

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

**JANUARY 22, 2002**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS – 6:00 p.m.**

1. Employee of the Quarter - Ruth Guillen
2. Firefighter of the Quarter - Dave Parks
3. Police Officer of the Quarter - Carl Allen
4. Police Officer of the Year – Coby Webb
5. Recognition of Outgoing Police Chief Richard Coz

**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  
MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION  
REGULAR MEETING – 6:30 P.M.  
JANUARY 22, 2002**

- **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, and Moreno Valley Public Facilities Financing Corporation - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)
  
- **PLEDGE OF ALLEGIANCE**
  
- **INVOCATION** – Pastor Rich Hall, Evangelical Free Church
  
- **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.) Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person.

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.

- **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 10:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 10:00 P.M. Those wishing to speak should submit a PINK speaker slip to the Bailiff. There is a three-minute limit per person.

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.

**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. WARRANT REPORTS – DECEMBER 31, 2001 (Report of: Director of Finance/City Treasurer)**

Recommendation: Adopt Resolution No. 2002-04, approving the Warrant Reports, including wire transfers, dated December 2001 in the total amount of \$3,434,053.73.

Resolution No. 2002-04

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Reports Dated December 31, 2001

**A3. APPROVAL OF FINAL MAP 30026 – SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – SOUTH SIDE OF JOHN F. KENNEDY DRIVE, EAST OF MORENO BEACH DRIVE – SUBDIVIDER – KB HOME GREATER LOS ANGELES, INC., POMONA (Report of: Public Works Director/ City Engineer)**

Recommendation: Approve Final Map 30026, 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.

- A4. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR A TRAFFIC SIGNAL AT PERRIS BOULEVARD AND NORTHERN DANCER DRIVE - PROJECT NO. 01-42669020 (Report of: Public Works Director/ City Engineer)  
Recommendation: Adopt the Plans and Specifications on file in the office of the Public Works Director; and authorize the City Clerk to advertise for bids.
- A5. APPROVAL OF AN ADDITIONAL APPROPRIATION OF FUNDS FOR PROFESSIONAL PLAN CHECK CONSULTING SERVICES FOR THE PUBLIC WORKS DEPARTMENT LAND DEVELOPMENT DIVISION AND AMENDMENT OF AN EXISTING CONSULTANT PURCHASE ORDER FOR PLAN CHECK SERVICES (Report of: Public Works Director/ City Engineer)  
Recommendation: Approve an additional appropriation to the Public Works Professional Services Fund (00011-52310-6255) in the amount of \$250,000; and authorize an amendment to existing Purchase Order No. 23033 to Berryman and Henigar, plan check consultants, to increase the total amount to \$185,000.
- A6. RESOLUTION NO. 2002-05 SUMMARILY VACATING A PORTION OF THE NORTHERLY HALF OF COTTONWOOD AVENUE BETWEEN DAY STREET AND ELSWORTH AVENUE (Report of: Public Works Director/ City Engineer)  
Recommendation: Adopt the Resolution No. 2002-05 summarily vacating a portion of Cottonwood Avenue between Day Street and Elsworth Avenue, as described in the Exhibits attached to the resolution, and direct the City Clerk to attest to said vacation and record said resolution.

Resolution No. 2002-05

A Resolution of the City Council of the City of Moreno Valley, California, Summarily Vacating a Portion of Cottonwood Avenue, Easterly of Day Street and Westerly of Elsworth Avenue

- A7. APPROVAL OF COOPERATIVE AGREEMENT FOR STAGE 2 OF LINE "D" OF THE MASTER DRAINAGE PLAN FOR THE SUNNYMEAD AREA BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND THE CITY OF MORENO VALLEY - LOCATED ON INDIAN STREET, SOUTH OF SUPERIOR AVENUE AND NORTH OF THE PERRIS VALLEY CHANNEL LATERAL "A" (Report of: Public Works Director/ City Engineer)

Recommendation: Approve the cooperative agreement between the Riverside County Flood Control and Water Conservation District and the City of Moreno Valley; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the Riverside County Flood Control and Water Conservation District.

- A8. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT-PROJECT NO. CML 5441(024), CACTUS AVENUE, SUNNYMEAD BOULEVARD AND PIGEON PASS ROAD TRAFFIC SIGNAL INTERCONNECT INSTALLATION (Report of: Public Works Director/ City Engineer)

Recommendation: Award the construction contract for the Cactus Avenue, Sunnymead Boulevard, and Pigeon Pass Road traffic signal interconnect installation, to Pro Tech Engineering, of Anaheim, California, the lowest qualified/responsible bidder; authorize the Mayor to execute a contract agreement with Pro Tech Engineering; authorize the issuance of a Purchase Order to Pro Tech Engineering, in the amount of \$302,968.00 (the bid amount plus 10% contingency), when both parties have signed the Contract (Account Nos. Cactus Avenue - 426.80220 for \$220,072, Sunnymead Boulevard - 426.75520 for \$44,385, and Pigeon Pass Road - 426.65720 for \$38,511; and authorize a budget adjustment for \$53,000 from the general fund capital reserve to cover the upgrade cost of the interconnect conduit

- A9. 2000-2001 REPORT ON DEVELOPMENT IMPACT FEE (Report of: Finance Director/City Treasurer)

Recommendation: Approve the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006.

- A10. PURCHASE OF ASSET FORFEITURE VEHICLE (Report of: Chief of Police)  
Recommendation: Approve the purchase of a replacement vehicle for the West County Narcotics Task Force.

- A11. MINUTES – SPECIAL MEETING OF DECEMBER 18, 2001 (Report of: City Clerk)

Recommendation: Approve as submitted.

- A12. MINUTES - SPECIAL MEETING OF JANUARY 2, 2002 (Report of: City Clerk)

Recommendation: Approve as submitted.

- A13. MINUTES - REGULAR MEETING OF JANUARY 8, 2002 (Report of: City Clerk)

Recommendation: Approve as submitted.

- A14. RESOLUTION NO. 2002-07 ADOPTING THE AMENDED POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS (Report of: Public Works Director/ City Engineer)

Recommendation: Approve and adopt Resolution No. 2002-07 to amend the Policy for Conducting Mail Ballot Proceedings, ("the Policy") which will provide added direction by amending sections of the Policy to include: additional Cost of Living (COLA) verbiage, clarity of designee for tabulating and validating mail ballot proceedings, clarification of ballot results, ballot retention information, rebaloting terms, and minor grammatical revisions.

Resolution No. 2002-07

A Resolution of the City Council of the City of Moreno Valley, California, Adopting an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that the Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

- A15. PURCHASE OF NETWORK HARDWARE AND SOFTWARE (Report of: Assistant City Manager)

Recommendation: Award the purchase of network hardware and software in the amount of \$157,351.83 from Sysinct of Irvine, California.

**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. RESOLUTION NO. CSD 2002-01 ADOPTING THE AMENDED COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN POLICY (Report of: Public Works Director/ City Engineer)

Recommendation: Approve and adopt Resolution No. CSD 2002-01 to amend the Zone D (Parkway Landscape Maintenance) Service Plan Policy (the "Policy").

Resolution No. CSD 2002-01

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 to Approve and Adopt the Amended Community Services District Zone D (Parkway Landscape Maintenance) Service Plan Policy to Provide Guidelines and Standards for the Maintenance of Zone D Service Areas

- B3. MINUTES – SPECIAL MEETING OF DECEMBER 18, 2001 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- B4. MINUTES - REGULAR MEETING OF JANUARY 8, 2002 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- B5. RESOLUTION NO. CSD 2002-02 ADOPTING THE AMENDED POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS (Report of: Public Works Director/ City Engineer)  
Recommendation: Approve and adopt Resolution No. CSD 2002-02, amending the Policy for Conducting Mail Ballot Proceedings (“the Policy”).

Resolution No. CSD 2002-02

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 to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

**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 – SPECIAL MEETING OF DECEMBER 18, 2001 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- C3. MINUTES - REGULAR MEETING OF JANUARY 8, 2002 (Report of: City Clerk)  
Recommendation: Approve as submitted.

## **D. PUBLIC HEARINGS**

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

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

D1. PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR TRACT 29143 (AND ALL AFFECTED PHASES) FOR INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING), ZONE E-1 (HIGH-SERVICE LEVEL PARKWAY LANDSCAPE MAINTENANCE - TOWNGATE), AND ZONE E-1A (TRACT 29143 WALLS/ INTERNAL LANDSCAPE MAINTENANCE) (Report of: Public Works Director/ 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 Tract No. 29143 (and all affected phases) into the CSD Zone B (Residential Street Lighting), Zone E-1 (High-Service Level Parkway Landscape Maintenance - Towngate) and Zone E-1A (Tract 29143 Walls/ Internal Landscape Maintenance) the annual services charges;
2. Tabulate the mail ballots for CSD Zone B, E-1, and E-1A;
3. Verify and accept the results of the mail ballot proceeding; and
4. Authorize and impose the CSD Zones B, E-1, and E-1A charges.

D2. A PUBLIC HEARING TO REVIEW THE APPLICATIONS BY WINCHESTER AND ASSOCIATES FOR A GENERAL PLAN AMENDMENT (PA01-0032) AND CHANGE OF ZONE (PA01-0020) TO CHANGE THE DESIGNATION FROM COMMUNITY COMMERCIAL (CC) TO RESIDENTIAL 20 (R20) ON A 20.87 ACRE SITE ON THE SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF KITCHING STREET (Report of: Community and Economic Development Director)

Recommendation: The Planning Commission recommends that the City Council



conduct a public hearing and:

1. Adopt a Negative Declaration for PA01-0032 (General Plan Amendment) and PA01-0020 (Change of Zone);
2. Approve Resolution No. 2002-06, thereby approving the General Plan Amendment (PA01-0032), "Thereby changing the Land Use Map designation from CC (Community Commercial) to R20 (Residential 20 units per acre) for a 20.87 acre parcel of land located on the south side of Alessandro Boulevard, west of Kitching Street"; and

Resolution No. 2002-06

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA01-0032) to Change the Designation from Community Commercial to Residential, R20, on Land Comprising 20.87 Acres on the South Side of Alessandro Boulevard and West of Kitching Street

3. Introduce Ordinance No. 597, thereby approving the Change of Zone, (PA01-0020) "Amending the Official Zoning Atlas of said City, changing the zone from CC (Community Commercial) to R20 (Residential 20 units per acre as illustrated on the Moreno Valley Zone Change Map for a 20.87 acre parcel of land located on the south side of Alessandro Boulevard, west of Kitching Street."

Ordinance No. 597

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Change of Zone (PA01-0020) Amending the Official Zoning Atlas from CC (Community Commercial) to R20 (Residential, 20 Units per Acre) on 20.87 Acres Located on the South Side of Alessandro Boulevard, West of Kitching Street.

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

**F. REPORTS**

F1. MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (“MVPFFC”) - AMENDMENT TO BYLAWS REGARDING DATE OF ANNUAL MEETING; AND RESOLUTION ESTABLISHING THE TIME AND PLACE OF REGULAR MEETINGS (Report of: City Clerk)  
Recommendation: That the City Council in its capacity as President and Board of Directors of the Moreno Valley Public Facilities Financing Corporation:

1. Approve the proposed amendment to the corporate bylaws changing the date of annual meetings of the corporation; and
2. Adopt Resolution No. MVPFFC 2002-01 repealing, revising and reenacting the provisions of Resolution No. MVPFFC 93-01, establishing the time and place for regular meetings of the corporation.

Resolution No. MVPFFC 2002-01

A Resolution of the Board of Directors of the Moreno Valley Public Facilities Financing Corporation Repealing, Revising and Reenacting the Provisions of Resolution No. MVPFFC 93-01, Establishing a Time and Place for Regular Meetings

F2. APPOINTMENTS TO THE CITIZENS’ ADVISORY COMMITTEE ON RECREATIONAL TRAILS (Report of: City Clerk)  
Recommendation: That the City Council:

1. Review the ballot for the appointments to the Citizens’ Advisory Committee on Recreational Trails (to be provided by the City Clerk) and mark your choices where appropriate; or
2. If appointments are not made, declare the position(s) vacant; and authorize the City Clerk to re-notice the position(s) as vacant.

F3. REQUEST TO CONTINUE DISCUSSION ON CAPITAL PROJECTS (CONTINUED FROM DECEMBER 11, 2001) (Report of: Finance Director/City Treasurer)  
Recommendation: That the City Council continue this item to February 12, 2002, to allow more time to provide Council with updated cost information and a status report on all capital projects approved by Council during the past two years that were totally or partially funded by the capital expenditures reserve, as well as additional projects under consideration for funding.

- F4. FEASIBILITY OF TRAFFIC SIGNAL FOR THE INTERSECTION OF FREDERICK STREET AT BRABHAM STREET (CONTINUED FROM 12/18/01) (Report of: Public Works Director/ City Engineer)  
Recommendation: That the City Council:
1. Authorize staff to hire a consultant to design a traffic signal and related signing and striping plans for the intersection of Frederick Street and Brabham/Towngate Driveway;
  2. Authorize the Finance Director to establish an account number for this work and transfer \$10,000 from Account Number 125.67321 (Preliminary Street Engineering) to cover the design costs of the traffic signal for the subject intersection; and
  3. Authorize staff to provide partial median closure as an interim safety measure.
- F5. STATE AND FEDERAL LEGISLATIVE ADVOCACY PRIORITIES (Report of: Assistant City Manager)  
Recommendation: That the City Council approve the State/Federal Legislative Advocacy Priorities Policy.
- F6. REQUEST FOR CO-SPONSORSHIP AND WAIVER OF FEES FOR THE BLACK HISTORY CELEBRATION (Report of: Director of Parks and Recreation)  
Recommendation: That the City Council approve Alternative 1 as follows:
1. Approve the request to waive fees from the Multicultural Civic Association (MCA) for the Black History Celebration;
  2. Do not approve a request for co-sponsorship of the event; and
  3. Approve the requirement of fees paid in advance for special event insurance in the amount of \$195 and the \$300 refundable security deposit for the use of the festival site and use of the mobile stage unit.
- F7. LEGISLATIVE UPDATE (Report of: Assistant City Manager)  
Recommendation: That the City Council receive and file the Legislative Status Report.
- F8. 2002 CITY COUNCIL COMMITTEE PARTICIPATION APPOINTMENTS (Report

of: City Clerk)

Recommendation: That the City Council approve appointments to the various committees as recommended in the 2002 Council Committee Participation list as submitted by Mayor White.

- F9. CITY MANAGER'S REPORT (Informational Oral Presentation only – not for Council action)

**G. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION

ORDINANCES - 2ND READING AND ADOPTION

- G1. ADOPTION OF ORDINANCE NO. 596 (RECEIVED FIRST READING AND INTRODUCTION JANUARY 8, 2002 ON A 5-0 VOTE) (Report of: Community and Economic Development Director)

Ordinance No. 596

An Ordinance of the City Council of the City of Moreno Valley, California, Approval of a Specific Plan Amendment (SP209A3) Amending the Official Zoning Atlas from SP209 (Dealerships and Commercial to Commercial and Commercial/Residential) on Acres Located in the Vicinity of State Highway 60 and Moreno Beach Drive

ORDINANCES - URGENCY ORDINANCES

RESOLUTIONS

- PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

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

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.

- **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**