

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

JUNE 25, 2002

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Proclamation - Parks and Recreation Month

**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.
JUNE 25, 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** – Pastor O.J. Philpot, Christ Community 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 – REGULAR MEETING OF MAY 28, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A3. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE ATWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO INDIAN STREET, PROJECT NO. 00-89277420 (Report of: Director of Public Works/City Engineer)
Recommendation: Award the construction contract for the Atwood Avenue Improvements from Heacock Street to Indian Street to Vance Corporation, 2271 North Locust Avenue, Rialto, California 92377, the lowest responsible bidder; authorize the Mayor to execute a contract agreement with Vance Corporation; and authorize the issuance of a Purchase Order to Vance Corporation in the amount of \$769,942 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 144.68421).
- A4. RATIFICATION OF GRANT APPLICATION SUBMITTALS FOR THE SAFE ROUTES TO SCHOOL PROGRAM, BICYCLE AND PEDESTRIAN FACILITIES PROGRAM, AND BICYCLE TRANSPORTATION ACCOUNT PROGRAM (Report of: Director of Public Works/City Engineer)
Recommendation: Ratify the submittal of grant applications for the Safe Routes to School (SR2S) Program, Bicycle and Pedestrian Facilities (SB 821) Program, and Bicycle Transportation Account (BTA) Program.

- A5. TITLE TRANSFER TO EXCESS PROPERTY CREATED BY THE EXTENSION OF CALLE SAN JUAN DE LOS LAGOS TO NEWHOPE STREET (Report of: Director of Public Works/City Engineer)
Recommendation: Authorize the Mayor to sign the Lot Line Adjustment and direct staff to process the documents in accordance with the Subdivision Map Act; authorize the Mayor to sign the Offer to Purchase Excess Property created by the extension of Calle San Juan De Los Lagos to Newhope Street; and authorize the Mayor to sign the Quitclaim Deed transferring the City's title interest in the property described in the Lot Line Adjustment to Joseph Bunker and direct the City Clerk to record said Quitclaim Deed.
- A6. WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2002/03 RATE ADJUSTMENT (Report of: Director of Public Works/City Engineer)
Recommendation: Receive and file this report on the Waste Management of the Inland Empire proposed FY 2002/03 Rate Adjustment.
- A7. AWARD OF ANNUAL COPIER AGREEMENT TO XEROX CORPORATION (Report of: Director of Finance/City Treasurer)
Recommendation: Award the annual copier agreement to Xerox Corporation as being in the best interest of the City.
- A8. APPROVAL OF FINAL MAP 30317 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT & BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, SOUTH SIDE OF IRIS AVENUE, WEST OF LASSELLE STREET – K. HOVANIAN FORECAST HOMES, INC. (Report of: Director of Public Works/City Engineer)
Recommendation: Approve Final Map 30317, 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 FOR STREET NAME CHANGE – ADOPT RESOLUTION NO. 2002-47, A RESOLUTION OF THE CITY COUNCIL CHANGING THE STREET NAME OF FRANKHALE ROAD TO JENNINGS COURT, BEGINNING AT MORTON ROAD AND EXTENDING A DISTANCE OF 900 FEET EASTERLY (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt Resolution No. 2002-47, A Resolution of the City Council Changing the Street Name of Frankhale Road to Jennings Court, beginning at Morton Road and Extending a Distance of 900 feet easterly.

Resolution No. 2002-47

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Frankhale Road to Jennings Court, Beginning at Morton Road and Extending a Distance of 900 Feet Easterly

- A10. WARRANT REPORT – MAY 2002 (Report of: Director of Finance/City Treasurer)
Recommendation: Adopt Resolution No. 2002-49, approving the Warrant Report, dated May 2002 in the total amount of \$9,501,254.20.

Resolution No. 2002-49

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated May 31, 2002

- A11. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE DRACAEA AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD, PROJECT NO. 00-92774 (Report of: Director of Public Works/City Engineer)
Recommendation: Award the construction contract to E.G.N. Construction, Inc., 1549 East Grand Avenue, Pomona, California 91766, the lowest responsible bidder; authorize the Mayor to execute a contract with E.G.N. Construction, Inc.; authorize the issuance of a Purchase Order for E.G.N. Construction, Inc. in the amount of \$795,612.29 (the amount of bid plus 10% contingency), when the Contract has been signed by all parties (Account Nos. 143.68420 and 892.81621); and approve the street closure of Dracaea Avenue in two phases, between Heacock Street and Indian Street for approximately three (3) months, and between Indian Street and Perris Boulevard for approximately three (3) months.

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 MAY 28, 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 MAY 28, 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. DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the 2002/2003 Riverside County property tax roll for collection; and
2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2000-51 and the report as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

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

F. REPORTS

F1. ADOPTION OF FY 2002-03 BUDGET AND RELATED ACTIONS (RESOLUTIONS NOS. 2002-37, CSD 2002-07 AND RDA 2002-04) (CONTINUED FROM MAY 28, 2002) (Report of: Director of Finance/City Treasurer)

Recommendation: Staff recommends that the City Council:

1. Adopt Resolution No. 2002-37, approving the Operating and Capital Budgets for the City of Moreno Valley for FY 2002/03.

Resolution No. 2002-37

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2002/03

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2002-07, approving the Operating and Capital Budgets for the Community Services District of the City of Moreno Valley for FY 2002/03.

Resolution No. CSD 2002-07

A Resolution of the Community Services District of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2002/03

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, Adopt Resolution No. RDA 2002-04, approving the Operating and Capital Budgets for the Community Redevelopment Agency of the City of Moreno Valley for FY 2002/03.

Resolution No. RDA 2002-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2002/03

4. Acting in its capacity as the President and Board of Directors of the Community Services District, approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the President of the Board of Directors, and the delivery of said executed note to the Treasurer of the City.

5. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the Chairperson and Agency Members, and the delivery of said executed note to the Treasurer of the City.
6. Adopt Resolution No. 2002-38, temporarily decreasing the City's utility user's tax for the primary energy provider of electricity, which is a Local Distribution Company (LDC) within the City of Moreno Valley, from the voter approved rate of 6.00% to 5.33% for a one-year period.

Resolution No. 2002-38

A Resolution of the City Council of the City of Moreno Valley, California, Temporarily Decreasing the City's Utility User's Tax Charged by the Local Distribution Company, Which is the Primary Energy Provider of Electricity

7. Approve the FY 2002/03 Staffing Plan and Position Control Roster, which reflect the personnel allocations consistent with the FY 2002/03 Proposed Budget.
- F2. ADOPTION OF THE 2002 REVISED 10-YEAR CAPITAL PLAN (CONTINUED FROM MAY 28, 2002) (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council:
1. Adopt the 2002 Revised 10-Year Capital Plan contingent upon minor revisions made in the adoption of the FY 2002/2003 Budget; and
 2. Make a finding that the document is consistent with AB 1600, California Mitigation Fee Act.
- F3. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING), ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AND THE ANNUAL SERVICES CHARGES FOR TRACT 27251-1 (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 Tract 27251-1 (and all affected phases) into the CSD Zone B (Residential Street Lighting), Zone D (Parkway Landscape Maintenance), and the annual service charges.

F4. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 30300 (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 30300 (and all affected phases) into the CSD Zone B (Residential Street Lighting) and the annual service charge.

F5. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING), ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AND THE ANNUAL SERVICE CHARGES FOR TRACT 19879 (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 Tract 19879 (and all affected phases) into the CSD Zone B (Residential Street Lighting), Zone D (Parkway Landscape Maintenance), and the annual service charge.

F6. GENERAL MUNICIPAL ELECTION – NOVEMBER 5, 2002 (Report of: City Clerk)
Recommendation: That the City Council:

1. Adopt:

Resolution No. 2002-43, calling and giving notice of the holding of a general municipal election on Tuesday, November 5, 2002 of certain officers as required by the provisions of the laws of the State of California relating to general law cities and for the submission of an initiative measure relating to the City's utility user's tax;

Resolution No. 2002-43

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 5, 2002, of Certain Officers as Required by the Provisions of the Laws of the State of California

Relating to General Law Cities and for the Submission of an Initiative Measure Relating to the City's Utility User's Tax

Resolution No. 2002-44, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 5, 2002, pursuant to §10403 of the California Elections Code; and

Resolution No. 2002-44

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election with the Statewide General Election to be Held on Tuesday, November 5, 2002, Pursuant to Section 10403 of the California Elections Code

Resolution No. 2002-45, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 5, 2002.

Resolution No. 2002-45

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 5, 2002

2. Authorize the City Clerk to submit the proposed resolutions to the Registrar of Voters, together with the Municipal Information Form, containing the most recent boundary changes of Council districts within the City.

- F7. ADOPT RESOLUTION 2002-46, AMENDING RESOLUTION NO. 2001-33 TO EXPAND MUNICIPALLY-OWNED UTILITY TO INCLUDE STORM WATER UTILITY SYSTEMS AS ONE OF THE AUTHORIZED SERVICES (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council adopt Resolution 2002-46 amending Resolution No. 2001-33 to include Storm Water Utility Systems as one of the authorized services.

Resolution No. 2002-46

A Resolution of the City Council of the City of Moreno Valley, California, Amending Resolution No. 2001-33 to Expand the Municipally-Owned Utility of Include Storm Water Utility Systems as One of the Authorized Services

- F8. APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMITTEES (Report of: City Clerk)
 Recommendation: That the City Council:
1. Review the ballots for appointments to various City Council Advisory Boards and Committees (to be provided by the City Clerk) and mark your choices where appropriate; or
 2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.
- F9. CONSIDERATION OF CITY POLICY RELATIVE TO MEASURE A (Report of: Director of Public Works/City Engineer)
 Recommendation: Approve Resolution No. 2002-48 endorsing extension of Riverside County Measure A.
- Resolution No. 2002-48
- A Resolution of the City Council of the City of Moreno Valley, California,
 Supporting Extension of Measure A
- F10. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
 Recommendation: That the City Council receive and file the Legislative Status Report.
- F11. CITY MANAGER'S REPORT (Informational Oral Presentation only - not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- G1. ADOPTION OF ORDINANCE NO. 604, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING DEVELOPMENT REVIEW REQUIREMENTS, INCOMPLETE AND INACTIVE APPLICATIONS, RESIDENTIAL DEVELOPMENT STANDARDS, PLANNED UNIT DEVELOPMENTS, AIRPORT LAND USE COMPATIBILITY, ACCESSORY STRUCTURES, FENCES AND SYSTEMS, COMPACT PARKING, NEIGHBORHOOD IDENTIFICATION SIGNS, OFF-SITE REAL ESTATE SIGNS AND ARCHITECTURAL COMPATIBILITY (RECEIVED FIRST READING AND INTRODUCTION JUNE 11, 2002 ON A 4-0 VOTE, BATEY ABSENT)

Recommendation: Adopt Ordinance No. 604

Ordinance No. 604

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code Regarding Development Review Requirements, Incomplete and Inactive Applications, Residential Development Standards, Planned Unit Developments, Airport Land Use Compatibility, Accessory Structures, Fences and Systems, Compact Parking, Neighborhood Identification Signs, Off-Site Real Estate Signs and Architectural Compatibility

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

- **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: -1-
 - b) SECTION 54956.9(c) - Initiation of litigation
Number of Cases: -1-
- 2) SECTION 54957.6 – LABOR NEGOTIATIONS
 - a) Agency Representative: Gene Rogers
Employee Organization: MVCEA
 - b) Agency Representative: Gene Rogers
Employee Organization: MVMA

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

ADJOURNMENT