

**NOTICE AND CALL OF SPECIAL MEETING
OF THE MORENO VALLEY CITY COUNCIL
MORENO VALLEY COMMUNITY SERVICES DISTRICT
MORENO VALLEY COMMUNITY REDEVELOPMENT AGENCY
(Closed Session)**

JANUARY 23, 2001 - 5:00 P.M.

NOTICE IS HEREBY GIVEN that a special meeting of the City Council, Community Services District and the Community Redevelopment Agency of the City of Moreno Valley will be held on January 23, 2001, commencing at 5:00 p.m., in the Finance Conference Room, Second Floor, City Hall, located at 14177 Frederick Street, Moreno Valley, California. Prior to recessing to Closed Session the Council will hear public comments, if any, on the Closed Session matter in the City Council Chambers.

Said special meeting shall be for the purpose of:

- **CALL TO ORDER**
- **ROLL CALL**
- PUBLIC COMMENTS **ON MATTERS ON THE AGENDA** WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS).

There is a three-minute time limit per person and a 15-minute time limit per agenda item. The 15-minute limit may be waived. Please complete and submit a BLUE speaker slip to the City Clerk.

- **CLOSED SESSION** - The Closed Session will be held pursuant to Government Code:
 - 1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
 - a) SECTION 54956.9(b)(1) – Significant exposure to litigation
Number of Potential Cases: 2
 - b) SECTION 54956.9(c) – Initiation of litigation
Number of Potential Cases: 1

- **CLOSED SESSION (Continued)**

2) SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- a) Case: *Coachella Valley Housing Coalition v. City of Moreno Valley*
Court: United States District Court, Central District of California
Case No: EDCV 96-430-RT(VAPx)

- b) Case: *City of Moreno Valley v. David Lerma*
Court: Riverside Superior Court
Case No: RSC 346259

- c) Case: *City of Moreno Valley v. County of Riverside*
Court: Riverside Superior Court
Case No: RSC 352554

- d) Case: *City of Corona v. All Persons Interested in the Matter of the Validity of the Continuous Operating Covenant Agreement Dated November 15, 2000, By and Between the City of Corona, A California Municipal Corporation and Robertson's Ready Mix, LTD., a California Limited Partnership*
Court: Riverside Superior Court
Case No: RSC 351283

**NOTICE AND CALL OF CONTINUED SPECIAL MEETING
OF THE MORENO VALLEY CITY COUNCIL**

JANUARY 23, 2001 – 6:00 P.M.

NOTICE IS HEREBY GIVEN that a continued special meeting of the Moreno Valley City Council will be held on January 23, 2001, commencing at 6:00 P.M. in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

AGENDA

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **INVOCATION** – Pastor Keven Crothers, Moreno Valley Christian Church
- **ROLL CALL**
- **INTRODUCTIONS**
- **PUBLIC HEARINGS**
 1. **PUBLIC HEARING ON MATERIAL BREACHES RELATING TO CABLE TELEVISION LICENSES (CONTINUED FROM JANUARY 9, 2001) (Report of: Assistant City Manager)**

Recommendation: That the City Council review the memorandum prepared by the City's special counsel and complete the continued public hearing to take evidence and make a determination and findings concerning allegations of material breaches relating to the cable television licenses in the City of Moreno Valley.

After taking evidence and/or testimony, the City Council may:

 1. Continue the public hearing for receipt of additional evidence/testimony.
 2. Close the public hearing and determine no franchise breach has occurred as to either TCI or ACT-V Franchise.
 3. Close the public hearing, determine that franchise breach has occurred as to TCI Franchise, ACT-V Franchise, or both, and direct staff to prepare a formal resolution for adoption at the next meeting, making appropriate findings of fact and ordering appropriate corrective action.

ADJOURN TO REGULAR MEETING

**AGENDA
JOINT MEETING OF THE
MORENO VALLEY CITY COUNCIL
MORENO VALLEY COMMUNITY SERVICES DISTRICT
MORENO VALLEY COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING - JANUARY 23, 2001
7:00 P.M.**

(or as soon thereafter as the Special Meeting is concluded)

- **CALL TO ORDER**

- **ROLL CALL**

- **SPECIAL PRESENTATIONS**

1. Employee of the Quarter – Anti-Graffiti Task Force
Dennis Buckle, Public Works
Brian Durfee, Public Works
George Rakow, Public Works
Jan Hampton, CEDD
Steve Jacobs, Media/Communications Division, Administrative Services
Carlton Allen, MVPD
Duane Winchell, MVPD
2. Officer of the Quarter – Officer Brandon Ford
3. Presentation by Richard Meyers of the Automobile Club of Southern California

- PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL (COMMENTS NOT CONCLUDED BY 7:30 P.M. WILL BE HEARD PRIOR TO CITY COUNCIL CLOSING COMMENTS AT THE END OF THE AGENDA)

There is a three-minute time limit per person. Please complete and submit a PINK speaker slip to the Bailiff.

- PUBLIC COMMENTS **ON MATTERS ON THE AGENDA** WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

There is a three-minute time limit per person and a 15-minute time limit per agenda item. The 15-minute limit may be waived. Please complete and submit a BLUE speaker slip to the Bailiff.

- **JOINT CONSENT CALENDARS (SECTIONS A-C) OF THE MORENO VALLEY CITY COUNCIL, COMMUNITY SERVICES DISTRICT, AND COMMUNITY REDEVELOPMENT AGENCY**

All items listed under the Consent Calendars are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, or Redevelopment Agency requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report/discussion will be heard after public hearing items.

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. ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2000 (Report of: Director of Finance/City Treasurer)
Recommendation: Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2000.
- A3. APPOINTMENT TO THE PARKS AND RECREATION ADVISORY COMMITTEE (Report of: Acting City Clerk)
Recommendation: Appoint Allen Ganibe to the Parks and Recreation Advisory Committee as the teenage member for a term expiring January 27, 2004, or upon high school graduation, whichever comes first.
- A4. MINUTES – REGULAR MEETING OF NOVEMBER 14, 2000 (Report of: Acting City Clerk)
Recommendation: Approve as submitted
- A5. MINUTES – SPECIAL MEETING OF DECEMBER 5, 2000 (Report of: Acting City Clerk)
Recommendation: Approve as submitted
- A6. WARRANT REGISTERS – DECEMBER 31, 2000 (Report of: Director of Finance/City Treasurer)
Recommendation: Adopt Resolution No. 2001-03, approving the Warrant

Registers, including wire transfers, dated December, 2000 in the total amount of \$4,378,874.95.

Resolution No. 2001-03

A Resolution of the City Council of the City of Moreno Valley, Approving the Warrant Registers, Dated December 31, 2000

- A7. ECONOMIC DEVELOPMENT WEBSITE CONTRACT APPROVAL (Report of: Director of Community and Economic Development)
Recommendation: Authorize the City Manager to negotiate and execute a contract with GIS Planning not to exceed \$40,000 to develop and implement an Economic Development Website.
- A8. ECONOMIC DEVELOPMENT MARKETING PLAN CONTRACT APPROVAL (Report of: Director of Community and Economic Development)
Recommendation: Authorize the City Manager to negotiate and execute a contract with Geographics Inc. not to exceed \$165,000 to design and implement a comprehensive economic development marketing program for the City of Moreno Valley.
- A9. BID AWARD – FAIRWAY MOWER (BID #00/01-02) (Report of: Director of Finance/City Treasurer)
Recommendation: Award the bid for the purchase of one Fairway Mower to Turf Star of Bermuda Dunes, California and authorize the Finance Director to execute the necessary documents in the amount of \$43,967.27, as appropriated in fiscal year 00/01, for program 00161.76410.6641.645.
- A10. CHANGE IN POLICE ENFORCEMENT MOTORCYCLES (Report of: Chief of Police)
Recommendation: Approve the change in the Police Enforcement Motorcycle from the Kawasaki 1000-P to the BMW R 1100 RT-P and approve budget expenditures in FY 00/01, in the amount of \$73,200 for the Purchase of (4) four fully equipped BMW R 1100 RT-P Police Enforcement Motorcycles. (These will be used to replace (4) four Kawasaki Police Enforcement Motorcycles that have become fully depreciated).
- A11. APPROVAL OF HOUSING ASSISTANCE AGREEMENT WITH THE COACHELLA VALLEY HOUSING COALITION (CVHC) AND BUDGET APPROPRIATION FOR PROJECT FUNDING (Report of: Director of Community and Economic Development)
Recommendation: Approve the Housing Assistance Agreement with the Coachella Valley Housing Coalition; authorize the Mayor and Agency Chair to execute the agreement; and appropriate \$1,400,000 from the unappropriated balance for the Low & Moderate Income Housing Fund (894.894.3911) and

\$600,000 from the Ownership Housing Development Project account (894.85030.7200) to the CVHC Housing Project account (894.71920.7XXX).

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. APPROPRIATION OF EXISTING FUNDS FOR THE POLICE ACTIVITIES LEAGUE PROGRAM (Report of: Director of Parks and Recreation)
Recommendation: Approve the amended employee classification roster to include one Unsupported Officer; authorize the addition of one Unsupported Officer to the Parks and Recreation PAL Program and appropriate the existing budget for the Parks and Recreation PAL Program in the amount of \$72,966.00 to account 126.75740, to be utilized for the additional personnel to the Parks and Recreation PAL Program; approve the amended employee classification roster to include one Recreation Leader; authorize the addition of one Recreation Leader to the Parks and Recreation PAL Program and appropriate the existing budget for the Parks and Recreation PAL Program in the amount of \$17,753.62 to account 126.75740, to be utilized for the additional personnel to the Parks and Recreation PAL Program and approve the amended employee classification roster to include one Recreation Aide; authorize the addition of one Recreation Aide to the Parks and Recreation PAL Program and appropriate the existing budget for the Parks and Recreation PAL Program in the amount of \$9,155.83 to account 126.75740, to be utilized for the additional personnel to the Parks and Recreation PAL Program.
- B3. REQUEST TO ADVERTISE A NOTICE REQUESTING PROPOSALS – MORENO VALLEY COMMUNITY SERVICES DISTRICT NO. D-SG1/01 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION – STANDARD SERVICE (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt the area map and maintenance specifications, which are on file in the office of the Director of Public Works; acknowledge the previous Environmental Determinations relating to the existing landscape areas as approved per each tract’s EIR Certification; and authorize the City Clerk to advertise a Notice Requesting Proposals for Project D-SG1/01.
- B4. MINUTES – REGULAR MEETING OF NOVEMBER 14, 2000 (Report of: Acting City Clerk)
Recommendation: Approve as submitted

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 NOVEMBER 14, 2000 (Report of: Acting City Clerk)
Recommendation: Approve as submitted

- C3. APPROVAL OF HOUSING ASSISTANCE AGREEMENT WITH THE COACHELLA VALLEY HOUSING COALITION (CVHC) AND BUDGET APPROPRIATION FOR PROJECT FUNDING (Report of: Director of Community and Economic Development)
Recommendation: Approve the Housing Assistance Agreement with the Coachella Valley Housing Coalition; authorize the Mayor and Agency Chair to execute the agreement; and appropriate \$1,400,000 from the unappropriated balance for the Low & Moderate Income Housing Fund (894.894.3911) and \$600,000 from the Ownership Housing Development Project account (894.85030.7200) to the CVHC Housing Project account (894.71920.7XXX).

D. REPORT OF ACTION FROM CLOSED SESSION BY CITY ATTORNEY, IF ANY

E. PUBLIC HEARINGS

- E1. PUBLIC HEARING FOR INCLUSION OF KRISTEN COURT INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (CSD):
 - 1. Conduct the Public Hearing to consider the inclusion of Kristen Court into the CSD Zone B (Residential Street Lighting), the installation charge spread over five years and the annual maintenance service charge;
 - 2. Tabulate the mail ballots;
 - 3. Verify and accept the results; and
 - 4. Authorize and impose the CSD Zone B installation and annual maintenance service charges.

- E2. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) & HOME OBJECTIVES AND POLICIES FOR FISCAL YEAR 2001-02 (Report of: Community and Economic Development Director)
Recommendation: That the City Council approve the Community Development Block Grant (CDBG) and HOME Program Objectives and Policies for the 2001-2002 Program Year.

- **ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION**

F. REPORTS

- F1. AUTHORIZE STAFF TO UNDERTAKE A WORK PROGRAM TO DO PRELIMINARY DESIGN AND OTHER WORK ON THE DESIGN OF A NEW MAIN LIBRARY (Report of: Library Director)
Recommendation: That the Mayor and City Council:
1. Authorize staff to undertake the work program outlined in the staff report to do preliminary design and other work on the design of a new main library. Completion of this work program will put the city into a position to apply for State Library Bond Act funds.
- F2. ECONOMIC DEVELOPMENT ANNUAL REPORT FOR 2000 (Report of: Director of Community and Economic Development)
Recommendation: That the City Council receive and file the Economic Development Annual Report for 2000.
- F3. RECOMMENDATION OF AWARD CONTRACT FOR THE DESIGN AND DEVELOPMENT OF CONSTRUCTION DOCUMENTS FOR A SPORTS AND COMMUNITY CENTER (Report of: Director of Parks and Recreation)
Recommendation: That the Mayor and Members of City Council, acting in their respective capacities as the President and Members of the Moreno Valley Community Services District:
1. Award the contract for subject project to LPA, Inc., 17949 Sky Park Circle, Irvine, Ca, 92614, in the amount of \$510,000;

2. Authorize the Mayor to execute a Contract Agreement with the above mentioned contractor; and
 3. Authorize the Finance Director to issue a purchase order upon execution of the contract to the abovementioned contractor not to exceed the amount of \$510,000.
- F4. STATE AND FEDERAL LEGISLATIVE ADVOCACY PRIORITIES (Report of: Assistant City Manager)
Recommendation: That the City Council approve the State/Federal Legislative Advocacy Priorities Policy.
- F5. CULTURAL AND PERFORMING ARTS CENTER UPDATE (Report of: Director of Parks and Recreation) (No written material on this item)
- F6. 2001 COUNCIL COMMITTEE PARTICIPATION APPOINTMENTS (Report of: Acting City Clerk)
Recommendation: That the City Council approve appointments to the various committees as recommended in the 2001 Council Committee Participation list as submitted by Mayor Flickinger.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING & INTRODUCTION - NONE

ORDINANCES - 2ND READING & ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS - NONE

- **CONTINUATION OF PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA, IF NEEDED**
- **CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY**

ADJOURNMENT