

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

FEBRUARY 26, 2002

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Chelbana Award - Ross Guy, Clarence Johnson, Caejar Cox, and Anthony Ortega

**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.
FEBRUARY 26, 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 - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

- **PLEDGE OF ALLEGIANCE**

- **INVOCATION** – Pastor Chris Weatherspoon, 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.) 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. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES - TEA 21 AQUEDUCT BIKE TRAIL IMPROVEMENTS - JFK DRIVE TO HEACOCK STREET, GRAHAM STREET TO COTTONWOOD AVENUE AND COTTONWOOD AVENUE TO PAN AM BOULEVARD - PROJECT NO. 02-46165321 (Report of: Director of Public Works/City Engineer)

Recommendation: Approve an agreement with Engineering Resources of Southern California, Inc., 3550 East Florida Avenue, Suite B, Hemet, CA, for professional consultant services; authorize the Mayor to execute said agreement for professional consultant services with Engineering Resources of Southern California, Inc.; and authorize the issuance of a purchase order to Engineering Resources of Southern California, Inc. in the amount of \$165,890, when the agreement has been signed by all parties (Account No. 225.68521).

A3. NOTICE OF COMPLETION AND ACCEPTANCE OF REDLANDS BOULEVARD STORM DRAIN LINE "F" IMPROVEMENTS – PROJECT NO. 97-25898 – FEDERAL AID PROJECT NO. BRKLS-5441(033) (Report of: Director of Public Works/City Engineer)

Recommendation: Ratify Contract Change Order Nos. 1 and 2, adjusting the bid item quantities and increasing the contract time to 63 working days; accept the work for the Redlands Boulevard Storm Drain Line "F" Improvements constructed by Bonadiman Mc Cain, Inc., San Bernardino, California, 92412, as complete; 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 Bonadiman McCain, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project; and accept the improvements into the City Maintained Road System.

- A4. NOTICE OF COMPLETION AND ACCEPTANCE OF WEST END MASTER DRAINAGE PLAN LINE H-H, PHASE II, LATERAL "A" AND THE STREET IMPROVEMENTS FOR BAY AVENUE PROJECT NO. 93-38844(2) (Report of: Director of Public Works/City Engineer)
Recommendation: Accept the work for the West End Master Drainage Plan (MDP) Line H-H, Phase II, Lateral "A" and the street improvements for Bay Avenue, between North Grant Street and Elsworth Street, constructed by Nottson Construction, Inc., Sun City, California 92586, as completed; ratify the following Contract Change Orders: Contract Change Order No. 1 reflects revised sewer lateral repairs; Contract Change Order No. 2 reflects utility conflicts and additional miscellaneous street improvements; Contract Change Order No. 3 reflects utility conflicts and unforeseen subgrade conditions; and Contract Change Order No. 4 reflects an adjustment to the final bid item quantities; 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 Nottson Construction, 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. 00142.84450).
- A5. PA 99-0033 – TEXACO STARMART – ACCEPT AGREEMENT AND BONDS FOR TRAFFIC SIGNAL IMPROVEMENTS - NORTH SIDE OF SUNNYMEAD BOULEVARD, WEST OF PERRIS BOULEVARD – DEVELOPER – SHIVALIK, INC., MORENO VALLEY. (Report of: Director of Public Works/City Engineer)
Recommendation: Accept the bonds and the Agreement for Public Improvements for traffic signal 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. WARRANT REPORTS – JANUARY 31, 2002 (Report of: Director of Finance/City Treasurer)
Recommendation: Adopt Resolution No. 2002-12, approving the Warrant Reports, including wire transfers, dated January, 2002 in the amount of \$3,405,278.46.

A Resolution of the City Council of the City of Moreno Valley, California,
Approving the Warrant Reports Dated January 31, 2002

- A7. AUTHORIZATION TO CLOSE HEACOCK STREET FROM IRIS AVENUE TO THE SOUTH CITY LIMITS AT OLEANDER AVENUE AND NANDINA AVENUE FROM HEACOCK STREET TO INDIAN STREET FROM FEBRUARY 27, 2002 TO MAY 1, 2002 (Report of: Director of Public Works/City Engineer)
Recommendation: Authorize the closure of Heacock Street from Iris Avenue to the south city limits at Oleander Avenue and Nandina Avenue from Heacock Street to Indian Street from February 27, 2002 to May 1, 2002.
- A8. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE IRIS AVENUE IMPROVEMENTS FROM INDIAN STREET TO PERRIS BOULEVARD - PROJECT NO. 01-12566721 (Report of: Director of Public Works/City Engineer)
Recommendation: Award the construction contract for the Iris Avenue Improvements to R. J. Noble Company, 15505 East Lincoln Avenue, Orange, California 92865, the lowest responsible bidder; authorize the Mayor to execute a contract agreement with R. J. Noble Company; and authorize the issuance of a Purchase Order to R. J. Noble Company in the amount of \$634,657.87 (the amount of bid plus 10% contingency) when both parties have signed the contract (Account Nos. 125.66721, 125.68020, and 225.68521).
- A9. MINUTES - REGULAR MEETING OF FEBRUARY 12, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.

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 FEBRUARY 12, 2002 (Report of: 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 12, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.

D. PUBLIC HEARINGS

- D1. A PUBLIC HEARING REGARDING THE DEVELOPMENT OF AN INDUSTRIAL WAREHOUSE DISTRIBUTION FACILITY UNDER PA01-0053 (PLOT PLAN), PA01-0054 (GENERAL PLAN AMENDMENT), P01-049 (SPECIFIC PLAN AMENDMENT) AND PA01-0080 (TENTATIVE TRACT MAP) LOCATED ON THE EAST SIDE OF PERRIS BOULEVARD AT NANDINA AVENUE, SUBMITTED BY PEPPER CONSTRUCTION AND CARTER AND BURGESS (REPRESENTING WALGREEN'S) (Report of: Director of Community and Economic Development)
Recommendation: The Planning Commission recommends that the City Council conduct a public hearing to:

- 1. Adopt a Negative Declaration for PA01-0053 (Plot Plan), P01-0054 (General Plan Amendment), P01-049 (Specific Plan Amendment) and PA01-0080 (Tentative Parcel Map) pursuant to Section 15168 (c) (2) of the California Environmental Quality Act (CEQA) Guidelines;
- 2. Approve Resolution No. 2002-13, thereby approving PA01-0053 (Plot Plan), based on the findings in the City Council Resolution and the conditions of approval attached as Exhibit A to the resolution;

Resolution No. 2002-13

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA01-0053 (Plot Plan), for a 693,660 Square Foot Industrial Warehouse Distribution Center with Ancillary Uses

- 3. Approve Resolution No. 2002-14, thereby approving PA01-0054 (General Plan Amendment) based on the findings in City Council Resolution and the conditions of approval attached as Exhibit A to the resolution;

Resolution No. 2002-14

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA01-0054) for the Moreno Valley Industrial Area Plan (SP No. 208), Allowing for the Vacation of Nandina Avenue between Perris Boulevard and Kitching Street

4. Approve Resolution No. 2002-15, thereby approving PA01-0080 (Tentative Tract Map), based on the findings in City Council Resolution and the conditions of approval attached as Exhibit A to the resolution;

Resolution No. 2002-15

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA01-0080 (Tentative Parcel Map No. 30472) to Merge Six Separate Parcels into One Parcel, and for Financing Purposes, on an Approximate 95 Acre Portion of Land within the Moreno Valley Industrial Area Plan (SP No. 208)

5. Introduce Ordinance No. 598, thereby approving the Specific Plan Amendment No. 2 (P01-049), to the Moreno Valley Industrial Area Plan, based on the Findings contained in the Ordinance.

Ordinance No. 598

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Specific Plan Amendment (P01-049) to the Moreno Valley Industrial Area Plan (SP No. 208), Allowing for the Vacation of Nandina Avenue between Perris Boulevard and Kitching Street

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

F. REPORTS

- F1. ECONOMIC DEVELOPMENT ANNUAL REPORT FOR 2001 (Report of: Director of Community and Economic Development)
Recommendation: Receive and file the Economic Development Annual Report for 2001.
- F2. UTILITY USER'S TAX STATUS REPORT (Report of: Director of Finance/City Treasurer)
Recommendation: That the City Council receive and file this report, which

provides the mid-year status of the Utility User's Tax revenue.

- F3. UPDATE ON CITY PER CAPITA COMPARISONS (ADDENDUM TO JANUARY 8, 2002 STAFF REPORT ON IMPACT OF UTILITY USER'S TAX REPEAL INITIATIVE) (Report of: Director of Finance/City Treasurer)
Recommendation: That the City Council receive and file this report.
- F4. PROPOSED 5 YEAR PLAN FOR ENHANCED POLICE SERVICES – POWERPOINT PRESENTATION (Report of: Chief of Police)
(Informational Oral Presentation only by the City Manager – not for Council action)
- F5. APPROVAL OF THE DESIGN FOR THE ROLLER HOCKEY/SKATEBOARD PARK (Report of: Director of Parks and Recreation)
Recommendation: That the City Council, acting in their respective capacity as President and Board of Directors of the Moreno Valley Community Services District, review and approve the final design of the roller hockey/skateboard facility at March Field Park.
- F6. RECRUITMENT CAMPAIGN FOR ADVISORY COMMITTEES (CONTINUED FROM DECEMBER 11, 2001) (Report of: City Clerk)
Recommendation: That the City Council approve the following recommendations to improve the recruitment process for advisory committees:
1. Accept year-round applications, which would be retained for one year after submittal;
 2. Reduce to seven (by attrition, if necessary), the number of public voting members in those committees currently composed of nine members, with the exception of those committees who wish to retain the current membership levels. The number of nonvoting auxiliary members on any committees would not be reduced;
 3. Allow committees to vote to meet quarterly or bi-monthly rather than monthly (some committees may choose to continue meeting monthly);
 4. Hold an annual orientation program for prospective committee members;
 5. Require that prospective applicants attend at least one meeting of their desired committee(s) prior to appointment;
 6. Eliminate the current practice of preparing a staff report to request that Council declare a vacancy by formally delegating that responsibility to the City Clerk, thus expediting the recruiting process;
 7. Announce future openings or vacancies during City Council meetings, upon notification of such openings or vacancies by the City Clerk;

8. Meet annually with committee chairpersons to receive reports from all committees;
9. Meet at least bi-annually with each committee to review their work programs and discuss policy issues;
10. Allow and encourage committees to initiate and agendize their own projects within their jurisdiction;
11. Direct committee members to set goals at the first quarterly meeting of year, with results (work program) presented to the City Council;
12. Utilize Moreno Valley Live to allow committee chairpersons or other members to publicize the purposes and assignments of their respective committees;
13. Direct staff to amend the Municipal Code and Administrative Policy to clarify the inconsistency regarding attendance (see Discussion section below);
14. Direct staff to agendize a discussion on the possible reduction of members of the Project Area Committee (see Discussion section below);
15. Direct staff to draft ordinance eliminating the Airport Commission.

F7. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
 Recommendation: That the City Council receive and file the Legislative Status Report.

F8. RIVERSIDE COUNTY INTEGRATED PROJECT (RCIP), MEASURE A RENEWAL, RIVERSIDE COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN (RCMSHCP), TRANSPORTATION MITIGATION FEE (TUMF), AND RELATED ISSUES (Informational Oral Presentation only by the City Manager – not for Council action)

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

ORDINANCES - URGENCY ORDINANCES

RESOLUTIONS

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