

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

**JULY 9, 2002**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS – 6:00 p.m.**

1. Employee of the Second Quarter – Jeri Eckles, Parks & Recreation Senior Program Coordinator
2. Firefighter of the Quarter – James Cook, Battalion Chief
3. Officer of the Quarter - Detective Perry Mullin

**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.  
JULY 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** – Don Maresh, Ministry Assistant, Moreno Valley Christian 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 – REGULAR MEETING OF JUNE 11, 2002 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- A3. MINUTES – REGULAR MEETING OF JUNE 25, 2002 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- A4. NOTICE OF COMPLETION AND ACCEPTANCE OF THE FISCAL YEAR 2000/2001 SLURRY SEAL PROGRAM, PROJECT NO. 00-84820 (Report of: Public Works Director/City Engineer)  
Recommendation: Accept the work as complete for the Fiscal Year 2000/2001 Annual Slurry Seal Program constructed by Pavement Coatings Company, 5312 Cypress, Cypress, California 90630; 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 Finance Director to release the retention to Pavement Coatings Company, thirty-five (35) calendar days after the date of recordation of the Notice of Completion as provided by law (Account No. 125.84830); and accept the street improvements into the City maintained road system.
- A5. FAMILY SERVICE ASSOCIATION OF WESTERN RIVERSIDE COUNTY LOAN AGREEMENT (Report of: Community and Economic Development Department Director)  
Recommendation: Approve the agreement between the City of Moreno Valley and Family Service Association of Western Riverside County for child care services; and direct the City Manager to execute the agreement on behalf of the City.
- A6. FINAL MAP 23388 – SINGLE FAMILY RESIDENTIAL PROJECT - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION)–NORTH SIDE OF JOHN F. KENNEDY DRIVE EAST OF MORENO BEACH DRIVE – SUBDIVIDER: KB HOME (POMONA) (Report of: Public Works Director/City

Engineer)

Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Final Map 23388; and instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation.

- A7. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE ALESSANDRO ENTRYWAY IMPROVEMENTS FROM DAY STREET TO THE OLD I-215, PROJECT NO. 98-92777 (Report of: Director of Public Works/City Engineer)

Recommendation: Award the construction contract for the Alessandro Entryway Improvements base bid and additives bid "A" and "B" items to Laird Construction Co. Inc., 9460 Lucas Ranch Road, Rancho Cucamonga, California 91730-5797, the lowest responsible bidder; authorize the Mayor to execute a contract agreement with Laird Construction Co.; authorize the Finance Director to create a new account in the Measure "A" fund, and to transfer \$59,420 from Measure "A" fund Account No. 125.65420 into the new Measure "A" Fund Account and authorize the issuance of a purchase order for Laird Construction Co. Inc. in the amount of \$354,445.30 (the amount of base bid and additive bid "A" and "B" items [\$322,223.00] plus 10% contingency) when both parties have signed the contract (Account Nos. 892.77730, 892.7223, and Measure "A" fund account to be determined).

- A8. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL AT FREDERICK STREET AND BRABHAM STREET/TOWNGATE CENTER DRIVEWAY, PROJECT NO. 01-12567321 (3) (Report of: Director of Public Works/City Engineer)

Recommendation: Award the construction contract for the traffic signal at the intersection of Frederick Street and Brabham Street/Towngate Center Driveway to DBX, Inc., 42066 Avenida Alvarado, Suite C, Temecula, California 92590, the lowest responsible bidder; authorize the Mayor to execute a contract agreement with DBX, Inc. and authorize the issuance of a Purchase Order for DBX, Inc. in the amount of \$146,339.60 (the bid amount plus 10% contingency) when both parties have signed the contract (Account No. 125.82921).

- A9. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR FISCAL YEAR 2001/2002 SLURRY SEAL PROGRAM, PROJECT NO. 01-12584830 (Report of: Director of Public Works/City Engineer)

Recommendation: Award the construction contract for the Fiscal Year 2001/2002 Annual Slurry Seal Program to Roy Allan Slurry Seal, Inc., 11922 Bloomfield Avenue, Santa Fe Springs, California 90670, the lowest responsible bidder; authorize the Mayor to execute a contract with Roy Allan Slurry Seal Inc., and authorize the issuance of a purchase order for Roy Allan Slurry Seal, Inc., in the amount of \$829,820.96 (the amount of the bid plus 10% contingency) when both parties have signed the contract (Account No. 125.84830).

- A10. ADOPT RESOLUTION NO. 2002-50, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA ENERGY COMMISSION FOR FUNDING THE BATTERY BACKUP SYSTEM PROGRAM FOR LIGHT EMITTING DIODE TRAFFIC SIGNALS (Report of: Director of Public Works/City Engineer)  
Recommendation: Adopt Resolution No. 2002-50, authorizing the submittal of an application to the California Energy Commission for funding the Battery Backup System (BBS) Program for Light Emitting Diode (LED) traffic signals and designating the City Manager to execute all necessary documents.

Resolution No. 2002-50

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Submittal of an Application to the California Energy Commission for Funding the Battery Backup System for Traffic Signals in Conjunction with Light Emitting Diodes; and Designating the City Manager to Execute all Necessary Documents

- A11. PURCHASE OF THERMAL IMAGING CAMERAS FROM EMERGENCY SERVICES AGENCY FINES (Report of: Fire Chief)  
Recommendation: Appropriate funds to purchase three Thermal Imaging Cameras in the amount of \$48,618 from the Other Materials/Equipment account (133.65110.6641.648). These funds are available from the Emergency Services Agency Fines.
- A12. PA-97-0004 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2002-51, 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 PIGEON PASS ROAD INTO THE CITY MAINTAINED STREET SYSTEM – WEST SIDE OF PIGEON PASS ROAD AND NORTH OF COUGAR CANYON DRIVE (THE ROMAN CATHOLIC BISHOP OF SAN BERNARDINO, A CORPORATION SOLE) (Report of: Director of Public Works/City Engineer)  
Recommendation: Approve a 90% reduction of the Faithful Performance Bond for PA97-0004; instruct the City Engineer to prepare a 90% reduction to the Faithful Performance Bond; and adopt Resolution No. 2002-51 authorizing the acceptance of the public right-of-way improvements for PA97-0004 as complete and accepting Pigeon Pass Road into the City maintained street system.

Resolution No. 2002-51

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within PA97-0004, and Accepting Pigeon Pass Road into the City Maintained Street System

- A13. FINAL MAP 19879 – SINGLE FAMILY RESIDENTIAL SUBDIVISION – ACCEPT

AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTH SIDE OF COTTONWOOD AVENUE AT MARTHA CRAWFORD STREET (KINCAID DEVELOPMENT, INC.) (Report of: Director of Public Works/City Engineer)  
Recommendation: Accept the bonds and the Agreement for Public Improvements for Final Map 19879; 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.

- A14. AUTHORIZATION TO CLOSE AUTO MALL DRIVE FROM EUCALYPTUS AVE. TO MOTOR WAY FROM JULY 12, 2002 TO JULY 14, 2002 (MORENO VALLEY CHEVROLET OLDSMOBILE) (Report of: Director of Public Works/City Engineer)  
Recommendation: Authorize the closure of Auto Mall Drive from Eucalyptus Avenue to Motor Way from July 12, 2002 to July 14, 2002.
- A15. ADOPT RESOLUTION NO. 2002-52, DESIGNATING CITY CONSULTANTS HDL COMPANIES AND MBIA MUNISERVICES, AS AUTHORIZED CITY REPRESENTATIVES TO EXAMINE SALES AND USE TAX RECORDS (Report of: Director of Finance/City Treasurer)  
Recommendation: Adopt Resolution No. 2002-52, authorizing city consultants, Hdl Companies and MBIA MuniServices, as the authorized city representatives to examine sales and use tax records.

Resolution No. 2002-52

A Resolution of the City Council of the City of Moreno Valley Designating City Consultants as Authorized City Representatives to Examine Sales and Use Tax Records

- A16. APPROVAL OF AGREEMENT WITH CALTROP ENGINEERING CORPORATION FOR PROFESSIONAL CONSULTANT SERVICES FOR THE PUBLIC WORKS DEPARTMENT, LAND DEVELOPMENT DIVISION (Report of: Director of Public Works/City Engineer)  
Recommendation: Approve an agreement with CALTROP Engineering Corporation (Caltrop) for professional consultant services for the Public Works Department, Land Development Division; authorize the Mayor to execute the said agreement with Caltrop approved by the City Attorney; and authorize the issuance of a purchase order for Caltrop in the amount of \$135,000 when the agreement has been signed by all parties.
- A17. CITY OF PERRIS ANIMAL SHELTERING AGREEMENT (Report of: Assistant City Manager)  
Recommendation: Approve the Animal Sheltering Agreement with the City of Perris.
- A18. FISCAL YEAR 2002/03 MEMORANDUM OF UNDERSTANDING EXTENSION

WITH MORENO VALLEY CITY EMPLOYEE'S ASSOCIATION (MVCEA) (Report of: City Manager)  
Recommendation: Approve the Memorandum of Understanding extension if it is ratified by MVCEA membership on July 8, 2002.

**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 JUNE 11, 2002 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- B3. MINUTES – REGULAR MEETING OF JUNE 25, 2002 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- B4. 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 \$607,485 for fiscal year 2002/2003 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 2002-13 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 2002/03.

Resolution No. CSD 2002-13

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 2002/03

**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 JUNE 11, 2002 (Report of: City Clerk)  
Recommendation: Approve as submitted.

C3. MINUTES – REGULAR MEETING OF JUNE 25, 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. 19879 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE D (PARKWAY 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. Tabulate the mail ballots for CSD Zones B and D;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached 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 Zones B and D charges.

D2. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT NO. 27251-1 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE D (PARKWAY 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. Tabulate the mail ballots for CSD Zones B and D;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached 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 Zones B and D charges.
- D3. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT NO. 30300 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) (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. Tabulate the mail ballots for CSD Zones B;
  2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached 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 Zones B charge.

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

**F. REPORTS**

- F1. CITY COUNCIL ATTENDANCE AT SUBCOMMITTEE MEETINGS (Report of: Assistant City Manager)  
 Recommendation: That the City Council adopt the revised Legislative Policy #1.8 that will state: 1) If additional council members wish to attend a city council subcommittee meeting, it is to be noticed as a special meeting, and 2) Only the subcommittee can take action as in their normal course of business (without full Council attendance) and that any actions or direction of the subcommittee must be considered by the City Council at a regular or special City Council meeting.
- F2. AMENDED 2000 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDING ALLOCATION (Report of: Police Chief)  
 Recommendation: Approve the amended list of items to be purchased with the 2000 Local Law Enforcement Block Grant (LLEBG) monies included in the amended list is the purchase of a traffic reconstruction vehicle.
- F3. RESOLUTION NO. 2002-53, NOTICE OF INTENTION TO VACATE DAVIS ROAD

(DAVIS BOUNDARY OF SAN JACINTO WILDLIFE PRESERVE, SOUTH TO THE CITY LIMITS) (Report of: Director of Public Works/City Engineer)  
Recommendation: That the City Council:

1. Adopt Resolution No. 2002-53, declaring its intention to vacate right-of-way known as Davis Road and setting the hearing date as required;
2. Direct the city clerk to certify said resolution and to publish and advertise the hearing notice as required by law; and
3. Direct the staff to prepare an agreement with the State Department of Fish and Game establishing the conditions necessary for future maintenance of the roadway and protection of access rights for parties of interest in the vacation of Davis Road

Direct staff to amend the maintenance agreement between the County of Riverside and the City of Moreno Valley to eliminate current city maintenance responsibilities for the southerly portion of Davis Road within unincorporated area.

#### Resolution No. 2002-53

A Resolution of the City of Moreno Valley, California, Declaring its Intention to Vacate Street Right-of-Way for a Portion of Davis Road and Setting a Time and Place for a Hearing on Said Intention

- F4. JOINT POWERS UTILITY AUTHORITY (JPUA) FOR THE MARCH REUSE AREA (Report of: Director of Community & Economic Development/City Attorney)  
Recommendation: That the City Council adopt the Joint Exercise of Powers Agreement between City of Moreno Valley, City of Perris, and City of Riverside for the purpose of creating a Joint Powers Authority to Provide Utilities Services to customers at the property formerly known as March Air Force Base.
- F5. LEGISLATIVE UPDATE (Report of: Assistant City Manager)  
Recommendation: That the City Council receive and file the Legislative Status report.
- F6. 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. 605, 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 in the ordinance) and directing the City Engineer to take certain action with respect thereto. (Roll call required)

Ordinance No. 605

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 - 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 the California Government Code.

There is a three-minute time limit per person. Please complete and submit a LAVENDER speaker slip to the City Clerk

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.

- 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 54956.9(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
  
Case: *Todd Pickup v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No.: RIC 356635
- 3) 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

