

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

NOVEMBER 27, 2001

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Presentation of Animal Shelter Project of the Year Award by APWA Board of Directors

**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.
NOVEMBER 27, 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** – Minister Peter Reed, 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.)**

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.

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 Items withdrawn for report/discussion will be heard after public hearing items.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. MINUTES – REGULAR MEETING OF NOVEMBER 13, 2001 (Report of City Clerk)
Recommendation: Approve as submitted.
- A3. REQUEST FOR AUTHORIZATION OF A NO PARKING ZONE ON BOTH SIDES OF HEACOCK STREET BETWEEN IRIS AVENUE AND NANDINA AVENUE (Report of Public Works Director)
Recommendation: Authorize 8000 feet of “No Parking” zone on both sides of Heacock Street between Iris Avenue and Nandina Avenue including the elimination of 1100 feet of truck parking on the east side of Heacock Street north of Cardinal Avenue.
- A4. AUTHORIZATION TO CLOSE HEACOCK STREET FROM NANDINA AVENUE TO THE SOUTH CITY LIMITS AT OLEANDER AVENUE FROM NOVEMBER 28, 2001 TO MARCH 1, 2002 (Report of Public Works Director)
Recommendation: Authorize the closure of Heacock Street from Nandina Avenue to the south city limits at Oleander Avenue from November 28, 2001 to March 1, 2002.
- A5. FINAL MAP 28568, ACCEPT AGREEMENT AND BONDS FOR LANDSCAPE AND IRRIGATION IMPROVEMENTS– NORTH SIDE OF JOHN F. KENNEDY DRIVE, EAST OF MORENO BEACH DRIVE – SUBDIVIDER – RYLAND HOMES OF CALIFORNIA, INC. (Report of Public Director)
Recommendation: Accept the bonds and authorize the Mayor to execute the agreement for landscape and irrigation improvements; and instruct the City

Clerk to forward the completed Agreement for Landscape and Irrigation Improvements to the Riverside County Recorder's office for recordation.

A6. AUTHORIZATION TO AWARD CONSTRUCTION RELATED CONTRACTS—
SAN MICHELE ROAD IMPROVEMENTS – PROJECT NO. 99-12567420
(Report of Public Works Director)

Recommendation: Award the construction contract for the San Michele Road Improvements to R.J. Noble Company, Orange, California, the lowest responsible bidder; and authorize the Mayor to execute a contract agreement with R.J. Noble Company; and authorize the issuance of a purchase order to R.J. Noble Company, in the amount of \$954,977 (the amount of bid plus 10% contingency), when both parties have signed the contract (Account No. 125.67420); and award the construction inspection services contract to Aufbau Corporation, Glendale, California; and award the construction geotechnical services contract to Kleinfelder, Redlands, California; and award the construction surveying services to Hillwig-Goodrow, LLC, Yucaipa, California.

A7. NOTICE OF COMPLETION – TRAFFIC SIGNAL INSTALLATIONS – PERRIS
BOULEVARD AND NANDINA AVENUE, PROJECT NO. 99-26655 – BOX
SPRINGS ROAD AND CLARK STREET, PROJECT NO. 99-26772 –
CACTUS AVENUE AND LASSELLE STREET, PROJECT NO. 99-37766
(Report of Public Works Director)

Recommendation: Ratify Contract Change Order No. 1 (Final), which reflects the adjustments to the final bid item quantities and revised street improvements; and accept the work as complete for the traffic signal installations and street improvements at Perris Boulevard and Nandina Avenue, Box Springs Road and Clark Street and Cactus Avenue and Lasselle Street constructed by L.A. Signal, Inc., City of Industry, California; and 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; and authorize the Director of Finance to release the retention to the contractor thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project (Perris/Nandina, Account No. 426.65520; Box Springs/Clark, Account No. 426.77220; Cactus/Lasselle, Account Nos. 137.76630 and 121.76620); and accept the traffic signals and street improvements into the City's maintained road system; and approve the Budget Appropriation Adjustment transferring \$20,085 of unencumbered funds in the Box Springs Road/Clark Street project (Account No. 426.77220) to cover the shortfall in the following two projects: (a) Perris Boulevard/Nandina Avenue \$6,725 to Account No. 426.65520; and (b) Cactus Avenue/Lasselle Street \$6,680 to Account No. 137.76630 and \$6,680 to Account No. 121.76620.

- A8. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES – PROJECT NO. 01-12565020 – PAVEMENT MANAGEMENT PROGRAM (Report of Public Works Director)

Recommendation: Approve the Agreement for Professional Consultant Services with Berryman & Henigar, Inc., 2001 East First Street, Santa Ana, California, 92705, to provide the City with an updated Pavement Management Program (PMP); and authorize the Mayor to execute said Agreement for Professional Consultant Services with Berryman & Henigar, Inc, in the form attached hereto; and authorize the issuance of a Purchase Order to Berryman & Henigar, Inc. in the amount of \$143,598, when both parties have signed the Agreement (Account No. 125.65020).

- A9. WARRANT REPORTS – OCTOBER 31, 2001 (Report of Finance Director)

Recommendation: Adopt Resolution No. 2001-71, approving the Warrant Reports, including wire transfers, Dated October, 2001 in the total amount of \$4,859,193.84.

Resolution No. 2001-71

A Resolution of the City Council of the City of Moreno Valley, California, approving the warrant reports dated October 31, 2001

- A10. APPROVAL OF FINAL MAPS 27526 AND 27526-1 – SINGLE FAMILY RESIDENTIAL PROJECTS AND ACCEPT AGREEMENTS AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS – NORTHEAST CORNER OF COTTONWOOD AVENUE AND LASSELLE STREET – SUBDIVIDER – DON AND NANCY SKJERVEN (Report of Public Works Director)

Recommendation: Approve Final Maps 27526 and 27526-1, authorize the City Clerk to sign the maps and transmit said maps to the County Recorder's Office for recordation; accept the bonds and agreements for public improvements; authorize the Mayor to execute the agreements in the form attached; and direct the City Clerk to forward the signed agreements to the County Recorder's Office for recordation.

- A11. VACANCY ON ECOLOGICAL PROTECTION ADVISORY COMMITTEE (Report of City Clerk)

Recommendation: That the City Council declare vacant David E. Waltemeyer's position on the Ecological Protection Advisory Committee, with the remainder of his term expiring on June 30, 2002; and authorize the City Clerk to notice the position as vacant.

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 NOVEMBER 13, 2001 (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 NOVEMBER 13, 2001 (Report of City Clerk)

Recommendation: Approve as submitted.

D. 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. Please complete and submit a GOLDENROD speaker slip to the Bailiff.

D1. MORENO VALLEY COMMUNITY SERVICES DISTRICT PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING TO REACTIVATE ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AT THE STANDARD SERVICE LEVEL FOR TRACT 20404 (Report of Public Works Director)

Recommendation: That the City Council:

1. CONDUCT the public hearing to consider reactivating Zone D (Parkway Landscape Maintenance) at the standard service label and the annual parcel charge for Tract 20404);
2. Tabulate the mail ballots for Tract 20404;
3. Verify and accept the results of the mail ballot proceeding; and
4. Authorize and impose the CSD Zone D charge.

D2. MORENO VALLEY COMMUNITY SERVICES DISTRICT PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING TO REACTIVATE ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACT 20579 (Report of Public Works Director)

Recommendation: That the City Council:

1. CONDUCT the public hearing to consider reactivating Zone D (Parkway Landscape Maintenance) at the proposed service label and the annual parcel charge for Tract 20579);
2. Tabulate the mail ballots for Tract 20579;
3. Verify and accept the results of the mail ballot proceeding; and
4. Authorize and impose the CSD Zone D charge.

D3. MORENO VALLEY COMMUNITY SERVICES DISTRICT PUBLIC HEARING TO INCORPORATE AN ARTERIAL WALL FAÇADE AND MONUMENT STRUCTURE MAINTENANCE PROGRAM INTO COMMUNITY SERVICES DISTRICT ZONES E-3 (WARMINGTON) AND E-4 (LANDMARK) HIGH SERVICE LEVEL LANDSCAPE MAINTENANCE PROGRAM FOR THE MORENO VALLEY RANCH SPECIFIC PLAN (Report of Public Works Director)

Recommendation: Conduct the public hearing to provide for an Arterial Wall Façade and Monument Structure Maintenance program to address needed repairs and annual maintenance of exterior arterial wall façade surfaces, wrought iron panels, and monument structures that face arterial streets surrounding the Moreno Valley Ranch Specific Plan (Specific Plan No. 193); and authorize and accept the Arterial Wall Façade and Monument Structure Maintenance program, as part of the CSD Zones E-3 (Warmington) and E-4 (Landmark) High Service Level Landscape Maintenance Program, to fund each development's pro rata share of initial repairs and on-going maintenance of the exterior arterial wall façade surfaces that face arterial streets and monument structures surrounding the Moreno Valley Ranch Specific Plan.

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

F. REPORTS

- F1. PRESENTATION BY COMMITTEE CHAIRPERSONS (Oral Presentation Only)
- F2. REVITALIZATION PROGRAM (FORMERLY KNOWN AS ACQUISITION, REHABILITATION, AND RESALE PROGRAM – ARR) (Report of Community and Economic Development Director)
Recommendation: That the Community Redevelopment Agency of the City of Moreno Valley affirm the continuation of the Revitalization Program and direct staff to administer the program without change.
- F3. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) MAIL BALLOT PROCEEDING FOR TRACT 30286 (AND ALL AFFECTED PHASES) (Report of Public Works Director)
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 regarding the proposed inclusion of Tract 30286 (and all affected phases) into the CSD Zone B (Residential Street Lighting) and the annual service charge.
- F4. APPOINTMENT TO THE ACCESSIBILITY APPEALS BOARD (Report of the City Clerk)
Recommendation: That the City Council review the ballot for an appointment to the Accessibility Appeals Board (to be provided by the City Clerk) and mark your choice where appropriate; or if appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.
- F5. UTILITY USERS TAX STATUS REPORT (continued from September 18, 2001) (Report of Finance Director)
Recommendation: That the City Council receive and file the report, which provides the status of the Utility User's Tax revenue for the current fiscal year.
- F6. APPROVAL OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED SEPTEMBER 30, 2001 (Report of Finance Director)
Recommendation: That the City Council approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.
- F7. CITY MANAGER'S REPORT (Informational oral presentation only – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. ORDINANCE AMENDING SECTION 2.27.010 OF CHAPTER 2.27 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE COMPOSITION OF THE TRAFFIC SAFETY ADVISORY COMMITTEE (Report of the Public Works Director)
Recommendation: That the City Council introduce Ordinance No. 593, amending Section 2.27.010 of Chapter 2.27 of the City of Moreno Valley Municipal Code, relating to the composition of the Traffic Safety Advisory Committee (TSAC) (Roll call required).

ORDINANCE NO. 593

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 2.27.010 OF CHAPTER 2.27 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE COMPOSITION OF THE TRAFFIC SAFETY ADVISORY COMMITTEE

- G2. ORDINANCE AMENDING 2.24.040 OF CHAPTER 2.24 OF TITLE 2 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE MEETING DATES FOR THE CITIZENS ADVISORY COMMITTEE ON RECREATIONAL TRAILS (Report of Parks and Recreation Director)
Recommendation: That the City Council introduce Ordinance No. 594, amending Section 2.24.040 of Chapter 2.24 of Title 2 of the City of Moreno Valley Municipal Code, relating to the meeting dates for the Citizens Advisory Committee on Recreational Trails (Roll call required)

ORDINANCE NO. 594

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 2.24.040 OF CHAPTER 2.24 OF TITLE 2 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE MEETING DATES FOR THE CITIZENS' ADVISORY COMMITTEE ON RECREATION TRAILS

ORDINANCES - 2ND READING AND ADOPTION

ORDINANCES - URGENCY ORDINANCES

RESOLUTIONS

- PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

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.

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

- **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: -0-
 - b) SECTION 54956.9(c) - Initiation of litigation
Number of Cases: -0-

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

ADJOURNMENT