

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

MARCH 26, 2002

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

Proclamation to the Romelio Ruiz Family

**REVISED 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.
MARCH 26, 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** – Minister Winnie Bell, 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 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. STREET NAME PROPOSAL – ADOPT RESOLUTION NO. 2002-21, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, ASSIGNING AVENIDA ROMELIO RUIZ AS THE STREET NAME FOR THE PROPOSED ENTRANCE TO THE CIVIC CENTER COMPLEX ON THE WEST SIDE OF FREDERICK STREET, BETWEEN ALESSANDRO BOULEVARD AND CALLE SAN JUAN DE LOS LAGOS (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council adopt Resolution No. 2002-21, assigning Avenida Romelio Ruiz as the street name for the proposed entrance to the Civic Center.

Resolution No. 2002-21

A Resolution of the City Council of the City of Moreno Valley, California, Assigning Avenida Romelio Ruiz as the Street Name for the Proposed Entrance to the Civic Center Complex

A3. WARRANT REPORTS – FEBRUARY 28, 2002 (Report of: Director of Finance/City Treasurer)

Recommendation: Adopt Resolution No. 2002-18, approving the Warrant Reports, including wire transfers, dated February, 2002, in the total amount of \$9,937,131.97.

Resolution No. 2002-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Reports Dated February 28, 2002

- A4. RESOLUTION NO. 2002-19, APPROVING TEMPORARY BUSINESS LICENSE FEE RELATIVE TO FARMER'S MARKET AND FAMILY FESTIVAL AT TOWNGATE MALL (Report of: Director of Finance/City Treasurer)
Recommendation: Adopt Resolution No. 2002-19, approving a temporary business license processing fee of \$5.00 per day for participating vendors relative to the Farmer's Market to be held at Towngate Mall from May 3rd through August 30, 2001.

Resolution No. 2002-19

A Resolution of the City Council of the City of Moreno Valley, California, Establishing a Temporary Business License Fee for Participating Vendors Relative to the Farmer's Market at Towngate Mall

- A5. REQUEST FOR A FOUR-WAY STOP AT THE INTERSECTION OF INDIAN STREET AND BAY AVENUE UNTIL A TRAFFIC SIGNAL CAN BE CONSTRUCTED (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt Resolution No. 2002-20 to establish 4-way stop controls at the intersection of Indian Street and Bay Avenue and direct Transportation Engineering Division to prioritize Indian Street and Bay Avenue on the 2003/2005 signal priority list.

Resolution No. 2002-20

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

- A6. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE FISCAL YEAR 2001/2002 SLURRY SEAL PROGRAM, PROJECT NO. 01-12584830 (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt the Plans and Specifications on file in the office of the Public Works Director and authorize the City Clerk to advertise this project for construction bids.

- A7. APPROVAL OF FINAL MAP 29761 – SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS; EXONERATE FAITHFUL PERFORMANCE AND MATERIAL AND LABOR BONDS FOR TRACT 21463, NORTH SIDE OF SUNNYMEAD RANCH PARKWAY AT LAKE VISTA ROAD - D.R. HORTON

LOS ANGELES HOLDING COMPANY, INC., CORONA, CALIFORNIA (Report of: Director of Public Works/City Engineer)

Recommendation: Approve Final Map 29761, 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; direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation; instruct the City Engineer to prepare the exoneration of the Faithful Performance Bond and Material and Labor Bond for Tract 21463 upon acceptance of the bonds and Agreement for Public Improvements for Final Map 29761.

A8. APPROVAL OF FINAL MAP 30286 – SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS, NORTH SIDE OF IRIS AVENUE, EAST OF LASSELLE STREET – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CALIFORNIA (Report of: Director of Public Works/City Engineer)

Recommendation: Approve Final Map 30286, 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.

A9. REQUEST TO CONTINUE MARCH 12, 2002, CONSENT ITEM A8 – APPROVAL OF FINAL MAPS 29143-2,3,4,5,6,F (Report of: Director of Public Works/City Engineer) (Continued from March 12, 2002)

Recommendation: Continuation of this item to the April 9, 2002 City Council Meeting, to allow the Planning Division time to process the Public Facilities Fee Credit Agreement, which is scheduled for public hearing during the same meeting.

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. PUBLIC HEARINGS

D1. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND ALLOCATIONS AND HOME PROGRAM FUNDING SELECTIONS FOR FISCAL YEAR 2002/03 (Report of: Director of Community and Economic Development)

Recommendation: That the City Council conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Programs and select programs and projects for funding as part of the City's Annual Action Plan for Fiscal Year 2002/03.

D2. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT NO. 30301 (AND ALL AFFECTED PHASES) 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) Conduct the Public Hearing to consider the inclusion of Tentative Tract No. 30301 (and all affected phases) into the CSD Zone B (Residential Street Lighting) and the annual service charge;
- 2) Tabulate the mail ballots for CSD Zone B;
- 3) Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;
- 4) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
- 5) Authorize and impose the CSD Zone B Charge.

D3. PA01-0082 (MUNICIPAL CODE AMENDMENT) AND P01-044 (AMENDED CONDITIONAL USE PERMIT) - APPLICANT: GARY MILLER ARCHITECT & ASSOCIATES, INC. - LOCATION: 11790 PERRIS BOULEVARD – NORTHEAST CORNER OF PERRIS BOULEVARD AND VIA VON BOTSCH- PROPOSAL: AN AMENDMENT TO CHAPTER 9.08.030 OF THE CITY MUNICIPAL CODE AND AN AMENDED CONDITIONAL USE PERMIT APPLICATION FOR THE REMOVAL OF AN EXISTING 50-FOOT TALL TOWER ELEMENT AND THE ADDITION OF A 40-FOOT TALL STEEPLE TO THE ROOF OF AN EXISTING CHURCH (Report of: Director of Community and Economic Development)

Recommendation: That the City Council conduct a public hearing for review of the recommended action taken by the Planning Commission to approve P01-0082 (Municipal Code Amendment) and P01-044 (Amended Conditional Use Permit), and subsequent to the public hearing:

Adopt a Negative Declaration for PA01-0082 (Municipal Code Amendment), in that this application will not result in significant environmental impacts;

- 1) Introduce City Council Ordinance No. 599 approving PA01-0082 (Municipal Code Amendment), based on the findings in City Council Ordinance No. 599;

Ordinance No. 599

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA01-0082 (Municipal Code Amendment), Amending Chapter 9.08.030 of the City of Moreno Valley Municipal Code to Allow for Greater Height of Architectural Projections in Residential and Nonresidential Districts

- 2) Recognize that P01-44 (Amended Conditional Use Permit) qualifies as a categorical exemption under the California Environmental Quality Act in that it meets the criteria of a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301.e.1; and
- 3) Adopt City Council Resolution No. 2002-22 approving P01-44 (Amended Conditional Use Permit), based on the findings in City Council Resolution No. 2002-21, and the conditions of approval attached to the resolution as Exhibit A.

Resolution No. 2002-22

A Resolution of the City Council of the City of Moreno Valley, California, which Proposes to Remove an Existing 50-foot Tall Free-Standing Tower Element and Install a 40-Foot Tall Steeple on the Roof of an Existing Church for a Total Height of 69-Feet

- D4. A PUBLIC HEARING REGARDING PA-0010N (CONDITIONAL USE PERMIT AND P00-041N (REVISION TO THE MASTER PLOT PLAN) LOCATED ON THE WEST SIDE OF FREDERICK STREET, SOUTHWEST OF THE HIGHWAY 60 OFF-RAMP AND SUBMITTED BY CHEVRON PRODUCTS COMPANY (Report of: Director of Community and Economic Development) Recommendation: That the City Council conduct a public hearing to:
1. Recognize that the proposed retail gas station and convenience store is within the scope of the Program Environmental Impact Report for the Towngate Specific Plan No. 200, pursuant to Section 15168 (c) (2) and 15168 (e) (1) (2) of the California Environmental Quality Act Guidelines, while no conditions in Section 15162 calling for a subsequent EIR have occurred; and
 2. Approve City Council Resolution No. 2002-23, thereby approving PA00-0001-N (Conditional Use Permit) and P00-0041N (Revision to the Master Plot Plan), based on the findings in the Resolution.

Resolution No. 2002-23

A Resolution of the City Council of the City of Moreno Valley Approving PA00-0001N, A Conditional Use Permit for A Proposed 2,131 Square Foot Gas Station, Including a Canopy with Six (6) Pumps/Dispensers and a Food Mart with Beer and Wine Sales, and P00-041N, for the Modificiation of the Towngate (SP200) Master Plot Plan from an Office Building to a Retail Gas Station

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

F. REPORTS

- F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 30317 (AND ALL AFFECTED PHASES) (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 regarding the

proposed inclusion of Tentative Tract 30317 (and all affected phases) into the CSD Zone B (Residential Street Lighting) and the annual service charge.

- F2. AMENDMENT AND RESTATEMENT OF THE WASTE MANAGEMENT AGREEMENT (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council:
1. Approve the Amendment and Restatement of the Agreement between the City of Moreno Valley and Waste Management of the Inland Empire; and
 2. Direct the Mayor to execute the Amendment and Restatement of the Agreement between the City of Moreno Valley and Waste Management of the Inland Empire.
- F3. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: That the City Council receive and file the Legislative Status report.
- F4. CITY MANAGER'S REPORT (Informational Oral Presentation only – not for Council action)
- F5. FIFTH AMENDMENT TO POLICE CONTRACT (Report of Police Chief)
Recommendation: That the City Council approve the Fifth Amendment to the police contract.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

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

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 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