

**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.
APRIL 9, 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 - City Attorney Robert Herrick

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
John Terrell	Planning Official
William Di Yorio	Police Chief
Andrew Bennett	Fire Marshall
Trent Pulliam	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services

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.

Mayor Pro Tem Batey made a motion, seconded by Councilmember Flickinger to approve the Consent Calendars in their entireties, except for Item A8 which was continued to the Council meeting of 5/14/02 and Item A12 which was removed for separate 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. FINAL MAPS 21040-3 & 21040-4 – ACCEPT SUBSTITUTION OF BONDS AND AGREEMENT FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – NORTH OF ELDER AND EAST OF MORRISON STREET, FIESTA DEVELOPMENT INC., CORONA, CA
Accepted the substitution of bonds and Agreement for Public Improvements; authorized the Mayor to execute the agreements; directed the City Clerk to forward the signed agreements to the County Recorder's Office for recordation; and instructed the City Engineer to prepare the exoneration of the Faithful Performance Bonds and Material & Labor Bonds placed by Procopius Land Company upon acceptance of the substitution bonds and agreements.

- A3. FINAL MAP 23008 – ACCEPT SUBSTITUTION OF BONDS AND AGREEMENT FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – SOUTH SIDE OF IRIS AVENUE AND EAST OF LASSELLE STREET, PACIFIC COMMUNITIES BUILDER, INC., NEWPORT BEACH, CA
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 and Labor Bond placed by MVR Properties, LLC, upon acceptance of the substitution bonds and agreement.

- A4. MOBILEHOME GRANT PROGRAM REVISION
Approved increasing the current maximum Mobilehome Grant amount from \$7,500 to \$10,000.
- A5. APPROVAL OF PARCEL MAP 29968-A 16 PARCEL INDUSTRIAL/COMMERCIAL DEVELOPMENT - SOUTH SIDE OF ALESSANDRO BOULEVARD, EAST SIDE OF ELSWORTH STREET, NEWHOPE PROPERTIES III, CGP, FOUNTAIN VALLEY, CA
Approved Parcel Map 29968 and authorized the City Clerk to sign the map and transmit said map to the County Recorder's office for recordation.
- A6. MINUTES – REGULAR MEETING OF MARCH 12, 2002
Approved as submitted.
- A7. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SIDEWALKS ON ADRIENNE AVENUE, ALLIES PLACE, COURAGE STREET, AND PRIDE LANE (SOUTHEAST EDGEMONT AREA), PROJECT NO. 01-14368520)
Awarded the construction contract for the CDBG Sidewalks base bid items and additive bid "A" items to Elite Bobcat Service, Inc., 1320 East Sixth Street, Suite 100, Corona, California 92879-1700, the lowest responsible bidder; authorized the Mayor to execute a contract agreement with Elite Bobcat Service, Inc.; authorized the issuance of a Purchase Order to Elite Bobcat Service, Inc. in the amount of \$134,702.98 (the amount of base bid and additive bid "A" [\$122,457.25] plus 10% contingency) when both parties have signed the contract (Account No. 143.68520); authorized the City Manager to issue a Contract Change Order after April 15, 2002, to include additive bid "B" items and additive bid "C" items; and authorized the issuance of a Contract Change Order to the Purchase Order to Elite Bobcat Service, Inc. to increase the Purchase Order amount by \$28,660.50 (the amount of additive bid "B" [\$11,290.00] and "C" [\$14,765.00] plus 10% contingency) when both parties have signed the Contract Change Order (Account No. 143.68520)
- A8. APPROVAL OF FINAL MAP 30301 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT & BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS. NORTH SIDE OF CALLE AGUA, WEST OF LASSELLE ST., - K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA.
Continued to May 14, 2002.
- A9. 2001 ANNUAL REPORT OF THE PLANNING COMMISSION

Received and filed the 2001 Annual Report of the Planning Commission and authorized transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A10. APPROVE THE BALLOT FOR AN INCREASE IN STREET LIGHTING CHARGE AFFECTING COTTONWOOD GOLF CENTER IN THE EDMONT COMMUNITY SERVICES DISTRICT

Reviewed the letter, notice and mail ballot that have been submitted by Edgemont Community Services District (ECSD) for the purpose of balloting (voting) on an "increase in charge/assessment for street lighting charge" affecting the Cottonwood Golf Center, Assessor's Parcel No. (APN) 291-250-005-4, city owned property, located within Zone 7 of ECSD; exercised the option to ballot (vote) to approve (Yes) the proposed increase in charge/assessment to continue providing street lighting services as submitted by the ECSD including any increase in future charge/assessment for electricity costs that may be passed on to ECSD by Edison; and authorized the City Manager to mark the ballot as approved (Yes) and sign on behalf of the City of Moreno Valley as the record owner of property.

A11. APPROVAL OF AN ADDITIONAL APPROPRIATION OF FUNDS FOR PROFESSIONAL PLAN CHECK SERVICES FOR THE PUBLIC WORKS DEPARTMENT LAND DEVELOPMENT DIVISION

Approved an additional appropriation to the Public Works Professional Services Fund (00011-52310-6255) in the amount of \$400,000; and authorized the City Manager to issue one or more purchase orders in excess of \$100,000 each not to exceed a combined total of \$400,000 for this additional appropriation.

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 MARCH 12, 2002

Approved as submitted.

B3. APPROVE FILING OF AN APPLICATION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION NUTRITION DIVISION FOR THE CHILD CARE FOOD REIMBURSEMENT PROGRAM

Approved the filing of an application with the California Department of Education Nutrition Division for the Child Care Food Reimbursement

Program. The program would provide funds in the amount of approximately \$42,000 a year for reimbursement for serving snacks to the after school Child Care Grant Program and PAL Program (Police Activities League-SOAR) and adopted Resolution No. CSD 2002-03 to certify the approval of the governing board to enter into this transaction with the California Department of Education Nutrition Division for the purpose of applying for the Child Care Food Reimbursement Program, and to authorized designated personnel, as shown on the resolution, to sign contract documents for FY 2001/02, 2002/03, 2003/04.

Resolution No. CSD 2002-03

A Resolution of the Mayor and City Council of the City of Moreno Valley, California, Acting in its Capacity as the Board of Directors of the Moreno Valley Community Services District Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Entering into Contract for Reimbursement of Nutritious Meals and Snacks for After School Childcare Program and PAL Program and to Authorize Designated Personnel to Sign Contract Documents for Fiscal Years 2001/2002 and 2002/2003

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 MARCH 12, 2002
Approved as submitted.

D. PUBLIC HEARINGS

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

Boardmember Stewart made a motion, seconded by Vice-President Batey to conduct the Public Hearing to consider the inclusion of Tentative Tract No. 30317 (and all affected phases) into the CSD Zone B (Residential Street Lighting) and the annual service charge and tabulate the mail ballots for CSD Zone B. Motion carried 5-0. Roll call vote.

The Secretary tabulated the mail ballots for CSD Zone B, (Residential Street Lighting) and announced the results as follows: the City Clerk's Office received one (1) ballot with a "Yes" vote for Assessor Parcel Number 486-160-029.

Boardmember Stewart made a motion, seconded by Vice-President Batey to verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing; receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and authorized and imposed the CSD Zone B charge. Motion carried 5-0. Roll call vote.

- D2. A PUBLIC HEARING FOR PA02-0018 TO APPROVE A PUBLIC FACILITIES FEE CREDIT AGREEMENT, SUBMITTED BY WESTERN PACIFIC HOUSING INC., FOR TRACT NO. 29143 WITHIN THE TOWNGATE SPECIFIC PLAN (NO. 200), WHICH INCLUDED A RECENTLY APPROVED 557 LOT SINGLE-FAMILY RESIDENTIAL HOUSING TRACT AND PUBLIC PARK AND POSSIBLE SCHOOL SITE, LOCATED WITHIN THE SOUTHWEST PORTION OF THE TOWNGATE SPECIFIC PLAN (SP 200), ENCOMPASSING AN AREA FROM DAY STREET TO THE WEST, EUCALYPTUS AVENUE TO THE NORTH, ELSWORTH STREET TO THE EAST AND COTTONWOOD AVENUE TO THE SOUTH.

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

Mayor Pro Tem Batey made a motion, seconded by Councilmember Stewart to recognize that the Public Facilities Fee Credit Agreement is not considered to have the potential for any direct or indirect environmental impacts under the California Environmental Quality Act (CEQA) and is therefore exempt under Section 15061 of the CEQA Guidelines; approve Resolution No. 2002-25, thereby approving PA02-0018 (Public Facilities Fee Credit Agreement), based on the findings in the City Council Resolution attached as Exhibit A to the resolution; and authorize the Mayor to execute the Public Facilities Fee Credit Agreement. Motion carried 5-0. Roll call vote.

Resolution No. 2002-25

A Resolution of the City Council of the City of Moreno Valley Approving PA02-0018, Relating to a Public Facilities Fee Credit Agreement for a Recently Approved 557 Lot Single-Family Residential Housing Tract with a Public Park

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

- A12. SITE LEASE FOR PERSONAL COMMUNICATION SERVICE (PCS) FACILITY AT SUNNYMEAD RANCH FIRE STATION NO. 48

Mayor ProTem Batey made a motion, seconded by Councilmember Flickinger to authorize the Mayor to execute a PCS Site Agreement, subject to the addendum with Cox PCS Assets, LLC for approximately 484 square feet being a portion of Sunnymead Ranch Fire Station No. 48 known as Assessor's Parcel Number 260-460-009 located at Sunnymead Ranch Parkway and Village Road. Motion carried 5-0. Roll call vote.

F. REPORTS

- F1. UPDATE ON MARCH JPA BY STEVE ALBRIGHT, EXECUTIVE DIRECTOR (ORAL PRESENTATION ONLY)
- F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – ELEVEN (11) TRACTS

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

Boardmember Stewart made a motion, seconded by Vice-President Batey to receive and file. Motion carried unanimously.

- F3. APPROVAL OF FINAL MAPS 29143-2, 29143-3, 29143-4, 29143-5, 29143-6 AND 29143 – SINGLE FAMILY RESIDENTIAL PROJECTS AND ACCEPT AGREEMENTS AND BONDS FOR PARK AND PUBLIC RIGHT-OF-WAY IMPROVEMENTS – SOUTH OF EUCALYPTUS AVENUE, EAST OF DAY STREET, AND NORTH OF COTTONWOOD AVENUE, WESTERN PACIFIC HOUSING (CONTINUED FROM APRIL 9, 2002)

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

Councilmember Flickinger made motion, seconded by Mayor Pro Tem Batey to approve Final Maps 29143-2, 29143-3, 29143-4, 29143-5, 29143-6, and 29143, subject to execution of a Public Facilities Fee Credit Agreement, authorized the City Clerk to sign the maps and transmit said maps to the

County Recorder's Office for recordation; accepted the bonds and Agreement for Public Improvements for each said tentative tract map; accepted the bonds and Agreement for Park 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. Motion carried 5-0. Roll call vote.

F4. PRESENTATION OF DEPARTMENTAL 5-YEAR PLAN/POWERPOINT PRESENTATION – CITY CLERK

F5. COMMERCIAL TRUCK PARKING ON THE SOUTH SIDE OF ALESSANDRO BOULEVARD FROM THE FUTURE NEWHOPE STREET TO FREDERICK STREET

Mayor White opened the agenda item for public comments; which were received from Jeannett Rubio, Betsy Arias and Karrie Nascimento.

Councilmember Stewart made a motion, seconded by Mayor White to approve elimination of the designated commercial truck parking area on the south side of Alessandro Boulevard from the future Newhope Street to Frederick Street and to agendize for future discussion alternatives to increase truck parking. Motion carried 4-1, Mayor Pro Tem Batey dissenting. Roll call vote.

F6. LEGISLATIVE UPDATE

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 receive and file the Legislative Status Report. Motion carried unanimously.

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

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

G1. SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS

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 receive and file the report; and introduce Ordinance No. 600. Motion carried 4-1, Councilmember West dissenting. Roll call vote.

Ordinance No. 600

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

ORDINANCES - 2ND READING AND ADOPTION

- G2. ADOPTION OF ORDINANCE NO. 599 (RECEIVED FIRST READING AND INTRODUCTION MARCH 26, 2002 ON A 4 –1 VOTE, WEST ABSENT)

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

Councilmember Flickinger made a motion, seconded by Councilmember Stewart to adopt Ordinance No. 599. Motion carried 5-0. Roll call vote.

Ordinance No. 599

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA01-0082 (Municipal Code Amendment), Amending Chapter 9.08.030 of the City of Moreno Valley Municipal Code to Allow for Greater Height of Architectural Projections in Residential and Nonresidential Districts

ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS

- G3. A RESOLUTION OF DENIAL FOR PA00-0001N (CONDITIONAL USE PERMIT) AND P00-041N (REVISION TO THE MASTER PLOT PLAN) LOCATED ON THE WEST SIDE OF FREDERICK STREET, SOUTHWEST OF THE HIGHWAY 60 OFF-RAMP AND SUBMITTED BY CHEVRON PRODUCTS COMPANY

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 Resolution No. 2002-26, thereby denying PA00-0001N (Conditional Use Permit) and P00-041N (Revision to the Master Plot Plan), based on the findings included in the Resolution. Motion carried 3-1-1, Mayor Pro Tem Batey dissenting, Councilmember West abstaining. Roll call vote.

Resolution No. 2002-26

A Resolution of the City Council of the City of Moreno Valley Denying PA00-0001N, A Conditional Use Permit for a Proposed 2,131 Square Foot Gas Station, Including a Canopy with Six (6) Pumps/Dispensers and a Food Mart with Beer and Wine Sales, and P00-041N, for the Modification of the Towngate (SP 200) Master Plot Plan from an Office Building to a Retail Gas Station with Market

Adjourn City Council to Moreno Valley Public Facilities Financing Corporation Annual Meeting

Convene Moreno Valley Public Facilities Financing Corporation Annual Meeting

ROLL CALL

Charles R. White	President
William H. Batey	Vice-President
Bonnie Flickinger	Boardmember
Richard A. Stewart	Boardmember
Frank West	Boardmember

President White announced there were no reports or issues before the corporation to be addressed.

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

Boardmember Stewart made a motion, seconded by Boardmember Flickinger to adjourn the Moreno Valley Public Facilities Financing Corporation meeting. Motion carried 5-0. Roll call vote.

Reconvene City Council

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

Pete Bleckert – Address matter of record

- 1) Displeasure with Bailiff; time of public comments portion of meeting
- 2) Chevron denial

Priscilla Banks – Address matter of record

- 1) City's money shortage
- 2) Code enforcement issues
- 3) Time of public comments portion meeting

Dr. Hank Mercado – 453 Cajon, Redlands

- 1) Spoke on behalf of 2nd Harvest Food Bank
- 2) Invited Mayor to be a judge at "A Taste of the Inland Empire" fundraiser

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

Councilmember Flickinger

- 1) Stated she attended "A Taste of the Inland Empire" fundraiser last year and it was an outstanding event
- 2) Inquired as to the status of agendizing public comments on matters not on the agenda

Councilmember Stewart

- 1) Attended the Eagle Scout award presentation on Saturday - commended the Scouts on their achievements
- 2) Attended Awards Ceremony where Police Department honored volunteers
- 3) Announced that City will be increasing its basic services in next budget cycle

Councilmember West

- 1) Thanked Chief DiYorio for aggressively pursuing the off-road motorcycles in his district
- 2) Announced dedication for the new Fire Station on April 16th at 10:00 a.m.
- 3) Will be organizing public meetings for private street issues

Mayor White

- 1) Nason basin was dedicated on 4/8/02

Mayor Pro Tem Batey

- 1) No comments

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 9:45 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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