered to have the potential for any direct or indirect impacts under CEQA and is therefore exempt under Section 15061 of the CEQA Guidelines; and to adopt Resolution No. 2002-03, thereby approving the Amended Conditional Use Permit (P01-069) and modifying condition Nos. 11 and 70 of PA99-0033. Motion carried 5-0. Roll call vote.

Resolution No. 2002-03

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amended Conditional Use Permit (P01-069), Modifying

Conditions 11 and 70 of the Original Conditional Use Permit for a 3,500 Square Foot Gas Station (Texaco), Including a Canopy with Five (5) Fuel Dispensers, a Food Mart with Beer and Wine Sales, a Fast Food/Drive through Restaurant and Car Wash

D4. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAM OBJECTIVES AND POLICIES FOR FISCAL YEAR 2002-2003

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 West to approve the Community Development Block Grant (CDBG) and HOME Program Objectives and Policies for the 2002-2003 Program Year. Motion carried 5-0. Roll call vote.

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

None.

F. REPORTS

F1. TRACT 29143 (AND ALL AFFECTED PHASES) - MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING), ZONE E-1 (HIGH-SERVICE LEVEL PARKWAY LANDSCAPE MAINTENANCE - TOWNGATE), AND ZONE E-1A (TRACT 29143 WALLS/ INTERNAL LANDSCAPE MAINTENANCE)

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 Stewart to receive and file. Motion carried 5-0.

F2. IMPACT OF PROPOSED UTILITY USER'S TAX REPEAL BALLOT

MEASURE

Mayor White opened the agenda item for public comments, which were received from Pete Bleckert, Ray Hosman, and Ray Hahn.

Councilmember Stewart made a motion, seconded by Mayor Pro Tem Batey to receive and file report on the impacts of repealing the utility user's tax. Motion carried 5-0.

F3. INITIATIVE MEASURE TO REPEAL THE CITY'S UTILITY USER'S TAX

Mayor White opened the agenda item for public comments, which were received from Pete Bleckert.

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to order proposed ordinance to be submitted to the voters at the November 5, 2002 election, and to adopt Resolution No. 2001-73, Resolution No. 2001-74, and Resolution No. 2001-75. Motion carried 5-0. Roll call vote.

Resolution No. 2001-73

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley an Initiative Measure to Repeal the City's Utility User's Tax at the General Municipal Election to be Held on Tuesday, November 5, 2002

Resolution No. 2001-74

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis Regarding the Measure Relating to the City's Utility User's Tax

Resolution No. 2001-75

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Initiative Measures Submitted at Municipal Elections

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

Mayor White opened the agenda item for public comments, which were received from Pete Bleckert.

No action required.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

G1. ADOPTION OF ORDINANCE NO. 595 (RECEIVED FIRST READING AND INTRODUCTION DECEMBER 11, 2001 ON A 5-0 VOTE)

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 Councilmember Stewart to adopt Ordinance No. 595. Motion carried 5-0. Roll call vote.

Ordinance No. 595

An Ordinance of the City Council of the City of Moreno Valley, California, Approving the First Amendment to the Towngate Development Agreement and Changing the Requirement for a Park within Planning Area 11, to Include a 4,000 Square Foot Recreation Building in Lieu of a Community Swimming Pool, Relative to a Development Known as Western Pacific Housing Inc., Located in an Area Bounded by Day Street to the West, Eucalyptus Avenue to the North, Elsworth Street to the East and Cottonwood Avenue to the South

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:

Vince Wilcutt – 24163 Myers.

- 1) Street construction on Myers Avenue

Priscilla Banks – 13560 Searson Drive

- 1) Funding parks, new library and extra projects
- 2) U-Haul establishment on Sunnymead Boulevard

Wybe Schaafsma – 24840 Ramona Lane

- 1) Commended Councilmember Flickinger on how she conducted Council meetings during her term as mayor

Pete Bleckert – P.O. Box 217

- 1) Vehicle license fee
- 2) Utility tax

Ray Hosman – address matter of record

- 1) Political signs
- 2) Utility tax petition
- 3) Investors in the City of Moreno Valley

Joe H. Teague – 24342 Eucalyptus

- 1) Burglary on his property

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

Councilmember Flickinger

- 1) Condition during the construction on Myers Avenue
- 2) Residents' input to improve the City's image
- 3) Perris/Moreno Valley area – thriving Inland Empire location
- 4) RCC Gospel Choir – the only one from the U.S.A. performing for Pope
- 5) Great success of “Animal Shelter Home for Holidays” adoption campaign

Councilmember Stewart

- 1) U-Haul building on Sunnymead Boulevard
- 2) United Airlines closing reservation centers including one in Moreno Valley

Councilmember West

- 1) Responded to public speaker's comments regarding repealing utility tax – effect on employees and services provided

Mayor Pro Tem Batey - none

Mayor White

- 1) Announced vacancies on Planning Commission and Senior Citizens' Advisory Committee

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 10:35 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

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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