

**AGENDA  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**

**SEPTEMBER 11, 2001**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

**CLOSED SESSION - 6:00 P.M.**

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. Prior to recessing to Closed Session the Council will convene in the City Council Chamber to hear public comments, if any, on matters on the Closed Session agenda. Reportable action will be announced at this evening's Council Meeting under Section D, of the City Council Agenda. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter 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) SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Case: John Russo v. City of Moreno Valley  
Court: State of California Worker's Compensation Appeals Board  
Case No.: SBR 0269525, SBR 0269526 and SBR 0270628

2) 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-

3) SECTION 54957.6 –LABOR NEGOTIATIONS

Agency Negotiator: City Manager

Employee Organization: Moreno Valley City Employees Association  
Moreno Valley Management Association

**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 - 7:00 P.M.  
SEPTEMBER 11, 2001**

- **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 E. Gibson, Breakthrough Church of God in Christ
  
- **ROLL CALL**
  
- **INTRODUCTIONS**
  
- **SPECIAL PRESENTATIONS**
  
- **PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL (COMMENTS NOT CONCLUDED BY 7:30 P.M. WILL BE HEARD PRIOR TO CITY COUNCIL CLOSING COMMENTS AT THE END OF THE AGENDA)

There is a three-minute time limit per person. Please complete and submit a PINK speaker slip to the Bailiff.

- **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.)

There is a three-minute time limit per person and a 15-minute time limit per agenda item. The 15-minute limit may be waived. Please complete and submit a BLUE speaker slip to the Bailiff.

**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. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES, IRIS AVENUE IMPROVEMENTS, INDIAN STREET TO PERRIS BOULEVARD, PROJECT NO. 01-12566721 (Report of: Public Works Director/City Engineer)  
Recommendation: Approve the Agreement for Professional Consultant Services with DMC Design Group, 170 North Maple Street, Suite 101, Corona, to design the street improvements; authorize the Mayor to execute said Agreement for Professional Consultant Services with DMC Design Group; and authorize the issuance of a purchase order to DMC Design Group, in the amount of \$130,230.00, when the Agreement has been signed by all parties (Account No. 225.68521).
  
- A3. PARCEL MAP 27732 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2001-52, AUTHORIZING ACCEPTANCE OF THE PUBLIC RIGHT-OF-WAY IMPROVEMENTS AS COMPLETE AND ACCEPTING CACTUS AVENUE, COMMERCE CENTER DRIVE, AND GOLDENCREST DRIVE INTO THE CITY MAINTAINED STREET SYSTEM. SUBDIVIDER – MARCH COMMERCE CENTER, L.P. (Report of: Public Works Director/City Engineer)  
Recommendation: Approve a 65.7% reduction to the Faithful Performance Bond; instruct the City Engineer to prepare a 65.7% reduction to the Faithful Performance Bond; and adopt Resolution No. 2001-52 authorizing the acceptance of the Phase One public right-of-way improvements for Parcel Map 27732 as complete and accepting Cactus Avenue, Commerce Center Drive, and Goldencrest Drive into the City maintained street system.

Resolution No. 2001-52

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Phase One Public Right-Of-Way Improvements as Complete Within Parcel Map 27732, and Accepting Cactus Avenue, Commerce Center Drive, and Goldencrest Drive into the City Maintained Street System

- A4. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS, PROJECT NO. CML 5441(024), CACTUS AVENUE, SUNNYMEAD BOULEVARD, AND PIGEON PASS ROAD. TRAFFIC SIGNAL INTERCONNECT INSTALLATION (Report of: Public Works Director/City Engineer)  
Recommendation: Adopt the plans and specifications, which are on file in the office of the Public Works Director; and authorize the City Clerk to advertise this project for construction bids.
- A5. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS, FISCAL YEAR 2000/2001 ANNUAL PAVEMENT RESURFACING PROGRAM. PROJECT NO. 00-12556330 (Report of Public Works Director/City Engineer)  
Recommendation: Adopt the plans and specifications, which are on file in the office of the Public Works Director; and authorize the City Clerk to advertise this project for construction bids.
- A6. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2001 (Report of: Finance Director/City Treasurer)  
Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.
- A7. RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS (Report of: City Clerk)  
Recommendation: Adopt Resolution No. 2001-53 establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected.

Resolution No. 2001-53

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Criteria to Guide the Process of Revising the Boundaries of the Districts from which Members of the City Council are Elected

A8. RESOLUTION IMPLEMENTING THE ELIMINATION OF PERMIT FEES FOR ENERGY SAVINGS EQUIPMENT (Report of: Community and Economic Development Director)

Recommendation: That the City Council ratify its preliminary direction made at the meeting of August 28, 2001, and approve Resolution No. 2001-54 implementing a temporary 100% reduction in permit fees for minimum fee permits issued for whole house fans, evaporative coolers and **ENERGY STAR RATED** central air conditioners, room air conditioners, central heat pumps and water heaters. These reductions will apply only for replacement of existing appliances in existing owner occupied dwelling units.

Staff recommends that Council reduce the fees by 50% and not entirely eliminate them.

Resolution No. 2001-54

A Resolution of the City Council of the City of Moreno Valley, California, a Temporary Elimination of Specified Fees for Building Permits and Other Building Related Permits for Energy Savings Equipment for Existing Owner Occupied Dwelling Units

**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.

**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.

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

## E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter must be limited to five minutes per individual and must pertain to the subject under consideration.

E1. PA01-0031 (GENERAL PLAN AMENDMENT); PA01-0026 (CHANGE OF ZONE); PA01-0027 (CONDITIONAL USE PERMIT); APPLICANT: LEADERS IN COMMUNITY ALTERNATIVES; LOCATION: ON THE WEST SIDE OF BUSINESS CENTER DRIVE, WEST OF ELSWORTH STREET. PROPOSAL: TO CHANGE THE GENERAL PLAN AND ZONING DESIGNATIONS FROM BUSINESS PARK TO INDUSTRIAL AND TO ESTABLISH A TRANSITIONAL HOUSING FACILITY FOR PAROLEES. (CONTINUED FROM AUGUST 28, 2001) (Report of: Director of Community and Economic Development)

Recommendation: Planning Commission recommends that the City Council conduct a public hearing to:

1. ADOPT a Negative Declaration, for PA01-0031 (General Plan Amendment) and PA01-0026 (Change of Zone);
2. ADOPT Resolution No. 2001-48, thereby approving the General Plan Amendment (PA01-0031), "Thereby changing the Land Use Map designation from BP (Business Park) to I (Industrial) for a 3.35 acre parcel of land located on the west side of Business Center Drive, just west of Elsworth Street";

### Resolution No. 2001-48

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA01-0031), Thereby Changing the Land Use Map Designation from BP (Business Park) to I (Industrial)

3. INTRODUCE Ordinance No. 592, thereby approving the Change of Zone, (PA01-0026) "Amending the Official Zoning Atlas of said City, changing the zone from BP (Business Park) to I (Industrial) as illustrated on the Moreno Valley Zone Change Map for a 3.35 acre parcel of land located on the west side of Business Center Drive, just west of Elsworth Street";

Ordinance No. 592

An Ordinance of the City Council of the City of Moreno Valley, California, Approval of a Change of Zone (PA01-0026) Amending the Official Zoning Atlas from BP (Business Park) to I (Industrial) on 3.35 Acres located on the West and South Sides of Business Center Drive

4. RECOGNIZE that PA01-0027 (Conditional Use Permit) qualifies as a class 32 categorical exemption (CEQA Guidelines, Section 15332) for the reasons identified in the staff report; and
5. ADOPT Resolution No. 2001-49, thereby approving PA01-0027 (Conditional Use Permit) based on the findings in the Resolution and the Conditions of Approval

Resolution No. 2001-49

A Resolution of the City Council of the City of Moreno Valley, California, Approving a Conditional Use Permit (PA01-0027) to Allow a Transitional Housing Facility for Parolees to be Established on an Existing Developed Site Comprising 1.62 Acres on the West Side of Business Center Drive (14114 Business Center Drive)

- E2. MORENO VALLEY COMMUNITY SERVICES DISTRICT PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING TO REINSTATE ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AT THE STANDARD SERVICE LEVEL FOR TRACT 21333 (Report of: Public Works Director/City Engineer)  
Recommendation: That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD):
1. Conduct the Public Hearing to consider reinstating Zone D (Parkway Landscape Maintenance) at the standard service level and the annual parcel charge for Tract 21333;
  2. Tabulate the mail ballot for Tract 21333;
  3. Verify and accept the results of the mail ballot proceeding; and
  4. Authorize and impose the CSD Zone D charge.

- **ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION**

**F. REPORTS**

F1. LEGISLATIVE UPDATE (CONTINUED FROM AUGUST 28, 2001)  
(Report of: Assistant City Manager)  
Recommendation: That the City Council receive and file the Legislative Status Report.

F2. CALIFORNIA LEAGUE OF CITIES: ANNUAL CONFERENCE RESOLUTIONS (CONTINUED FROM AUGUST 28, 2001) (Report of: Assistant City Manager)  
Recommendation: That the City Council take the following positions regarding the proposed Annual Conference resolutions for the League of California Cities:

**Support** – Resolution (1), which relates to the revision of the League of California Cities bylaws;

**No Position** – Resolution (2), which relates to day care services for children, adults and seniors;

**Support** – Resolution (3), which relates to excess retirement system assets and more options for employer use of those assets;

**Support** – Resolution (4), which relates to the flexibility in the wastewater permitting process by California State and Regional Water Control Boards as allowed by law;

**Support** - Resolution (5), which relates to the modification of California SB 709 (mandatory penalties) and the Federal Clean Water Act regarding frivolous citizen lawsuits;

**Support** – Resolution (6), which relates to incentives to improve the balance of jobs and housing in California;

**Support** – Resolution (7), which relates to supporting the passage of a ballot measure to stabilize and reform local government financing;

**No Position** – Resolution (8), which relates to the return of ERAF funds to cities;

**Support** – Resolution (9), which relates to telephone area codes.

