

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**

MARCH 13, 2001

CALL TO ORDER

ROLL CALL

CLOSED SESSION - 6:00 P.M.

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the Finance Conference Room, Second Floor, City Hall. Prior to recessing to Closed Session the Council will convene in the City Council Chamber to hear public comments, if any, on matters on the Closed Session agenda. Reportable action will be announced at this evening's Council Meeting under Section D, of the City Council Agenda. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matters and any additional matter publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session. The Closed Session will be held pursuant to Government Code:

- 1) SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
 - a) Case: *City of Moreno Valley, et al v. SCAG, et al*
Court: Riverside County Superior Court
Case No.: RIC 354003
 - b) Case: *City of Moreno Valley v. County of Riverside*
Court: Riverside Superior Court
Case No.: RSC 352554
 - c) 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

- 2) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
 - a) SECTION 54956.9(b)(1) - Significant exposure to litigation

Number of Cases: 1

 - b) SECTION 54956.9(c) - Initiation of litigation
Number of Cases:

AGENDA

**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 - 7:00 P.M.
MARCH 13, 2001**

- **CALL TO ORDER** (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 - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

- **PLEDGE OF ALLEGIANCE**

- **INVOCATION** – Pastor Keven Crothers, Moreno Valley Christian Church

- **ROLL CALL**

- **INTRODUCTIONS**

- **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 CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

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. PA 00-0042 – SINGLE FAMILY RESIDENTIAL CUSTOM HOME – ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – LAWLESS ROAD, NORTH SIDE, EAST OF PIGEON PASS (MAURER) (Report of: Director of Public Works/City Engineer)

Recommendation: Accept the bonds and approve the Agreement for Public Improvements; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

A3. PARCEL MAP 24349, PARCEL 1 – DEED OF RECONVEYANCE AND ACCEPTANCE OF CASH DEPOSIT TO REPLACE LIEN – FRANKHALE ROAD, SOUTH SIDE, EAST OF MORTON ROAD (DON AND GEORGIA CENATIEMPO) (Report of: Director of Public Works/City Engineer)

Recommendation: Accept the cash deposit of \$13,250.00 as security for the required public improvements; authorize the Mayor to execute the Deed of Reconveyance to reconvey the interest in the Deed of Trust known as Instrument No. 410852, recorded December 12, 1995 in the Official Records of Riverside County, California; and direct the City Clerk to forward the signed Deed of Reconveyance to the County Recorder's Office.

A4. FINAL MAP 28882-1 – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) NORTH SIDE OF HEMLOCK AVE., EAST OF PERRIS BLVD. (BEAZER HOMES HOLDINGS, CORPORATION) (Report of: Director of Public Works/City Engineer)

Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements.

A5. FINAL MAP 28882 – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION FOR SEWER & WATER IMPROVEMENTS) SOUTH SIDE OF IRONWOOD AVE., EAST OF PERRIS BLVD. (BEAZER HOMES HOLDINGS, CORPORATION) (Report of: Director of Public Works/City Engineer)

Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements.

A6. FINAL MAP 28882 – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) SOUTH SIDE OF IRONWOOD AVE., EAST OF PERRIS BLVD. (BEAZER HOMES HOLDINGS, CORPORATION) (Report of: Director of Public Works/City Engineer)

Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements.

A7. PA 99-0006 – WALGREEN'S PHARMACY - ACCEPT AGREEMENT & BONDS FOR PUBLIC IMPROVEMENTS, 25011 ALESSANDRO BLVD., SOUTH SIDE OF ALESSANDRO, EAST OF PERRIS BLVD. (SIMAC CONSTRUCTION, INC.) (Report of: Director of Public Works/City Engineer)

Recommendation: Accept the bonds and the Agreement for Public Improvements; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

A8. APPROVAL OF FINAL MAP 23553-2 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPTANCE OF AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS, EAST SIDE OF PIGEON PASS RD., NORTH OF SUNNYMEAD RANCH PARKWAY (MV DEVELOPMENT, LLC) (Report of: Director of Public Works/City Engineer)

Recommendation: Approve Final Map 23553-2, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accept the bonds and Agreement for Public Improvements; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

A9. FINAL MAP 22377-1, LOT L – LANDSCAPE AREA – REDUCE FAITHFUL PERFORMANCE BOND, EAST SIDE OF LASSELLE ST., NORTH OF GENTIAN AVE. (CAPITAL MUTUAL MORENO VALLEY, LLC) (Report of: Director of Public Works/City Engineer)

Recommendation: Approve a 90% reduction to the Faithful Performance Bond and direct the City Engineer to process the 90% reduction to the Faithful Performance Bond.

A10. MINUTES – REGULAR MEETING OF FEBRUARY 27, 2001 (Report of: Acting City Clerk)

Recommendation: Approve as submitted.

A11. AWARD – DELL COMPUTER SYSTEMS AND RELATED SOFTWARE (Report of: Director of Finance/City Treasurer)

Recommendation: Award the purchase of twenty-eight computer systems and related software to Dell Computer Corporation as being in the best interest of the City and authorize the Finance Director to issue a purchase order to Dell Computer Corporation in an amount not to exceed \$49,000 (forty nine thousand dollars).

A12. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES, PROJECT #00-12556330 FISCAL YEAR 1999/2000, PHASE II, ANNUAL PAVEMENT OVERLAY PROGRAM (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the "Agreement for Professional Consultant Services" with Berryman & Henigar Offices, 2001 East First Street, Suite 160, Santa Ana, California, 92705, to design the annual pavement overlay; authorize the Mayor to execute said "Agreement for Professional Consultant Services" with Berryman & Henigar; and authorize the issuance of a Purchase Order to Berryman & Henigar, in the amount of \$99,700 when the agreement has been signed by all parties (Account No.125.56330).

A13. APPROVAL OF THE 2001/02 FISCAL YEAR STORMWATER PROTECTION PROGRAM BUDGET (NPDES) (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the County Service Area (CSA) 152 Budget for FY 2001/02 in the amount of \$414,773; and approve the CSA 152 Assessment per Benefit Assessment Unit (BAU) of \$8.15 per year for FY 2001/02.

A14. YOUTH OPPORTUNITIES PROGRAM (Report of: Director of Community and Economic

Development)

Recommendation: Accept the Youth Opportunities Program Grant Award and authorize the City Manager to execute a contract with Riverside County to implement and operate a Youth Opportunities Center.

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. EXTENSION OF CONTRACT – PROJECT NO. E-7/98 – MAINTENANCE OF EXTENSIVE LANDSCAPE AND IRRIGATION (CENTERPOINTE) (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the Amendment to the Contract Agreement for Community Services District Project E-7/98 to extend the term of the contract for an additional one-year period; authorize the President of the Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; authorize the Purchasing Manager, at the start of Fiscal Year 2001/02, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

a.) SIXTEEN THOUSAND NINE HUNDRED TWELVE DOLLARS AND 92/100 (\$16,912.92) for twelve months of base maintenance service, and;

b.) TWO THOUSAND FIVE HUNDRED DOLLARS AND NO/100 (\$2,500.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.

B3. EXTENSION OF CONTRACT – PROJECT NO. E-4/99 – MAINTENANCE OF EXTENSIVE LANDSCAPE AND IRRIGATION (MORENO VALLEY RANCH EAST) (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the Amendment to the Contract Agreement for MVCSD Project E-4/99 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of Santa Ana, California; authorize the Purchasing Manager, at the start of Fiscal Year 2001/02, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

a.) ONE HUNDRED AND TWO THOUSAND THIRTY-EIGHT DOLLARS AND 16/100 (\$102,038.16) for twelve months of base maintenance service, and;

b.) FOURTEEN THOUSAND SEVEN HUNDRED SIXTY-FOUR DOLLARS AND NO/100 (\$14,764.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.

B4. MINUTES – REGULAR MEETING OF FEBRUARY 27, 2001 (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 FEBRUARY 27, 2001 (Report of: Acting City Clerk)

Recommendation: Approve as submitted

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

E. PUBLIC HEARINGS – NONE

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

F. REPORTS

F1. LEGISLATIVE UPDATE (Report of: Assistant City Manager)

Recommendation: That the City Council receive and file the Legislative Status Report.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING & INTRODUCTION - NONE

ORDINANCES - 2ND READING & ADOPTION – NONE

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS

G1. RESOLUTION FOR THE ABATEMENT OF PUBLIC NUISANCES (Report of: Director of Community and Economic Development)

Recommendation: That the City Council adopt Resolution No. 2001-09 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List in the staff report for the abatement of nuisances.

Resolution No. 2001-09

A Resolution of the City Council of the City of Moreno Valley, California, Confirming Statements of Costs Against Real Property Located in the City of Moreno Valley, for Abatements of Public Nuisances and Direction that Said Statements of Costs Constitute a Lien Upon Said Properties

• **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