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 13, 2003

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 6:34 p.m. by Mayor Batey in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Pastor Ted Slattery, Valley Christian Church

ROLL CALL

Council:
William H. Batey, II Mayor
Frank West Mayor Pro Tem
Bonnie Flickinger Councilmember
Richard A. Stewart Councilmember
Charles R. White 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
Ken Pimlott Interim Fire Chief
Trent Pulliam Public Works Director/City Engineer
Cynthia Pirtle Director of Library Services
Steve Kupsak Parks & Facilities Manager

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Mayor Batey opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

Councilmember White made a motion, seconded by Mayor Pro Tem 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
   Waived reading of all Ordinance Introductions and read by title only.

A2. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 2003
   Approved and accepted the quarterly investment report, in compliance with California Government Code Section 53646.

A3. NOTICE OF COMPLETION AND ACCEPTANCE OF IRONWOOD AVENUE REHABILITATION FROM BARCLAY DRIVE TO PIGEON PASS ROAD, FEDERAL-AID NO. STPL-5441(031), PROJECT NO 99-25654
   Ratified Contract Change Order Nos. 1, 2, 3, and 4; accepted the work as complete for the Ironwood Avenue Rehabilitation from Barclay Drive to Pigeon Pass Road, constructed by L.D. Anderson, Inc., 2750 South Lilac Avenue, Bloomington, California 92316; 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 L.D. Anderson, Inc. 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.

A4. NOTICE OF COMPLETION AND ACCEPTANCE OF THE SAN MICHELE ROAD IMPROVEMENTS FROM PERRIS BOULEVARD TO INDIAN STREET, PROJECT NO. 99-12567420
   Ratified contract Change Order No. 1; accepted the work as complete for the
San Michele Road Improvements from Perris Boulevard to Indian Street, constructed by R.J. Noble Company, 15505 East Lincoln Avenue, Orange, California 92856; 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 R.J. Noble Company 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.

A5. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER DISCHARGE PERMIT – IMPLEMENTATION AGREEMENT FOR SANTA ANA REGION
Approved the National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit Implementation Agreement for the Santa Ana Region; authorized the Mayor to execute said agreement; and directed the City Clerk to attest to said approval.

A6. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE NEWHOPE STREET IMPROVEMENT PROJECT - PROJECT NO. 01-12567421
Adopted the plans and specifications that are on file in the office of the City Engineer and authorized the City Clerk to advertise the project for construction bids.

Accepted the bonds and Agreement for One-Year Guarantee & Warranty of Public Improvements for Final Map 23553-1; authorized the Mayor to execute the agreement; and adopted Resolution No. 2003-30 authorizing the acceptance of the public right-of-way improvements for Final Map 23553-1 as complete and accepting Via del Norte, Montalvo Road, Cambria Circle, Via

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Montara, Cotati Court, Presidio Hills Drive, Pigeon Pass Road, and Sunnymead Ranch Parkway

Resolution No. 2003-30

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 23553-1, and Accepting Via Del Norte, Montalvo Road, Cambria Circle, Via Montara, Cotati Court, Presidio Hills Drive, Pigeon Pass Road, and Sunnymead Ranch Parkway into the City Maintained Street System


Approved a 90% reduction to the Faithful Performance Bond for Final Map 23553-2; authorized the City Engineer to reduce the Faithful Performance Bond by 90%; and adopted Resolution No. 2003-31 authorizing the acceptance of the public right-of-way improvements for Final Map 23553-2 as complete and accepting Pigeon Pass Road, Via Moraga, Tamalpais Place, Via Montara, and Casmalia Court into the City Maintained Street System.

Resolution No. 2003-31

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 23553-2, and Accepting Pigeon Pass Road, Via Moraga, Tamalpais Place, Via Montara, and Casmalia Court into the City Maintained Street System

COMPLETE AND ACCEPTING PRESIDIO HILLS DRIVE, VIA DEL NORTE, MONTALVO ROAD, PASATIEMPO PLACE, AND PASEO CORRALITO INTO THE CITY MAINTAINED STREET SYSTEM

Approved a 90% reduction to the Faithful Performance Bond for Final Map 23553-3; authorized the City Engineer to reduce the Faithful Performance Bond by 90%; and adopted Resolution No. 2003-32 authorizing the acceptance of the public right-of-way improvements for Final Map 23553-3 as complete and accepting Presidio Hills Drive, Via Del Norte, Montalvo Road, Pasatiempo Place, and Paseo Corralito into the City Maintained Street System.

Resolution No. 2003-32

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 23553-3, and Accepting Presidio Hills Drive, Via Del Norte, Montalvo Road, Pasatiempo Place, and Paseo Corralito into the City Maintained Street System

Approved as submitted.

A11. ALTERNATIVE FUELS SUBVENTION FUND MATCH PROGRAM CONTRACT SIGNATURE AUTHORIZATION
Granted signature authority to the Mayor in order to execute the alternative fuels subvention fund match program contract with the South Coast Air Quality Management District.

A12. PUBLIC FACILITIES FINANCING AGREEMENTS FOR MULTI-FAMILY PROJECTS APPROVED OR DEEMED COMPLETE FOR PROCESSING PRIOR TO THE ADOPTION OF THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF)
Authorized the Mayor to enter into agreements with Lasselle Place, LLC; The Danavon Trust; Box Springs Apartment Partners, LP; M. Timm Development; 26th Corporation and Granite Capital, LLC; and Moreno Valley Investors, LLC; developers of multi-family projects substantially in the form of the attachments.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.

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Approved as submitted.

B3. NAMING OF TOWNGATE COMMUNITY CENTER
Adopted the name as recommended and submitted by the Parks and Recreation Advisory Committee for the new community center located at TownGate Memorial Park as “TownGate Community Center”.

B4. RESOLUTION NO. CSD 2003-04, AUTHORIZING THE COLLECTION OF CHARGES FOR COMMUNITY SERVICES DISTRICT ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE)
Approved and adopted Resolution No. CSD 2003-04 to authorize the collection of charges for CSD Zone M (Commercial/Industrial Improved Median Maintenance).

Resolution No. CSD 2003-04
A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving Zone M Charges to Provide Maintenance of Median Areas Associated with Commercial/Industrial Developments

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 22, 2003
Approved as submitted.

D. PUBLIC HEARINGS

D1. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT 20185 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) – PROGRAM - NORTH OF FRAN LOU DRIVE AND WEST OF KITCHING STREET

President Batey opened the public testimony portion of the public hearing; there being none, public testimony was closed.
President Batey directed the Secretary to tabulate the ballots.

The Secretary announced the results as follows:

Tract 20185 – “Yes” on all parcel numbers

Boardmember White 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 CSD Zone B charge. Motion carried 5-0. Roll Call Vote.

D2. PUBLIC HEARING TO ADOPT THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE REPORT

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

Councilmember White made a motion, seconded by Councilmember Flickinger to adopt the Analysis of Impediments to Fair Housing Choice Report. Motion carried 5-0. Roll call vote.


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


D4. RESOLUTION OF NECESSITY AUTHORIZING EMINENT DOMAIN PROCEEDINGS - ACQUISITION OF RIGHT-OF-WAY NEAR HIGHWAY 60 AND MORENO BEACH DRIVE WITHIN THE AUTO MALL SPECIFIC PLAN

Mayor Batey opened the public testimony portion of the public hearing; there being none, public testimony was closed.
Councilmember Stewart made a motion, seconded by Councilmember White to cancel all further proceedings on this matter. Motion carried unanimously.

D5. PUBLIC HEARING – ADOPTION OF FY 2003-04 FEE RESOLUTION AND FEE SCHEDULE

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

An Ad Hoc Subcommittee has been created with Councilmember White and Councilmember Flickinger to contact other cities in an effort to address the NPDES fees. The committee will return to City Council in a future Study Session.

Councilmember White made a motion, seconded by Mayor Pro Tem West to adopt Resolution No. 2003-34, approving the Fee Schedule for FY 2003-04. Motion carried 5-0. Roll call vote.

Resolution No. 2003-34

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 - NONE

F. REPORTS

F1. PUBLIC MEETING TO PROVIDE COMMENT REGARDING THE INSTALLATION OF RESIDENTIAL STREETLIGHTS ALONG WEBB STREET AND INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B-1C (STREETLIGHT INSTALLATION - WEBB STREET) AND ZONE B (RESIDENTIAL STREET LIGHTING)

President Batey opened the agenda item for public comments; there being none, public comments were closed.
Boardmember White made a motion, seconded by Boardmember Stewart to receive and file. Motion carried unanimously.

F2. APPROVE AND ADOPT RESOLUTION NO. CSD 2003-05 TO AUTHORIZE COLLECTION OF THE APPROVED CSD ZONE E-4A CHARGE AND INTRODUCE ORDINANCE NO. CSD 34 TO ESTABLISH ZONE E-4A (DAYBREAK DEVELOPMENT-INTERNAL PARKWAY LANDSCAPE MAINTENANCE)

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

Boardmember White made a motion seconded by Boardmember Stewart to approve and adopt Resolution No. CSD 2003-05 to authorize collection of the approved Zone E-4A parcel charge on the property tax bill, as required by the County of Riverside. Motion carried 5-0. Roll call vote.

Resolution No. CSD 2003-05

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance Services)

Boardmember White made a motion, seconded by Boardmember Flickinger to Introduce Ordinance No. CSD 34 to establish the Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) boundary and to include Zone E-4A as a subzone of Zone E (High-Service-Level Parkway Landscape Maintenance). Motion carried 5-0. Roll call vote.

Ordinance No. CSD 34

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Establishment of Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) as a Subzone of Zone E (High-Service-Level Parkway Landscape Maintenance)

F3. APPROVE AND ADOPT RESOLUTION NO. CSD 2003-06 TO AUTHORIZE COLLECTION OF THE APPROVED CSD ZONE E-1A CHARGE AND INTRODUCE ORDINANCE NO. CSD 35 TO ESTABLISH ZONE E-1A (RENAISSANCE PARK-INTERNAL PARKWAY LANDSCAPE/WALL MAINTENANCE)

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

Boardmember Stewart made a motion, seconded by Boardmember Flickinger to approve and adopt Resolution No. CSD 2003-06 to authorize collection of the approved Zone E-1A parcel charge on the property tax bill, as required by the County of Riverside. Motion carried 5-0. Roll call vote.

Resolution No. CSD 2003-06

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Parcel Charge for Providing Zone E-1A (Renaissance Park – Internal Parkway Landscape/Wall Maintenance) Services

Boardmember Flickinger made a motion, seconded by Vice-President West to introduce Ordinance No. CSD 35 to establish the Zone E-1A (Renaissance Park–Internal Parkway Landscape/Wall Maintenance) boundary and to include Zone E-1A as a subzone of Zone E (High-Service-Level Parkway Landscape Maintenance). Motion carried 5-0. Roll call vote.

Ordinance No. CSD 35

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Establishment of Zone E-1A (Renaissance Park–Internal Parkway Landscape/Wall Maintenance) as a Subzone of Zone E (High-Service-Level Parkway Landscape Maintenance)

RECESS;
RECONVENE

F4. 2003 CITIZEN OPINION SURVEY RESULTS

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

Councilmember White made a motion, seconded by Mayor Pro Tem West to receive and file the findings of the 2003 Citizen Opinion Survey prepared for the City of Moreno Valley by MUSE Consulting, Inc.
F5. LEGISLATIVE UPDATE

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

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

F6. CITY MANAGER’S REPORT (Informational Oral Presentation – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

G1. AMENDMENT TO PERS CONTRACT

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

Councilmember Flickinger made a motion, seconded by Councilmember White to adopt Resolution No. 2003-33 noticing its intention to approve an amendment to the contract between the Board of Administration of the Public Employees’ Retirement System (PERS) and the City Council of the City of Moreno Valley regarding a change in benefits per contract agreement. Motion carried 5-0. Roll call vote.

Resolution No. 2003-33

A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Approve an Amendment to Contract Between the Board of Administration of the Public Employees’ Retirement System and the City Council of the City of Moreno Valley

Councilmember Stewart made a motion, seconded by Councilmember White to introduce Ordinance No. 629 authorizing an amendment to the City’s PERS contract. Motion carried 5-0. Roll call vote.
Ordinance 629

An Ordinance of the City Council of the City of Moreno Valley, Authorizing Amendment to the Contract Between the City Council of the City of Moreno Valley and the Board of Administration of the California Public Employees’ Retirement System

Councilmember Stewart made a motion, seconded by Councilmember White to authorize the Mayor and City Clerk to execute the amendment authorizing credit for unused sick leave per PERS Section 20965 for local miscellaneous members and directed the City Clerk, upon adoption of said Resolution, to forward to PERS the original or a certified copy of: Resolution of Intention, Certification of Governing Body’s Action, and Certification of Compliance with Gov. Code Sec. 7507. Motion carried 5-0. Roll call vote.

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:

Daryl Terrell – Address matter of record
1) Utility User’s Tax reduction proposal of 4%

Ray Hosman – Address matter of record
1) State claim on City funds

Tom Jerele Sr. – 24895 Sunnymead Blvd., #133
1) City should televise Study Sessions
2) Opposes re-zoning of central Sunnymead and Edgemont back to residential
3) Development impact fees

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY
Councilmember White
1) Congratulated Daryl Terrell on his presentation regarding the Utility User’s Tax
2) Stated the Utility User’s Tax belongs to the citizens – if the tax is lost it will directly impact the residents of Moreno Valley

Mayor Pro Tem West
1) Stated he attended the Cinco de Mayo festivities on Saturday and crowned the “Queen of Cinco de Mayo”, Jasmine Moreno

Councilmember Stewart
1) Responded to Mr. Terrell’s statements regarding budget surplus and asked the City Manager to comment on this
2) Stated the March Joint Powers Authority General Plan does not include putting warehouses next to homes in Orangecrest
3) The C-17 Simulator is scheduled to come to March
4) Colonel Wrighton leaving March in June for new assignment – this will be a loss to the community

Councilmember Flickinger
1) Supports Daryl Terrell in reducing the Utility User’s Tax – would like to put together a plan for phasing out the Utility Tax as the City’s revenues increase in the General Fund and contingent on the impact of the State budget
2) Announced some of the troops deployed out of March will return from Iraq and welcoming committees are being formed to greet them
3) Congratulated Media & Communications Administrator, Angela Rushen and the City Manager for their positive media coverage on KNX News Radio
4) Local coalition going to Sacramento to deliver strong message on the State Budget deficit
5) Local courts in Moreno Valley will be closing temporarily on July 1 and moving to downtown Riverside

City Manager Rogers responded to the issue of City surplus – stated the $44 million surplus is untrue and not possible – stated he will come back with a report if the Council wishes on specifically what the financial performance has been since 1990 and how much money is available.

Mayor Batey
1) Stated he attended the Cinco de Mayo festivities on Saturday – good turnout
2) Spoke at Imani Praise Fellowship Church giving an update on the City – thanked Pastor Richardson for the invitation

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3) Feels a positive change coming for the Moreno Valley Mall with new management group – working with the car dealers at the Auto Mall to allow a display of autos
4) Asked Community Development Director Guillis to contact the people involved in the mall talks
5) Asked City Librarian, Cynthia Pirtle, to make a special presentation

Cynthia Pirtle led everyone in singing “Happy Birthday” to Councilmember White

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 8:48 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:

__________________________________________
William H. Batey, II, Mayor
President, Moreno Valley Community Services District

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