

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
SEPTEMBER 10, 2002**

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Proclamation – Support of Patriot’s Day
2. Letters of Commendation for Local Citizens’ Heroic Actions

**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.
SEPTEMBER 10, 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** – Elder James E. Scott, Friendship Christian Fellowship

- **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. NOTICE OF COMPLETION AND ACCEPTANCE OF THE PIGEON PASS RD. REHABILITATION FROM IRONWOOD AVE. TO OLD LAKE DR., PROJECT NO. 01-12567021 (Report of: Director of Public Works/City Engineer)
Recommendation: Ratify contract Change Order No. 1 (Final); accept the work as completed for the Pigeon Pass Road rehabilitation from Ironwood Avenue to Old Lake Drive, constructed by Vance Corporation, Rialto, California; 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 Vance Corporation, thirty-five 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.

- A3. MINUTES – REGULAR MEETING OF AUGUST 27, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.

- A4. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2002 (Report of: Director of Finance/City Treasurer)
Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.
- A5. GENERAL LIABILITY INSURANCE RENEWAL FOR 2002/2003 (Report of: Assistant City Manager)
Recommendation: Approve the payment of \$245,000 to Municipal Mutual Insurance Company for renewal of the City's general liability insurance coverage for FY 2002/2003.
- A6. USE OF DONATED FUNDS FOR COMMUNITY OUTREACH PROGRAMS (Report of: Assistant City Manager)
Recommendation: Approve the transfer of donated funds to a trust account that would allow the use of the donation money for specified programs.
- A7. FOURTH AMENDMENT TO AGREEMENT FOR AUTOMATED LIBRARY SERVICES (Report of: Library Director)
Recommendation: Approve the Fourth Amendment to the Agreement for Automated Library Services between Riverside County Library System and the City of Moreno Valley, for the period July 1, 2002, through June 30, 2003.
- A8. RESOLUTION NO 2002-59 EXPRESSING SUPPORT FOR AND PARTICIPATING IN A COALITION OF LOCAL GOVERNMENT ENTITIES THAT ARE LOCAL FRANCHISING AUTHORITIES IN COMMUNITIES WHERE ADELPHIA COMMUNICATIONS IS A CABLE TELEVISION FRANCHISEE (Report of: Assistant City Manager)
Recommendation: Approve Resolution No. 2002-59, expressing support for and participating in a coalition of local government entities that are local franchising authorities in communities where Adelphia Communications ("Adelphia") is a cable television franchisee, which coalition will develop and implement a strategy for protecting the interests of local government, its residents, and all Adelphia cable television subscribers impacted by the Adelphia Bankruptcy.

Resolution No. 2002-59

A Resolution of the City of Moreno Valley, California, Expressing Support for and Participating in A Coalition of Local Government Entities That are Local Franchising Authorities in Communities Where Adelphia Communications is A Cable Television Franchisee, Which Coalition Will

Develop and Implement A Strategy for Protecting the Interests of Local Government, its Residents, and all Adelphia Cable Television Subscribers Impacted by the Adelphia Bankruptcy

A9. BID AWARD – RECONSTRUCTION TRUCK (NO BID #. PIGGYBACK AWARD)

Recommendation: Award the purchase of one Reconstruction Truck to Pierce Manufacturing Inc. of Ontario, CA as being in the best interest of the City and authorize the Finance Director to issue a purchase order to Pierce Manufacturing Inc. of Ontario, CA in the amount of \$116,688.

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. REQUEST TO REJECT ALL BIDS, AND AUTHORIZATION TO RE-ADVERTISE FOR CONSTRUCTION BIDS FOR THE MARCH FIELD PARK ROLLER HOCKEY/SKATEBOARD PARK – PROJECT NO. 02-0001 (Report of: Director of Parks and Recreation)

Recommendation: Reject all bids from the bid opening on July 24, 2002 and authorize the City Clerk to re-advertise this project for construction bids.

B3. MINUTES – REGULAR MEETING OF AUGUST 27, 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 AUGUST 27, 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 TRACTS 30316, 30319 AND 29509 (AND ALL AFFECTED PHASES FOR EACH TENTATIVE TRACT) 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 charge.

D2. A PUBLIC HEARING ON THE PLANNING COMMISSION'S AUGUST 8, 2002 APPROVAL RECOMMENDATION OF A GENERAL PLAN AMENDMENT (PA02-0040) AND A ZONE CHANGE (PA02-0039) FROM THE CURRENT OFFICE (O) ZONE TO THE RESIDENTIAL 20 (R20) ZONE, AND A PLOT PLAN FOR A 144-UNIT APARTMENT COMPLEX (PA02-0041 TO BE LOCATED ON 9.81 ACRES LOCATED ON THE NORTHEAST CORNER OF MORTON ROAD AND BOX SPRINGS ROADS (Report of: Director of Community & Economic Development)

Recommendation: That the City Council conduct a public hearing for review of the action taken by the Planning Commission recommending approval of a General Plan Amendment, a Zone Change, and a Plot Plan for a 144-unit apartment project, and subsequent to the public hearing:

1. Adopt a Negative Declaration for a General Plan Amendment (PA02-0040), a Zone Change (PA02-0039), and a Plot Plan for the apartment

project (PA02-0041), in that the applications will not result in significant environmental impacts; and

2. Adopt City Council Resolution No. 2002-60 approving a General Plan Amendment (PA02-0040), based on the findings in the Resolution, and the revised General Plan Map as attached to the resolution as Exhibit 1; and

Resolution No. 2002-60

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA02-0040) Changing the Land Use Designation from Office (O) to Residential 20 for 9.81 Acres Located on the Northeast Corner Morton and Box Springs Roads

3. Introduce City Council Ordinance No. 608 approving a Zone Change (PA02-0039), based on the findings in the Ordinance, and the revised Zoning Map as attached to the ordinance as Exhibit 1; and

Ordinance No. 608

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA02-0039), from Office to Residential 20 for 9.81 Acres Located on the Northeast Corner of Box Springs and Morton Roads

4. Adopt City Council Resolution No. 2002-61 approving Plot Plan PA02-0041 for a 144-unit apartment project, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit 1.

Resolution No. 2002-61

A Resolution of the City Council of the City of Moreno Valley Approving Plot Plan PA02-0041 for a 144-Unit Apartment Project to be Located on the Northeast Corner of Box Springs and Morton Roads

- D3. PUBLIC HEARING FOR FISCAL YEAR 2002 LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) PROGRAM FUNDING ALLOCATION (Report of: Chief of Police)
Recommendation: That the City Council take the following actions:

- 1) Hold a public hearing to allow public comments on the proposed use of the Local Law Enforcement Block Grant Program, and;
- 2) Consider the comments or views received by the public, and;
- 3) Adopt the proposed use of the Local Law Enforcement Block Grant Program funding, as appropriate, to address public and Council comments, and;
- 4) Accept the Local Law Enforcement Block Grant Program funding in the amount of \$243,000 (Total Program amount \$270,000; 90% to City is \$243,000) from the U.S. Department of Justice, Bureau of Justice Assistance, and:
- 5) Authorize a budget appropriation adjustment in the amount of \$27,000 from the General fund account 62210.6291.295 to 255.62567 (Transfers to Fund 255) in order to satisfy the 10% matching requirement.

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

F. REPORTS

- F1. REPORT ON ADELPHIA (CONTINUED FROM AUGUST 27, 2002)
(Report of: Assistant City Manager)
Recommendation: That the City Council receive and file this report.
- F2. APPROVAL OF CITY SPONSORSHIP FOR SPECIAL EVENTS
(CONTINUED FROM AUGUST 27, 2002) (Report of: Director of Parks and Recreation)
Recommendation: That the City Council approve the City Sponsorship Policy for Special Events.
- F3. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING TO REACTIVATE ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AT THE REDUCED STREET TREE SERVICE LEVEL FOR TRACT 19957 (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 to reactivate Zone D (Parkway Landscape Maintenance) at the Reduced Street Tree Service Level for Tract 19957 and the associated annual and one-time charges.

- F4. SIXTH AMENDMENT TO POLICE CONTRACT (CONTINUED FROM AUGUST 27, 2002) (Report of: Chief of Police)

Recommendation: That City Council approve the Sixth Amendment to the Police Contract.

- F5. CONSIDERATION OF THE PLANNING COMMISSION'S JULY 25, 2002 APPROVAL RECOMMENDATION OF A GENERAL PLAN AMENDMENT (PA02-0024), AND A ZONE CHANGE (PA02-0023) FROM THE CURRENT R5 ZONE TO THE R10 ZONE, AND A PLOT PLAN FOR A SENIOR CITIZEN APARTMENT PROJECT (PA02-0022) TO BE LOCATED ON 9.39 ACRES LOCATED ON THE NORTH SIDE OF COTTONWOOD AVE. AND EAST OF PERRIS BLVD. AT WATSON WAY AS A SENIOR HOUSING PROJECT, THE PROPOSED PLOT PLAN QUALIFIES FOR A 100% DENSITY BONUS (CONTINUED FROM AUGUST 27, 2002) (Report of: Director of Community & Economic Development)

Recommendation: That the City Council review the action taken by the Planning Commission recommending approval of a General Plan Amendment, a Zone Change, and a Plot Plan for a senior citizen apartment project, and:

1. Adopt a Negative Declaration for a General Plan Amendment (PA02-0024), a Zone Change (PA02-0023), and a Plot Plan for a senior citizen apartment project (PA02-0022), in that this application will not result in significant environmental impacts; and
2. Adopt City Council Resolution No. 2002-57 approving a General Plan Amendment (PA02-0024), based on the findings in the Resolution, and the revised General Plan Map as attached to the resolution as Exhibit 1; and

Resolution No. 2002-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA02-0024) Changing the Land Use Designation from Residential 5 to

Residential 10 for 9.39 Acres Located on the North Side of Cottonwood Avenue and East of Perris Boulevard at Watson Way

3. Introduce City Council Ordinance No. 606 approving a Zone Change (PA02-0023), based on the findings in the Ordinance, and the revised Zoning Map as attached to the Ordinance as Exhibit 1; and

Ordinance No. 606

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA02-0023), From R5 to R10 for 9.39 Acres Located on the North Side of Cottonwood Avenue and East of Perris Boulevard at Watson Way

4. Adopt City Council Resolution No. 2002-58 approving Plot Plan PA02-0022 for a senior citizen apartment project, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit 1.

Resolution No. 2002-58

A Resolution of the City Council of the City of Moreno Valley, California, Approving Plot Plan PA02-0022 for a 174-Unit Senior Citizen Apartment Project to be Located on the North Side of Cottonwood Avenue and East of Perris Boulevard at Watson Way

- F6. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: Receive and file the Legislative Status Report, which is provided as information.
- F7. CITY MANAGER'S REPORT (CONTINUED FROM 8/27/02)
(Informational Oral Presentation only - not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. SPEED LIMIT RECERTIFICATION OF STREET SEGMENTS DEFERRED FOR FURTHER STUDY ON JULY 9, 2002 (CONTINUED FROM AUGUST 27, 2002) (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council:

1. Receive and file this report; and
2. Introduce Ordinance No. 607, 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 in respect thereto. (Roll call required)

Ordinance No. 607

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

- G2. AN ORDINANCE AMENDING CHAPTERS 9.08 AND 9.14 OF TITLE 9 OF THE MUNICIPAL CODE REGARDING THE REQUIREMENTS FOR INSTALLATION OF TELECOMMUNICATIONS NETWORK FACILITIES (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council introduce Ordinance No. 609 amending Chapters 9.08 and 9.14, of Title 9, of the City of Moreno Valley Municipal Code regarding the requirements for the installation of telecommunications network facilities.

Ordinance No. 609

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapters 9.08 and 9.14 of Title 9, of the City of Moreno Valley Municipal Code, Regarding the Requirements for Installation of Telecommunications Network Facilities

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

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.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

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.

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-

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

ADJOURNMENT