

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

APRIL 9, 2002

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Citizen of the Year Award
2. National Library Week Proclamation
3. CDBG 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.
APRIL 9, 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 Charles Gibson, Breakthrough Church of God in Christ

- **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. FINAL MAPS 21040-3 & 21040-4 – ACCEPT SUBSTITUTION OF BONDS AND AGREEMENT FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – NORTH OF ELDER AND EAST OF MORRISON STREET, FIESTA DEVELOPMENT INC., CORONA, CA (Report of Director of Public Works/City Engineer)

Recommendation: Accept the substitution of bonds and Agreement for Public Improvements; authorize the Mayor to execute the agreements; direct the City Clerk to forward the signed agreements to the County Recorder's Office for recordation; and instruct the City Engineer to prepare the exoneration of the Faithful Performance Bonds and Material & Labor Bonds placed by Procopius Land Company upon acceptance of the substitution bonds and agreements.

A3. FINAL MAP 23008 – ACCEPT SUBSTITUTION OF BONDS AND AGREEMENT FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – SOUTH SIDE OF IRIS AVENUE AND EAST OF LASSELLE STREET, PACIFIC COMMUNITIES BUILDER, INC., NEWPORT BEACH, CA (Report of: Director of Public Works/City Engineer)

Recommendation: Accept the substitution of bonds and Agreement for Public Improvements; authorize the Mayor to execute the agreement; direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation; and instruct the City Engineer to prepare the exoneration of the Faithful Performance Bond and Material and Labor Bond placed by MVR Properties, LLC, upon acceptance of the substitution bonds and agreement.

- A4. MOBILEHOME GRANT PROGRAM REVISION (Report of: Director of Community and Economic Development)
Recommendation: Approve increasing the current maximum Mobilehome Grant amount from \$7,500 to \$10,000.
- A5. APPROVAL OF PARCEL MAP 29968-A 16 PARCEL INDUSTRIAL/COMMERCIAL DEVELOPMENT - SOUTH SIDE OF ALESSANDRO BOULEVARD, EAST SIDE OF ELSWORTH STREET, NEWHOPE PROPERTIES III, CGP, FOUNTAIN VALLEY, CA (Report of: Director of Public Works/City Engineer)
Recommendation: Approve Parcel Map 29968 and authorize the City Clerk to sign the map and transmit said map to the County Recorder's office for recordation.
- A6. MINUTES – REGULAR MEETING OF MARCH 12, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A7. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SIDEWALKS ON ADRIENNE AVENUE, ALLIES PLACE, COURAGE STREET, AND PRIDE LANE (SOUTHEAST EDGEMONT AREA), PROJECT NO. 01-14368520 (Report of: Director of Public Works/City Engineer)
Recommendation: Award the construction contract for the CDBG Sidewalks base bid items and additive bid "A" items to Elite Bobcat Service, Inc., 1320 East Sixth Street, Suite 100, Corona, California 92879-1700, the lowest responsible bidder; authorize the Mayor to execute a contract agreement with Elite Bobcat Service, Inc.; authorize the issuance of a Purchase Order to Elite Bobcat Service, Inc. in the amount of \$134,702.98 (the amount of base bid and additive bid "A" [\$122,457.25] plus 10% contingency) when both parties have signed the contract (Account No. 143.68520); authorize the City Manager to issue a Contract Change Order after April 15, 2002, to include additive bid "B" items and additive bid "C" items; and authorize the issuance of a Contract Change Order to the Purchase Order to Elite Bobcat Service, Inc. to increase the Purchase Order amount by \$28,660.50 (the amount of additive bid "B" [\$11,290.00] and "C" [\$14,765.00] plus 10% contingency) when both parties have signed the Contract Change Order (Account No. 143.68520)
- A8. APPROVAL OF FINAL MAP 30301 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT & BONDS FOR PUBLIC RIGHT-

OF-WAY IMPROVEMENTS. NORTH SIDE OF CALLE AGUA, WEST OF LASSELLE ST., - K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA (Report of: Director of Public Works/City Engineer)

Recommendation: Approve Final Map 30301, 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. 2001 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Director of Community and Economic Development)

Recommendation: Receive and file the 2001 Annual Report of the Planning Commission and authorize transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

- A10. APPROVE THE BALLOT FOR AN INCREASE IN STREET LIGHTING CHARGE AFFECTING COTTONWOOD GOLF CENTER IN THE EDMONT COMMUNITY SERVICES DISTRICT (Report of: Director of Public Works/City Engineer)

Recommendation: Review the letter, notice and mail ballot that have been submitted by Edgemont Community Services District (ECSD) for the purpose of balloting (voting) on an "increase in charge/assessment for street lighting charge" affecting the Cottonwood Golf Center, Assessor's Parcel No. (APN) 291-250-005-4, city owned property, located within Zone 7 of ECSD; exercise the option to ballot (vote) to approve (Yes) the proposed increase in charge/assessment to continue providing street lighting services as submitted by the ECSD including any increase in future charge/assessment for electricity costs that may be passed on to ECSD by Edison; and authorize the City Manager to mark the ballot as approved (Yes) and sign on behalf of the City of Moreno Valley as the record owner of property.

- A11. APPROVAL OF AN ADDITIONAL APPROPRIATION OF FUNDS FOR PROFESSIONAL PLAN CHECK SERVICES FOR THE PUBLIC WORKS DEPARTMENT LAND DEVELOPMENT DIVISION (Report of: Director of Public Works/City Engineer)

Recommendation: Approve an additional appropriation to the Public Works Professional Services Fund (00011-52310-6255) in the amount of \$400,000; and authorize the City Manager to issue one or more purchase orders in excess of \$100,000 each not to exceed a combined total of \$400,000 for this additional appropriation.

- A12. SITE LEASE FOR PERSONAL COMMUNICATION SERVICE (PCS) FACILITY AT SUNNYMEAD RANCH FIRE STATION NO. 48 (Report of: Fire Chief)

Recommendation: Authorize the Mayor to execute a PCS Site Agreement, subject to the addendum with Cox PCS Assets, LLC for approximately 484 square feet being a portion of Sunnymead Ranch Fire Station No. 48 known as Assessor's Parcel Number 260-460-009 located at Sunnymead Ranch Parkway and Village Road.

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 MARCH 12, 2002 (Report of: City Clerk)

Recommendation: Approve as submitted.

- B3. APPROVE FILING OF AN APPLICATION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION NUTRITION DIVISION FOR THE CHILD CARE FOOD REIMBURSEMENT PROGRAM (Report of: Director of Parks and Recreation)

Recommendation: Approve the filing of an application with the California Department of Education Nutrition Division for the Child Care Food Reimbursement Program. The program would provide funds in the amount of approximately \$42,000 a year for reimbursement for serving snacks to the after school Child Care Grant Program and PAL Program (Police Activities League-SOAR) and adopt Resolution No. CSD 2002-03 to certify the approval of the governing board to enter into this transaction with the California Department of Education Nutrition Division for the purpose of applying for the Child Care Food Reimbursement Program, and to authorize designated personnel, as shown on the resolution, to sign contract documents for FY 2001/02, 2002/03, 2003/04.

Resolution No. CSD 2002-03

A Resolution of the Mayor and 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 Entering into Contract for Reimbursement of Nutritious Meals and Snacks for After School Childcare Program and PAL Program and to Authorize Designated Personnel to Sign Contract Documents for Fiscal Years 2001/2002 and 2002/2003

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

D. PUBLIC HEARINGS

- D1. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT NO. 30317 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) (Report of: Director of Public Works/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 Tentative Tract No. 30317 (and all affected phases) into the CSD Zone B (Residential Street Lighting) and the annual service charge;
 - 2) Tabulate the mail ballots for CSD Zone B;
 - 3) Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;
 - 4) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
 - 5) Authorize and impose the CSD Zone B charge.

D2. A PUBLIC HEARING FOR PA02-0018 TO APPROVE A PUBLIC FACILITIES FEE CREDIT AGREEMENT, SUBMITTED BY WESTERN PACIFIC HOUSING INC., FOR TRACT NO. 29143 WITHIN THE TOWNGATE SPECIFIC PLAN (NO. 200), WHICH INCLUDED A RECENTLY APPROVED 557 LOT SINGLE-FAMILY RESIDENTIAL HOUSING TRACT AND PUBLIC PARK AND POSSIBLE SCHOOL SITE, LOCATED WITHIN THE SOUTHWEST PORTION OF THE TOWNGATE SPECIFIC PLAN (SP 200), ENCOMPASSING AN AREA FROM DAY STREET TO THE WEST, EUCALYPTUS AVENUE TO THE NORTH, ELSWORTH STREET TO THE EAST AND COTTONWOOD AVENUE TO THE SOUTH. (Report of: Director of Community and Economic Development)

Recommendation: That the City Council conduct a public hearing to:

- 1) Recognize that the Public Facilities Fee Credit Agreement is not considered to have the potential for any direct or indirect environmental impacts under the California Environmental Quality Act (CEQA) and is therefore exempt under Section 15061 of the CEQA Guidelines;
- 2) Approve Resolution No. 2002-25, thereby approving PA02-0018 (Public Facilities Fee Credit Agreement), based on the findings in the City Council Resolution attached as Exhibit A to the resolution; and

Resolution No. 2002-25

A Resolution of the City Council of the City of Moreno Valley Approving PA02-0018, Relating to a Public Facilities Fee Credit Agreement for a Recently Approved 557 Lot Single-Family Residential Housing Tract with a Public Park

- 3) Authorize the Mayor to execute the Public Facilities Fee Credit Agreement

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

F. REPORTS

- F1. UPDATE ON MARCH JPA BY STEVE ALBRIGHT, EXECUTIVE DIRECTOR (ORAL PRESENTATION ONLY – NO WRITTEN MATERIAL PROVIDED ON THIS ITEM)
- F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – ELEVEN (11) 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 comments in regards to Zone D (Parkway Landscape Maintenance) and the associated annual charge being proposed in mail ballot proceedings for eleven (11) tracts.
- F3. APPROVAL OF FINAL MAPS 29143-2, 29143-3, 29143-4, 29143-5, 29143-6 AND 29143 – SINGLE FAMILY RESIDENTIAL PROJECTS AND ACCEPT AGREEMENTS AND BONDS FOR PARK AND PUBLIC RIGHT-OF-WAY IMPROVEMENTS – SOUTH OF EUCALYPTUS AVENUE, EAST OF DAY STREET, AND NORTH OF COTTONWOOD AVENUE, WESTERN PACIFIC HOUSING (CONTINUED FROM APRIL 9, 2002) (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council:
1. Approve Final Maps 29143-2, 29143-3, 29143-4, 29143-5, 29143-6, and 29143, subject to execution of a Public Facilities Fee Credit Agreement, authorize the City Clerk to sign the maps and transmit said maps to the County Recorder's Office for recordation;
 2. Accept the bonds and Agreement for Public Improvements for each said tentative tract map;
 3. Accept the bonds and Agreement for Park Improvements;

4. Authorize the Mayor to execute the agreements ; and
 5. Direct the City Clerk to forward the signed agreements to the County Recorder's Office for recordation.
- F4. PRESENTATION OF DEPARTMENTAL 5-YEAR PLAN/POWERPOINT PRESENTATION – CITY CLERK
- F5. COMMERCIAL TRUCK PARKING ON THE SOUTH SIDE OF ALESSANDRO BOULEVARD FROM THE FUTURE NEWHOPE STREET TO FREDERICK STREET (Report of: Director of Public Works/City Engineer)
 Recommendation: That the City Council approve elimination of the designated commercial truck parking area on the south side of Alessandro Boulevard from the future Newhope Street to Frederick Street.
- F6. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
 Recommendation: That the City Council receive and file the Legislative Status Report.
- F7. CITY MANAGER'S REPORT (Informational Oral Presentation only – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS (Report of: Director of Public Works/City Engineer)
 Recommendation: That the City Council:
1. Receive and file this report; and
 2. Introduce Ordinance No. 600, amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code designating prima facie speed limits on certain streets (as listed on the ordinance) and directing the City Engineer to take certain action respect thereto. (Roll call required)

Ordinance No. 600

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

ORDINANCES - 2ND READING AND ADOPTION

- G2. ADOPTION OF ORDINANCE NO. 599 (RECEIVED FIRST READING AND INTRODUCTION MARCH 26, 2002 ON A 4 –1 VOTE, WEST ABSENT) (Report of: Community and Economic Development Director)

Ordinance No. 599

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA01-0082 (Municipal Code Amendment), Amending Chapter 9.08.030 of the City of Moreno Valley Municipal Code to Allow for Greater Height of Architectural Projections in Residential and Nonresidential Districts

ORDINANCES - URGENCY ORDINANCES

RESOLUTIONS

- G3. A RESOLUTION OF DENIAL FOR PA00-0001N (CONDITIONAL USE PERMIT) AND P00-041N (REVISION TO THE MASTER PLOT PLAN) LOCATED ON THE WEST SIDE OF FREDERICK STREET, SOUTHWEST OF THE HIGHWAY 60 OFF-RAMP AND SUBMITTED BY CHEVRON PRODUCTS COMPANY (Report of: Community and Economic Development Director)

Recommendation: That the City Council approve Resolution No. 2002-26, thereby denying PA00-0001N (Conditional Use Permit) and P00-041N (Revision to the Master Plot Plan), based on the findings included in the Resolution.

Resolution No. 2002-26

A Resolution of the City Council of the City of Moreno Valley Denying PA00-0001N, A Conditional Use Permit for a Proposed 2,131 Square Foot Gas Station, Including a Canopy with Six (6) Pumps/Dispensers and a Food Mart with Beer and Wine Sales, and P00-041N, for the Modification of the Towngate (SP 200) Master Plot Plan from an Office Building to a Retail Gas Station with Market

ADJOURNMENT OF CITY COUNCIL TO MORENO VALLEY PUBLIC FACILITIES
FINANCING CORPORATION ANNUAL MEETING

**ANNUAL MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING
CORPORATION (MVPFFC)**

CALL TO ORDER

ROLL CALL

There are no reports or issues before the Corporation to be addressed

**ADJOURN ANNUAL MEETING OF THE MORENO VALLEY PUBLIC FACILITIES
FINANCING CORPORATION**

**RECONVENE 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**

- 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