

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY**

NOVEMBER 13, 2001

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Recognition of Firefighters Returning from New York (Continued from October 23, 2001)
2. Firefighters of the Quarter – Fire Captain Jerry Rodman and Fire Apparatus Engineer Chuck Tasker (Continued from October 23, 2001)
3. Presentation by Waste Management/City to Residents for America Recycles Day
4. James Farrell Amateur Softball Association (ASA) Award of Excellence
5. Children’s Book Week Proclamation

**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 – 6:30 P.M.
NOVEMBER 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 David Carlson, Moreno Christian Assembly

- **ROLL CALL**

- **INTRODUCTIONS**

- **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.)**

All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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 Items withdrawn for report/discussion will be heard after public hearing items.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 OCTOBER 9, 2001 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A3. MINUTES – REGULAR MEETING OF OCTOBER 23, 2001 (Report of: City Clerk)
Recommendation: Approve as submitted
- A4. PARCEL MAP 24349, PARCEL 4 - EXECUTE DEED OF RECONVEYANCE AND ADOPT RESOLUTION NO. 2001-66, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE PUBLIC RIGHT-OF-WAY IMPROVEMENTS AS COMPLETE AND ACCEPTING PENUNURI PLACE (LOT “D”) INTO THE CITY MAINTAINED STREET SYSTEM (NORTH SIDE OF PENUNURI PLACE, EAST OF MORTON ROAD – SUBDIVIDER – ANTHONY AND EVA SIEGFRIED) (Report of: Public Works Director/City Engineer)
Recommendation: Authorize the Mayor to execute the Deed of Reconveyance to reconvey the interest in the Deed of Trust known as Instrument No. 410853, recorded December 12, 1995 in the Official Records of Riverside County, California; direct the City Clerk to forward the signed Deed of Reconveyance to the County Recorder’s Office; and adopt Resolution No. 2001-66 authorizing the acceptance of the public right-of-way improvements for Parcel Map 24349, Parcel 4 as complete and accepting Penunuri Place (Lot “D”) into the City maintained street system.

Resolution No. 2001-66

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of Public Right-of-Way Improvements as Complete within Parcel 4 of Parcel Map 24349, and Accepting Penunuri Place (Lot "D") into the City Maintained Street System

- A5. APPROVAL OF INDEMNITY AGREEMENT RECOGNIZING AND ACKNOWLEDGING M.V. ASSOCIATES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AS THE OWNER OF CERTAIN MORENO AREA DRAINAGE PLAN FEE CREDITS (Report of: Public Works Director/City Engineer)
Recommendation: Approve the Indemnity Agreement as reviewed and approved as to form by the City Attorney; and authorize the City Manager to execute the Indemnity Agreement.
- A6. NOTICE OF COMPLETION – FISCAL YEAR 2000/01 SENATE BILL (SB) 821 BICYCLE AND PEDESTRIAN PROJECTS PROGRAM - PROJECT NO. 00-227222 ((Report of: Public Works Director/City Engineer)
Recommendation: Ratify Contract Change Order No. 1, adjusting the bid item quantities and increasing the contract time to 42 working days; accept the work for the Fiscal Year 2000/2001 SB821 Bicycle and Pedestrian Projects Program constructed by JDC, Inc., Rancho Cucamonga; direct 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; authorize the Director of Finance to release the retention to JDC, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project (Account No. 122.72220); and accept the improvements into the City Maintained Road System.
- A7. RESOLUTION 2001-67 A PORTION OF SAN MICHELE ROAD, BETWEEN PERRIS BOULEVARD AND INDIAN STREET AS PUBLIC RIGHT-OF-WAY (Report of: Public Works Director/City Engineer)
Recommendation: Approve and adopt Resolution No. 2001-67 accepting dedication for public highway, utility, and public service purposes, but not accepting as a part of the City Maintained Road System; and direct the City Clerk to cause the Resolution to be recorded in the office of the Recorder of the County of Riverside.

Resolution No. 2001-67

A Resolution of the City Council of the City of Moreno Valley, California, Accepting Dedication of an Easement for a Portion of San Michele Road between Perris Boulevard and Indian Street as Public Right-of-Way

- A8. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR COLLEGE PARK FIRE STATION NO. 91 - PROJECT NO. 00-4372540 (Report of: Public Works Director/City Engineer)
Recommendation: Adopt the Plans and Specifications that are on file in the office of the Public Works Director; and authorize the City Clerk to advertise the project for construction bids.
- A9. REQUEST FOR AUTHORIZATION OF RED CURB PAINTED WEST OF THE ENTRANCE TO SUPREME TRUCK BODY, A BUSINESS LOCATED AT 22135 ALESSANDRO BOULEVARD (Report of: Public Works Director/City Engineer)
Recommendation: Authorize the 297 feet of red curb painted west of the entrance to Supreme Truck Body, a business located at 22135 Alessandro Boulevard, to provide standard sight distance for the existing employees.
- A10. RESOLUTION NO. 2001-68 - APPROVE AND AUTHORIZE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. M014, TO THE ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECT NO. 08-5441, INTERCONNECT INSTALLATION ON CACTUS AVENUE, SUNNYMEAD BOULEVARD, AND PIGEON PASS ROAD - PROJECT NO. CML 5441 (024) (Report of: Public Works Director/City Engineer)
Recommendation: Adopt Resolution No. 2001-68, and approve Program Supplement Agreement No. M014, to the Administering Agency-State Agreement for Federal-Aid Project No. 08-5441 for construction and construction engineering; and authorize the Mayor to execute Program Supplement No. M014.

Resolution No. 2001-68

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. M014 to Administering Agency-State Agreement No. 08-5441 for Federal-Aid Projects

between the State of California, Acting by and through the Department of Transportation and the City of Moreno Valley

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 OCTOBER 9, 2001 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B3. MINUTES – REGULAR MEETING OF OCTOBER 23, 2001 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B4. ACCEPTANCE OF DONATED FUNDS FOR THE PUBLIC ADDRESS SOUND SYSTEM (Report of: Director of Parks and Recreation)
Recommendation: Authorize the acceptance of a \$3,000 donation from Process Communication Developers, Inc., for the purchase of the Anchor Xtreme Liberty Portable Sound System; and approve an appropriation of \$3,000 for expense account number 161.76105.6641.648 for the purchase of the equipment.
- B5. ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Director of Parks and Recreation)
Recommendation: Authorize the acceptance of grant monies in the amount of \$586,046 for fiscal year 2001/2002 from the California Department of Education, Child Development Division, for the purpose of providing school age childcare and development services; and adopt Resolution No. CSD 2001-19 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2001/02.

Resolution No. CSD 2001-19

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 Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2001/02

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 OCTOBER 9, 2001 (Report of: City Clerk)
Recommendation: Approve as submitted.
- C3. MINUTES – REGULAR MEETING OF OCTOBER 23, 2001 (Report of: City Clerk)
Recommendation: Approve as submitted

D. 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. Please complete and submit a GOLDENROD speaker slip to the Bailiff.

- D1. PUBLIC HEARING TO REVIEW THE APPLICATIONS BY LEADERS IN COMMUNITY ALTERNATIVES FOR A GENERAL PLAN AMENDMENT (PA01-0031), CHANGE OF ZONE (PA01-0026) AND CONDITIONAL USE PERMIT (PA01-0027) TO ESTABLISH A TRANSITIONAL HOUSING FACILITY FOR PAROLEES ON BUSINESS CENTER DRIVE (CONTINUED FROM OCTOBER 9, 2001) (Report of: Community and Economic Development

Director)

Recommendation: That the City Council:

1. CONCLUDE the public hearing; and
2. ADOPT Resolution No. 2001-70 thereby denying the requested general plan amendment, change of zone and conditional use permit.

Resolution No. 2001-70

A Resolution of the City Council of the City of Moreno Valley, California, Denying a General Plan Amendment (PA01-0031), Denying a Change of Zone (PA01-0026) and Denying a Conditional Use Permit (PA01-0027) to Change the Zone and General Plan Designations from Business Park to Industrial for Property on the West and South Sides of Business Center Drive and to Allow a Transitional Housing Facility for Parolees to be Established on an Existing Developed Site Comprising 1.62 Acres on the West Side of Business Center Drive (14114 Business Center Drive)

- D2. PA00-0055 (CONDITIONAL USE PERMIT – APPLICANT: SPRINT PCS, LOCATION: 15860 EMMA LANE (EAST SIDE OF EMMA LANE AND NORTH OF IRIS AVENUE) PROPOSAL: REQUEST BY THE APPLICANT TO APPEAL THE PLANNING COMMISSION DECISION TO DENY THE ENVIRONMENTAL DETERMINATION FOR CONDITIONAL USE PERMIT APPLICATION PA00-0055 FOR A 72-FOOT TALL MONOPINE (Report of: Community and Economic Development Director)

Recommendation: That the City Council conduct a public hearing for the appeal of the action taken by the Planning Commission not to approve PA00-0055 (Conditional Use Permit), and subsequent to the public hearing:

1. RECOGNIZE that the proposed telecommunications facility will have a significant impact on the environment
2. APPROVE City Council Resolution No. 2001-69, thereby denying PA00-0055 (Conditional Use Permit), based on the findings included in the Resolution.

Resolution No. 2001-69

A Resolution of the City Council of the City of Moreno Valley Denying PA00-0055, a Conditional Use Permit for a Proposed New Wireless Telecommunications Facility Located on a Single-Family Residential Lot at 15860 Emma Lane

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

F. REPORTS

F1. REVITALIZATION PROGRAM (FORMERLY KNOWN AS ACQUISITION, REHABILITATION, AND RESALE PROGRAM – ARR) (Report of: Community and Economic Development Director)

Recommendation: That the Community Redevelopment Agency of the City of Moreno Valley (“the Agency”) review the Revitalization Program, discuss the benefits and impacts the program brings to the community and consider the alternatives.

F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING TO REACTIVATE ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACT 20579 (Report of: (Report of: Public Works Director/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 comments to reactivate Zone D (Parkway Landscape Maintenance) at the proposed service level for Tract 20579 and the associated annual charges.

F3. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING TO REACTIVATE ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AT THE STANDARD SERVICE LEVEL FOR TRACT 20404 (Report of: Public Works Director/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 comments in regards to reactivating Zone D (Parkway Landscape Maintenance) at the standard level and the associated annual charge being proposed in a mail ballot proceeding for Tract 20404.

F4. CITY MANAGER’S REPORT (Oral presentation only)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

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

All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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

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

CLOSED SESSION

- **PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

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. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) 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) 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-

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

ADJOURNMENT