

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

OCTOBER 8, 2002

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. The City-County Communications and Marketing Association Award for MDTV-3
2. League of California Cities Helen Putnam Award of Excellence

**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.
OCTOBER 8, 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 – Ministry Assistant Don Maresh, 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 – SPECIAL MEETING OF SEPTEMBER 17, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A3. MINUTES – REGULAR MEETING OF SEPTEMBER 24, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A4. REQUEST FOR A 4-WAY STOP AT THE INTERSECTION OF KITCHING STREET AND BAY AVENUE (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt Resolution No. 2002-65 to establish 4-way stop controls at the intersection of Kitching Street and Bay Avenue.

Resolution No. 2002-65

A Resolution of the City Council of the City of Moreno Valley
Establishing Stop Controls for North and South Bound Traffic on
Kitching Street and Bay Avenue

- A5. APPROVE AND AUTHORIZE EXECUTION OF LOCAL AGENCY-STATE AGREEMENT BICYCLE TRANSPORTATION ACCOUNT PROJECT, AGREEMENT NO. BTA 01/02-08-RIV-02, FOR THE CONSTRUCTION OF CLASS II BIKEWAY LANES AND CLASS III BIKEWAY ROUTES IN VARIOUS LOCATIONS CITYWIDE (Report of: Director of Public Works/City Engineer)
 Recommendation: Approve the Local Agency-State Agreement Bicycle Transportation Account Project, Agreement No. BTA 01/02-08-RIV-02 for the construction of Class II Bikeway lanes and Class III Bikeway routes in various locations citywide; and authorize the City Manager to execute Local Agency-State Agreement Bicycle Transportation Account Project, Agreement No. BTA 01/02-08-RIV-02.
- A6. FINAL MAP 21040-1 REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2002-66, 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 VIA DE PALMAS AVENUE, LEAFWOOD DRIVE, PARTON COURT AND TASMAN STREET INTO THE CITY MAINTAINED STREET SYSTEM (FIESTA DEVELOPMENT, INC.) (Report of: Director of Public Works/City Engineer)
 Recommendation: Approve a 90% reduction to the Faithful Performance Bond; instruct the City Engineer to prepare a 90% reduction to the Faithful Performance Bond; and adopt Resolution No. 2002-66 authorizing the acceptance of the public right-of-way improvements for Tract Map 21040-1 as complete and accepting Via De Palmas Avenue, Leafwood Drive, Parton Court, and Tasman Street into the City maintained street system.

Resolution No. 2002-66

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 Tract 21040-1, and accepting Via de Palmas Avenue, Leafwood Drive, Parton Court, and Tasman Street into the City Maintained Street System

- A7. APPROVAL OF FINAL MAP 30003 – SINGLE FAMILY RESIDENTIAL PROJECT, SOUTH OF IRONWOOD AVENUE AND EAST OF LASSELLE STREET (FIESTA DEVELOPMENT, INC.) (Report of: Director of Public Works/City Engineer)
 Recommendation: Approve Final Map 30003, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

- A8. AUTHORIZATION FOR ACCEPTANCE OF DONATION, AMERICAN HONDA MOTOR COMPANY, INC. (Report of: Chief of Police)
Recommendation: Give approval for the acceptance of the donation from the Motorcycle Division of the American Honda Motor Company for two off-road motorcycles.
- A9. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRIS AVENUE STREET IMPROVEMENTS FROM INDIAN STREET TO PERRIS BOULEVARD, PROJECT NO. 12566721 (Report of: Director of Public Works/City Engineer)
Recommendation: Approve the Amendment to Agreement for Professional Consultant Services with DMC Design Group, Inc. for additional design engineering services for the Iris Avenue street improvements from Indian Street to Perris Boulevard; authorize the Mayor to execute the Amendment to Agreement for Professional Consultant Services between the City and DMC Design Group, Inc.; and authorize an increase in the Purchase Order for DMC Design Group, Inc. in the not-to-exceed amount of \$16,950 (Account No. 125.66721).
- A10. ACCEPTANCE OF THE EXTENSION OF THE COMMUNITY PREVENTION COMPONENT CATEGORY OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM GRANT AWARD (Report of: Chief of Police)
Recommendation: Accept a one-year extension of the Community Prevention Component category of the Juvenile Justice and Delinquency Prevention Program Grant Award in the amount of \$190,811, for the period of July 1, 2002 to June 30, 2003 from the Office of Criminal Justice Planning, and approve budget appropriations and expenditures for FY 02/03.
- A11. EXTENSION OF PLANNING COMMISSION TERMS (Report of: City Clerk)
Recommendation: Extend the three Planning Commission terms that expire on January 1, 2003, to such time as new appointments are made.
- A12. APPROVAL OF FINAL MAP 30195 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, SOUTH SIDE OF IRIS AVENUE, WEST OF OLIVER STREET (RICHMOND AMERICAN HOMES OF CALIFORNIA, INC.) (Report of: Director of Public Works/City Engineer)
Recommendation: Approve the Final Map 30195, 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.

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 SEPTEMBER 17, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B3. MINUTES – REGULAR MEETING OF SEPTEMBER 24, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B4. REPLACEMENT OF VANDALIZED PLAY STRUCTURE SLIDES AT EL POTERO PARK AND PARQUE AMISTAD (Report of: Director of Parks and Recreation)
Recommendation: Award a purchase order to Miracle Playground Sales, 27464 Commerce Center Drive, Suite 1, Temecula, California 92590 for material to replace vandalized play structure slides at El Potero Park and Park Amistad and authorize the Finance Director to execute the necessary documents in an amount not to exceed \$10,527.71 as appropriated replacement funds in FY 02/03, in account code 757.99402.6641.648 – Fixed Asset Replacement – CSD, Other Machine/Equipment.

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 SEPTEMBER 17, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- C3. MINUTES – REGULAR MEETING OF SEPTEMBER 24, 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 E-4A (TRACT 30195 - INTERNAL LANDSCAPE MAINTENANCE) (Report of: Director of Public Works/City Engineer)
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 E-4A;
- 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 E-4A charge.

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

F. REPORTS

F1. REQUEST BY APPLICANT FOR CONTINUANCE OF GENERAL PLAN AMENDMENT AND ZONE CHANGE FROM R5 TO R10 FOR ASSESSOR'S PARCEL NO. 479-140-022 AND THE PLOT PLAN FOR THE PROPOSED 174-UNIT SENIOR CITIZEN APARTMENT PROJECT LOCATED ON THE NORTH SIDE OF COTTONWOOD AVENUE AND EAST OF PERRIS BOULEVARD AT WATSON WAY (CONTINUED FROM SEPTEMBER 10, 2002) (Report of: Director of Community and Economic Development)

Recommendation: That the City Council review the request by the applicant to continue the item for the General Plan Amendment (PA02-0024) and Zone Change (PA02-0023) from R5 to R10 for Assessor's

Parcel No. 479-140-022 and the plot plan for the proposed 174-unit senior citizen apartment (PA02-0022), and approve a continuance for the item to November 12, 2002.

- F2. UNDERSTANDING CITY FINANCES (POWERPOINT PRESENTATION – NO WRITTEN MATERIAL) (Report of: Director of Finance/City Treasurer)
- F3. APPOINTMENT TO THE PARKS AND RECREATION ADVISORY COMMITTEE - TEENAGE MEMBER (Report of: City Clerk)
Recommendation: That the City Council:
 - 1. Review the ballot (to be provided by the City Clerk) for an appointment as a teenage member to the Parks and Recreation Advisory Committee and appoint one (1) teenage member for a term expiring January 27, 2004, or until high school graduation, whichever comes first;
 - 2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.
- F4. PRESENTATION OF DEPARTMENTAL 5-YEAR PLAN/POWERPOINT PRESENTATION – PUBLIC WORKS PART I (SPECIAL DISTRICTS DIVISION) (Report of: Director of Public Works/City Engineer)
- 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 – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- G1. ADOPTION OF ORDINANCE NO. 610, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 7, CHAPTER 7.03 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, CHANGING THE NUMBER OF

COMMITTEE MEMBERS SERVING ON THE CULTURAL PRESERVATION ADVISORY COMMITTEE (CPAC) FROM NINE (9) TO SEVEN (7) TOTAL MEMBERS (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 24, 2002 ON A 5-0 VOTE) (Report of: Director of Community and Economic Development)
Recommendation: Adopt Ordinance No. 610.

Ordinance No. 610

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 7, Chapter 7.03 of the City of Moreno Valley Municipal Code, Changing the Number of Committee Members Serving on the Cultural Preservation Advisory Committee (CPAC) from Nine (9) to Seven (7) Total Members

- G2. ADOPTION OF ORDINANCE NO. 611, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTER 11.50, RELATING TO THE GAME OF BINGO (RECEIVED FIRST READING AND INTRODUCTION SEPTEMBER 24, 2002 ON A 5-0 VOTE) (Report of: City Attorney)
Recommendation: Adopt Ordinance No. 611.

Ordinance No. 611

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 11 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapter 11.50, Relating to the Game of Bingo

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: -2-
 - b) SECTION 54956.9(c) - Initiation of litigation
Number of Cases: -2-

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

ADJOURNMENT