

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

JUNE 12, 2001

CALL TO ORDER

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

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 matter(s) 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 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Properties: APN 291-120-035 (Towngate Park)
City Negotiator: John Strickler
Tenant: Cox PCS
Negotiating Party: Sheri Hudson for Cox, PCS

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

- a) Case: *City of Moreno Valley v. David Lerma*
Court: Riverside Superior Court
Case No.: RSC 346259
- b) Case: *City of Moreno Valley v. County of Riverside*
Court: Riverside Superior Court
Case No.: RSC 352554

CLOSED SESSION (CONTINUED)

3) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

a) SECTION 54956.9(b)(1) - Significant exposure to litigation

Number of Cases: -0-

b) SECTION 54956.9(c) - Initiation of litigation

Number of Cases: -0-

SPECIAL PRESENTATIONS – 6:30 p.m.

1. Larry Holliday Reading Program - 2001 Reading Awards
2. 50 Years Sharing Life Proclamation - Riverside/San Bernardino County Blood Bank

**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.
JUNE 12, 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 Raymond A. Hahn, Moreno Valley Christian Fellowship

- **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. MINUTES – REGULAR MEETING OF MAY 8, 2001 (Report of: Acting City Clerk)

Recommendation: Approve as submitted.

A3. APPROVE THE SUBMITTAL OF GRANT APPLICATIONS FOR THE SAFE ROUTES TO SCHOOL PROGRAM, PEDESTRIAN SAFETY PROGRAM, BICYCLE AND PEDESTRIAN FACILITIES PROGRAM, AND BICYCLE TRANSPORTATION ACCOUNT (Report of: Director of Public Works/City Engineer)

Recommendation: Approve staff’s submittal of Grant Applications for the Safe Routes to School (SR2S) Program, Pedestrian Safety Program (PSP), Bicycle and Pedestrian Facilities (SB 821) Program, and Bicycle Transportation Account (BTA) Program.

A4. CONDITIONAL USE PERMIT 3060 – RELEASE TRAFFIC SIGNALIZATION MITIGATION FEE CERTIFICATE OF DEPOSIT – EAST SIDE OF INDIAN AVENUE, SOUTH OF NANDINA AVENUE (WASTE MANAGEMENT) (Report of: Director of Public Works/City Engineer)

Recommendation: Approve a release of the Traffic Signalization Mitigation Fee Certificate of Deposit and direct the City Clerk to process the release of the Traffic Signalization Mitigation Fee Certificate of Deposit.

- A5. FINAL MAP 25956 – AGREEMENT FOR PUBLIC IMPROVEMENTS TO REPLACE EXPIRED AGREEMENT – LOCATED SOUTH OF FIR AVENUE AND WEST OF KITCHING STREET (AFFORDABLE CALIFORNIA ESTATES) (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the Agreement for Public Improvements to replace expired 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.

- A6. BID AWARD – STREET SWEEPER (“PIGGYBACK” NO BID#). (Report of: Director of Finance/City Treasurer)

Recommendation: Award the purchase of one Street Sweeper to Nixon-Egli Equipment Co. of Santa Fe Springs, CA. as being in the best interest of the City and authorize the Finance Director to issue a purchase order to Nixon-Egli of Santa Fe Springs, CA. in the amount of \$133,760.10.

- A7. NOTICE OF COMPLETION AND ACCEPTANCE OF NASON STREET IMPROVEMENTS, BETWEEN ALESSANDRO BOULEVARD AND FIR AVENUE, PROJECT NO. 97-25897-1 (CONTINUED FROM MAY 22, 2001) (Report of: Director of Public Works/City Engineer)

Recommendation: Accept the work for the Nason Street Improvements, between Alessandro Boulevard and Fir Avenue, constructed by Vance Corporation, Rialto, California 92477, as completed; ratify Contract Change Order No. 4, which reflects revised street improvements, and Contract Change Order No. 5, which reflects the decrease and increase of the bid item quantities and cost; direct the City Clerk to record the Notice of Completion within ten days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorize the Director of Finance to release the retention to Vance Corporation, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no liens are filed against the project (Account No. 00125.89730) and accept the improvements into the City Maintained Road System.

- A8. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR PROJECT NO. 01-41276320, MAIN LIBRARY (Report of: Director of Library Services)

Recommendation: Approve the "Agreement for Professional Consultant Services" with LPA, 17848 Sky Park Circle, Irvine, California, 92614, to design the new Main Library; authorize the Mayor to execute said "Agreement for Professional Consultant Services" with LPA; authorize the issuance of a Purchase Order to LPA, in an amount not to exceed \$73,000 when the Agreement has been signed by all parties (Account No. 412.76320).

- A9. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES, PROJECT NO. 00-4372540 - COLLEGE PARK FIRE STATION NO. 91 (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the "Amendment for Professional Consultant Services" for the College Park Fire Station No. 91, with STK Architecture, Inc., 2575 South Jacinto Avenue, San Jacinto, California 92583-5318, for additional design services; authorize the Mayor to execute the "Amendment for Professional Consultant Services" with STK Architecture, Inc., and authorize an increase in the Purchase Order to STK Architecture, Inc., in the not-to-exceed amount of \$11,537 (Account No. 00434.72530).

- A10. PROJECT NO. 00-227222 - NOTICE OF AWARD, FISCAL YEAR 2000/2001 SENATE BILL (SB) 821 BICYCLE AND PEDESTRIAN PROJECTS PROGRAM (Report of: Director of Public Works/City Engineer)

Recommendation: Award the construction Contract to JDC, Inc. 13061 Shasta Court, Rancho Cucamonga, California 91739, the lowest responsible bidder; authorize the Mayor to execute a Contract with JDC, Inc.; authorize the issuance of a Purchase Order to JDC, Inc., in the amount of \$55,132.00 (the amount of bid plus 10% contingency), when the Contract has been signed by all parties (Account No. 122.72220).

- A11. REQUEST OF WAIVER OF FEES FOR CENTRO CRISTIANO SINAI (Report of: Director of Parks and Recreation)

Recommendation: Do not approve a waiver of fees for Centro Cristiano Sinai.

- A12. ALLOCATION OF FUNDS – CULTURAL PRESERVATION ADVISORY COMMITTEE (CPAC) TRUST FUND TO REPRINT THE MORENO VALLEY CENTENNIAL COOKBOOK (Report of: Director of Community and Economic Development)

Recommendation: Approve allocation of \$9,960.00 from the Cultural Preservation Committee (CPAC) Trust Fund to pay for the re-print of 2,000 copies of the Moreno Valley Centennial Cookbook by the Moreno Valley Historical Society; require that all proceeds from the cookbook shall be placed into the CPAC Trust Fund for the purposes of establishment and maintenance of a future museum and instruct staff to make the necessary arrangements for the copying and use of the cookbooks.

- A13. RESCISSION OF THE APPROVAL OF TENTATIVE TRACT MAP 29761 AND ADOPTION OF THE NEGATIVE DECLARATION (PA00-0016) (Report of: Director of Community and Economic Development)

Recommendation: Approve City Council Resolution No. 2001-24, thereby rescinding the approval of Tentative Tract Map No. 29761 and the project Negative Declaration (PA00-0016).

Resolution No. 2001-24

A Resolution of the City Council of the City of Moreno Valley rescinding the Prior Approval of Tract Map No. 29761 and Adoption of the Negative Declaration for PA00-0016, Including A 69 Lot Single-Family Residential Subdivision Known as Marina Point

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. MINUTES – REGULAR MEETING OF MAY 8, 2001 (Report of: Acting City Clerk)

Recommendation: Approve as submitted.

- B3. Request of Waiver of Fees for Centro Cristiano Sinai (Report of: Director of Parks and Recreation)

Recommendation: Do not approve a waiver of fees for Centro Cristiano Sinai.

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 MAY 8, 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

Questions or comments from the public on a Public Hearing matter must be limited to five minutes per individual and must pertain to the subject under consideration.

- E1. MORENO VALLEY COMMUNITY SERVICES DISTRICT PUBLIC HEARING TO CONDUCT MAIL BALLOT PROCEEDINGS FOR TRACTS 19799, 22093 AND 22371 WITHIN ZONE D (STANDARD PARKWAY LANDSCAPE MAINTENANCE) (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD):

1. Conduct the Public Hearing to consider the retention of Zone D (Parkway

Landscape Maintenance) at the standard level and the annual service charge for Tracts 19799, 22093, and 22371;

2. Tabulate the mail ballots for each of the three tracts;
 3. Verify and accept the results of each mail ballot proceeding; and
 4. Authorize and impose the CSD Zone D charges.
- E2. PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF FORMER MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES FOR 2001/2002 (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD), conduct the Public Hearing, and approve and adopt the following five resolutions, continuing the proposed annual parcel charge for providing service to parks, parkways (medians), recreation programs, residential street lighting, arterial street lighting, parkway landscaping, and extensive landscaping services during fiscal year 2001/02, as submitted in the Annual Levy Report on file in the office of the City Clerk:

Resolution No. CSD 2001-07

A Resolution of the 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, Approving the Continuance of the Former Parcel Charge for Furnishing Improvements and Maintenance for Parks, Parkways, and Recreation Services During Fiscal Year 2001/02

Resolution No. CSD 2001-08

A Resolution of the 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, Approving the Continuance of the Former Parcel Charge for Furnishing Improvements and Maintenance for Residential Street Lighting Services During Fiscal Year 2001/02

Resolution No. CSD 2001-09

A Resolution of the 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, Approving the Continuance of the Former Parcel Charge for

Furnishing Improvements and Maintenance for Intersection and Arterial Street Lighting Services During Fiscal Year 2001/02

Resolution No. CSD 2001-10

A Resolution of the 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, Approving the Continuance of the Former Parcel Charge for Furnishing Parkway Landscape Improvement and Maintenance Services During Fiscal Year 2001/02

Resolution No. CSD 2001-11

A Resolution of the 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, Approving the Continuance of the Former Parcel Charge for Furnishing High-Service-Level Parkways Improvement and Maintenance Services During Fiscal Year 2001/02

- E3. PUBLIC HEARING TO CONSIDER APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 ANNUAL SPECIAL TAX LEVY (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, acting in its capacity as the legislative body of Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 (the "District"), approve and adopt Resolution No. 2001-21 implementing the method and rate of apportionment of the special tax levy required to cover the annual debt service of CFD No. 87-1 (Towngate) Improvement Area No. 1, as submitted in the Special Tax Report on file in the office of the City Treasurer.

Resolution No. 2001-21

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2001/02 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1

- E4. PUBLIC HEARING TO CONSIDER APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) ANNUAL SPECIAL TAX LEVY (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council acting in its capacity as the legislative

body of Community Facilities District (CFD) No. 87-1 (Towngate), approve and adopt Resolution No. 2001-22 implementing the method and rate of apportionment of the special tax levy required to cover the 2001/2002 annual debt service of CFD No. 87-1 (Towngate), as submitted in the Special Tax Report on file in the office of the City Treasurer

Resolution No. 2001-22

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2001/2001 Regarding Community Facilities District No. 87-1 (Towngate)

- E5. PUBLIC HEARING TO CONSIDER APPROVAL AND ADOPTION OF COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING) SPECIAL TAX BONDS, SERIES 2000 ANNUAL SPECIAL TAX LEVY (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, acting in its capacity as the legislative body of Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) (CFD No. 3), approve and adopt Resolution No. 2001-23 implementing the method and rate of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Special Tax Report on file in the office of the City Treasurer.

Resolution No. 2001-23

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2001/02 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

- E6. MORENO VALLEY INDUSTRIAL AREA PLAN (SPECIFIC PLAN 208) (Report of: Director of Community and Economic Development)

Recommendation: That the City Council take the following actions:

1. RECOGNIZE the preparation of an addendum to the original environmental impact report that verified the applicability of the original environmental impact report for Specific Plan 208; and
2. INTRODUCE Ordinance No. 588, thereby approving the Moreno Valley Industrial Area Plan (PA95-0001)

Ordinance No. 588

An Ordinance of the City Council of the City of Moreno Valley, California, Approving the Moreno Valley Industrial Area Plan (PA95-0001), an Amendment to Specific Plan 208, and Amending the Official Zoning Atlas of Said City, Changing the Zone from Business Park (BP), Business Park-Mixed Use (BPX), and Specific Plan 208 (Oleander) to Specific Plan 208 (Moreno Valley Industrial Area) as Illustrated on the Moreno Valley Zone Change Map for those Properties Generally Bounded by Heacock Street, Iris Avenue, Indian Street, Storm Drain Lateral "A", Perris Valley Storm Drain, and Storm Drain Lateral "B"

- E7. Adoption of Fiscal Year 2001/02 Fee Resolution and Fee Schedule (Report of: Director of Finance/City Treasurer)

Recommendation: That the City Council:

1. Conduct the Public Hearing to consider the adoption of the Fee Schedule for FY 2001/02; and,
2. Adopt Resolution 2001-25, approving the Fee Schedule for FY 2001/02.

Resolution No. 2001-25

A Resolution of the City Council of the City of Moreno Valley 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

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

F. REPORTS

- F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING COMMUNITY SERVICES DISTRICT ZONE D MAIL BALLOT PROCEEDINGS FOR CERTAIN TRACTS (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD), accept public comment regarding the retention of CSD Zone D (Parkway Landscape Maintenance) services at the standard level and the associated annual charge being proposed in mail ballot proceedings for six (6) tracts.

- F2. REVIEW OF PROPOSED FY 2001-02 FINAL BUDGET (WITH POWER POINT PRESENTATION) (Report of: Director of Finance/City Treasurer)

Recommendation: That the City Council continue its review of the City Manager's FY 2001/02 Proposed Budget (Capital Projects included) and direct any questions or need for further information to staff.

- F2a. PROPOSED FY 2001/02 REDEVELOPMENT AGENCY BUDGET (Report of: Director of Community and Economic Development)

Recommendation: That the Board of Directors review and comment on the proposed Redevelopment Agency Budget for FY 2001/02.

- F3. 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

- G1. ORDINANCE NO. CSD 31, AN ORDINANCE OF THE 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, APPROVING AND ADOPTING A PARCEL CHARGE

FOR ZONE B-1B (KRISTEN COURT STREETLIGHT IMPROVEMENTS)
DURING FISCAL YEAR 2001/02 (RECEIVED FIRST READING AND
INTRODUCTION MAY 22, 2001 ON A 4-0-1 VOTE, STEWART ABSENT)
(Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, acting in its capacity as President and Board of Directors of the Moreno Valley Community Services District adopt Ordinance No. CSD 31.

Ordinance No. CSD 31

An Ordinance of the 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, Approving and Adopting a Parcel Charge for Zone B-1B (Kristen Court Streetlight Improvements) During Fiscal Year 2001/02

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