

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

JUNE 11, 2002

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Awards of Excellence for MVTV-3

**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.
JUNE 11, 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 David Miller, Lord of Life Lutheran 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, Sections A, B, and C, 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 – SPECIAL MEETING OF APRIL 30, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A3. MINUTES – SPECIAL MEETING OF MAY 7, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A4. MINUTES – REGULAR MEETING OF MAY 14, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A5. CONFLICT OF INTEREST CODE – AGENCY REVIEW (Report of: City Clerk)
Recommendation: Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2002.
- A6. MEASURE "A" LOCAL STREETS AND ROADS FUND PROGRAM FIVE YEAR CAPITAL IMPROVEMENT PLAN FISCAL YEAR 2003-2007 (Report of: Director of Public Works/City Engineer)
Recommendation: Approve the Measure "A" Local Streets and Roads Fund Program, Five-Year Capital Improvement Plan list of projects as identified in the tables entitled Riverside County Transportation Commission (RCTC), Measure "A" Local Fund Program, Fiscal Year 2003-2007 and authorize the submittal of the RCTC, Measure "A" Local Fund Program, Fiscal Year 2002-2007, and the Maintenance of Effort (MOE) Certification Statement.

- A7. APPROVAL OF PARCEL MAP 30123, SOUTH SIDE OF POSTAL AVE., EAST OF HEACOCK ST. AND WEST OF BACK WAY (Report of: Director of Public Works/City Engineer)
 Recommendation: Approve Parcel Map 30123, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A8. AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON THURSDAY, JULY 4, 2002 (Report of: Director of Parks and Recreation)
 Recommendation: That the City Council:
1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on Thursday, July 4, 2002:
 - a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
 - b. Frederick Street between Centerpointe Drive and Cactus Avenue;
 - c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
 - d. Eucalyptus Avenue between Pan Am Boulevard and Graham Street;
 - e. Dracaea Avenue between Pan Am Boulevard and Graham Street;
 - f. Atlantic Circle east of Frederick Street;
 - g. Brabham Street between Frederick Street and Andretti Street;
 - h. TownGate Boulevard between Frederick Street and Heritage Way;
 - i. Bay Avenue between Kristina Court and Courage Street;
 - j. Alessandro Boulevard between Chagall Court and Courage Street;
 - k. Resource Way between Frederick Street and Corporate Way;
 - l. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
 - m. Calle San Juan de Los Lagos between Frederick Street and Corporate Way.
 2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program.
 - a. Petaluma Avenue between Napa Valley and Morrison Street;
 - b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
 - c. Lakeport Drive at Cottonwood Avenue;
 - d. Burney Pass between Cottonwood Avenue and Dracaea Avenue; and

- d. Rockport Drive between Yuba Pass Road and Morrison Street.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

- A9. APPROVAL OF PARCEL MAP 30352, WEST SIDE OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE AND NORTH OF OLEANDER AVENUE (SUBDIVIDER – MCKENZIE VISTA, L.P., Laguna Woods) (Report of: Director of Public Works/City Engineer)
Recommendation: Approve Parcel Map 30352, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

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 – SPECIAL MEETING OF MAY 7, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B3. MINUTES – REGULAR MEETING OF MAY 14, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B4. EXTENSION OF CONTRACT – PROJECT NO. D-SG1/01 – MAINTENANCE OF STANDARD LANDSCAPING AND IRRIGATION (Report of: Director of Public Works/City Engineer)
Recommendation: Approve the Amendment to the Contract Agreement for MVCSD Project D-SG/01 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Excel Landscape, Inc. of Corona, California; authorize the Purchasing Manager to issue open purchase orders to Excel Landscape, Inc. in the amounts of:
 - a.) Two Hundred Twelve Thousand Two Hundred Ninety Dollars and 44/100 (\$212,290.44) for twelve months of base maintenance service; and
 - b.) Twelve Thousand Two Hundred Forty-Five Dollars and No/100

(\$12,245.00) for anticipated Additional Work per Section 3., paragraph d. of the amended agreement.

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 MAY 7, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- C3. MINUTES – REGULAR MEETING OF MAY 14, 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 FOR INCLUSION OF TENTATIVE TRACT NO. 30195 (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) Tabulate the mail ballots for CSD Zone B;
 - 2) Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;
 - 3) Receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and
 - 4) Authorize and impose the CSD Zone B charges.
- D2. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL SERVICE CHARGE FOR THE STREET TREE LANDSCAPING PROGRAM – TRACTS 10191/18468 (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) Tabulate the mail ballots for Tracts 10191/18468 regarding the Zone D (Parkway Landscape Maintenance) annual service charge and the Street Tree Landscaping Program;
- 2) Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;
- 3) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
- 4) Authorize and impose the applicable CSD Zone D annual service charge.

D3. PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR 2002/2003 (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), approve and adopt:

- Resolution No. CSD 2002-08 (Zone A);
- Resolution No. CSD 2002-09 (Zone B);
- Resolution No. CSD 2002-10 (Zone C);
- Resolution No. CSD 2002-11 (Zone D);
- Resolution No. CSD 2002-12 (Zone E);

to continue the proposed current annual parcel charges for providing service to parks, parkways (medians), recreation programs, residential street lighting, arterial street lighting, parkway landscaping, and extensive landscaping services during the fiscal year 2002/03, as submitted in the Annual Levy Report on file in the office of the City Clerk.

Resolution No. CSD 2002-08

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 Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Parks, Parkways, and Recreation Services During Fiscal Year 2002/03

Resolution No. CSD 2002-09

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 Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Residential Street Lighting Services During Fiscal Year 2002/03

Resolution No. CSD 2002-10

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 Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Intersection and Arterial Street Lighting Services During Fiscal Year 2002/03

Resolution No. CSD 2002-11

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 Currently Approved Parcel Charge for Furnishing Parkway Landscape Improvement and Maintenance Services During Fiscal Year 2002/03

Resolution No. CSD 2002-12

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 Currently Approved Parcel Charge for Furnishing High-Service-Level Parkways Improvement and Maintenance Services During Fiscal Year 2002/03

- D4. 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. 2002-40 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. 2002-40

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2002/03 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1.

- D5. 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, approve and adopt Resolution No. 2002-41 implementing the method and rate of apportionment of the special tax levy required to cover the 2002/03 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. 2002-41

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2002/2003 Regarding Community Facilities District No. 87-1 (Towngate)

- D6. 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. 2002-42 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. 2002-42

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2002/2003 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

- D7. A PUBLIC HEARING REGARDING PA02-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE, SUBMITTED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT OF THE CITY OF MORENO VALLEY, AMENDING OR ADDING MUNICIPAL CODE PROVISIONS REGARDING DEVELOPMENT REVIEW REQUIREMENTS, INCOMPLETE AND INACTIVE APPLICATIONS, RESIDENTIAL DEVELOPMENT STANDARDS, PLANNED UNIT DEVELOPMENTS, AIRPORT LAND USE COMPATIBILITY, ACCESSORY STRUCTURES, FENCES AND WALLS, COMMUNICATION FACILITIES, WIND ENERGY SYSTEMS, COMPACT PARKING, NEIGHBORHOOD IDENTIFICATION SIGNS, OFF-SITE REAL ESTATE SIGNS AND ARCHITECTURAL

COMPATIBILITY (Report of: Director of Community and Economic Development)
Recommendation: That the City Council conduct a public hearing regarding PA02-0007, and

1. Adopt a Negative Declaration for PA02-0007 pursuant to Section 15070 of the Guidelines for the Implementation of the California Environmental Quality Act; and
2. Introduce Ordinance No. 604, thereby approving PA027-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code (Attachment 2)

Ordinance No. 604

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code Regarding Development Review Requirements, Incomplete and Inactive Applications, Residential Development Standards, Planned Unit Developments, Airport Land Use Compatibility, Accessory Structures, Fences and Systems, Compact Parking, Neighborhood Identification Signs, Off-Site Real Estate Signs and Architectural Compatibility

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

F. REPORTS

- F1. RESOLUTION NO. CSD 2002-06, APPROVE AND ADOPT THE COMMUNITY SERVICE DISTRICT ZONES B AND C STREET LIGHTING POLICY (CONTINUED FROM MAY 28, 2002) (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, acting in the capacity as the Board of Directors of the Moreno Valley Community Services District, approve and adopt Resolution No. CSD 2002-06, the Community Services District Zones B (Residential) & C (Arterial) Street Lighting Policy (the "Policy"). This policy establishes guidelines and standards for the installation of residential and arterial street lighting consistent with the state legislation requirements of Proposition 218.

Resolution No. CSD 2002-06

A Resolution of the Moreno Valley Community Services District of of the City

of Moreno Valley, California, Hereby Certifies to Approve and Adopt the Community Services District Zones B (Residential) and C (Arterial) Street Lighting Policy

- F2. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: Receive and file the Legislative Status Report
- F3. CITY MANAGER'S REPORT (Informational Oral Presentation only - not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. DISCHARGE OF FIREARMS ORDINANCE (Report of: Chief of Police)
Recommendation: That the City Council introduce Ordinance No. 603 regulating the discharge of weapons within the city limits. (Roll call required).

Ordinance No. 603

An Ordinance of the City Council of the City of Moreno Valley, California,
Regulating the Discharge of Weapons Within the City

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

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: -1-
- b) **SECTION 54956.9(c) - Initiation of litigation**
Number of Cases: -1-

2) **SECTION 54957.6 – LABOR NEGOTIATIONS**

- a) **Agency Representative: Gene Rogers**
Employee Organization: MVCEA
- b) **Agency Representative: Gene Rogers**
Employee Organization: MVMA

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

ADJOURNMENT