

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

**OCTOBER 9, 2001**

**CALL TO ORDER**

**ROLL CALL**

**SPECIAL PRESENTATIONS – 6:00 p.m.**

1. Presentation of Plaques to Papa John's Pizza for their Assistance During the ASA Tournament Incident
2. Proclamation Recognizing the 65<sup>th</sup> Anniversary of Stater Brothers
3. Knights of Columbus Proclamation
4. Teen Read Week 2001 Proclamation
5. Employ Individuals with Disabilities Week Proclamation

**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 9, 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 Larry Orr, Wesleyan Christian Fellowship
  
- **ROLL CALL**
  
- **INTRODUCTIONS**
  
- **SPECIAL PRESENTATIONS**
  
- **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 Items withdrawn for report/discussion will be heard after public hearing items.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. NOTICE OF COMPLETION AND ACCEPTANCE OF FISCAL YEAR 1999/2000 CLASS II/III BICYCLE ROUTES, VARIOUS LOCATIONS CITY WIDE. PROJECT NO. 99-25653 (Report of: Public Works Director/City Engineer)  
Recommendation: Ratify contract changer order No. 1, increasing the contract time to 56 working days, due to supplier/manufacturer delays; accept the work for the Fiscal year 1999/2000 Class II/III Bicycle Routes, constructed by DBX, Inc., of Temecula, California, as completed; direct the City Clerk to record the Notice of Completion within ten days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorize the Director of Finance to release the retention to DBX, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project (Account No. 00125.65320); and accept the improvements into the City maintained road system.
  
- A3. RESOLUTION NO. 2001-58. APPROVE AND AUTHORIZE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. M012, TO THE ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECT NO. 08-5441, MEDIAN NOSE MODIFICATIONS AT VARIOUS LOCATIONS, STORM DRAIN IMPROVEMENTS AT FREDERICK STREET AND ALESSANDRO BOULEVARD, AND INTERSECTION CROSSGUTTER IMPROVEMENTS AT PIGEON PASS ROAD AND IRONWOOD AVENUE, PROJECT NOS. 98-26765, 98-21767, 98-21768) (Report of: Public Works Director/City Engineer)  
Recommendation: Adopt Resolution No. 2001-58, and approve Program Supplement Agreement No. M012, to the Administering Agency-State Agreement for Federal Aid Project No. 08-5441 for construction and construction engineering; and authorize the Mayor to execute program Supplement No. M012.

Resolution No. 2001-58

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. M012 to Administering Agency-State Agreement No. 08-5441 for Federal-Aid Projects between the State

of California, Acting by and through the Department of Transportation, and the City of Moreno Valley

- A4. MINUTES – SPECIAL MEETING OF SEPTEMBER 18, 2001 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- A5. FOURTH AMENDMENT TO POLICE CONTRACT (CONTINUED FROM SEPTEMBER 25, 2001) (Report of: Chief of Police)  
Recommendation: Approve the Fourth Amendment to the police contract.
- A6. RESOLUTION TO ACQUIRE FEDERAL SURPLUS PROPERTY (Report of: Finance Director/City Treasurer)  
Recommendation: Adopt Resolution No. 2001-59.

Resolution No. 2001-59

A Resolution of the City Council of the City of Moreno Valley, California, Designating Certain Authorized City Employees to Acquire Federal Surplus Property from the California State Agency for Surplus Property

- A7. DIAMOND VALLEY LAKE RECREATIONAL BOATING RESOLUTION (Report of: Community and Economic Development Director)  
Recommendation: Adopt Resolution No. 2001-62.

Resolution No. 2001-62

A Resolution of the City Council of the City of Moreno Valley Supporting the City of Hemet Recommendation on Modified Boating Rules for Diamond Valley Lake

**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. APPROVAL OF GRANT APPLICATION FOR SOCCER FIELDS AT MARCH FIELD PARK (Report of: Director of Parks and Recreation)  
Recommendation: Approve the filing of an application for local assistance funds in the amount of \$250,000 for the "Soccer Fields" project at March Field Park to be funded from the Roberti-Z'berg-Harris Urban Open Space and Recreational Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and

Coastal Protection Bond Act of 2000; and adopt Resolution No. CSD 2001- 18 to certify the approval of the governing board to enter into this transaction with the California Department of Parks and Recreation for the purpose of applying for grant funding for the "Soccer Fields" project at March Field Park from the Roberti-Z'berg-Harris Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean water, Clean Air, and Coastal Protection Bond Act of 2000; and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2001/02, 2002/03, 2003/04.

Resolution No. CSD 2001-18

A Resolution of the City Council of the City of Moreno Valley, California, Acting in its Capacity as the Board of Directors of the Moreno Valley Community Services District Certifying the Approval of the Governing Board for the City of Moreno Valley Parks and Recreation Department to Apply for Grant Funds for the Roberti-Z'berg-Harris Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 for Soccer Fields and t o Authorize Designated Personnel to Sign Contract Documents for FY 2001/02, 2002/03 and 2003/04

- B3. MINUTES – SPECIAL MEETING OF SEPTEMBER 18, 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 – SPECIAL MEETING OF SEPTEMBER 18, 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.

- D1. PA00-0001 (CONDITIONAL USE PERMIT); P00-041 (ADMINISTRATIVE PLOT PLAN). APPLICANT: CHEVRON PRODUCTS COMPANY. LOCATION: ON THE WEST SIDE OF FREDERICK STREET, SOUTHWEST OF THE HIGHWAY 60 OFF-RAMP AND APPROVE RESOLUTION NO. 2001-44 (CONTINUED FROM AUGUST 14, 2001) (Report of Community and Economic Development Director)

(Material not available at time of printing – to be provided under separate cover)

- D2. 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 SEPTEMBER 18, 2001) (Report of: Community and Economic Development Director)  
Recommendation: That the City Council continue the item to the City Council meeting of November 13, 2001, at the request of the applicant.
- D3. COUNCILMANIC REDISTRICTING (Report of: City Clerk)  
Recommendation: That the City Council conduct a second public hearing to consider the three proposed alternative redistricting plans of the Councilmanic districts in the City of Moreno Valley; and adopt Resolution No. 2001-60 repealing Resolution No. 91-126, and adjusting the boundaries of Councilmanic districts and designating the number of each such district.

Resolution No. 2001-60

A Resolution of the City Council of the City of Moreno Valley, California, Repealing Resolution No. 91-126, and Adjusting the Boundaries of Councilmanic Districts and Designating the Number of Each Such District

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

**F. REPORTS**

- F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING TO REINSTATE ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AT THE STANDARD SERVICE LEVEL FOR TRACT 17033 (Report of: Public Works Director/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 in regards to reinstating Zone D (Parkway Landscape Maintenance) at the standard level and the associated annual charge being proposed in a mail ballot proceeding for Tract 17033.
- F2. REPORT ON CITY FINANCIAL MANAGEMENT (CONTINUED FROM SEPTEMBER 25, 2001) (Report of: Finance Director/City Treasurer)

Power Point Presentation.

- F3. WITHDRAWAL OF \$8,000 FROM THE TRUST FUND ESTABLISHED FOR THE ACQUISITION AND RESTORATION OF CULTURAL OR HISTORIC PROPERTIES (Report of: Parks and Recreation Director)  
Recommendation: That the Mayor and City Council take no action on the request for the withdrawal of funds in the amount of \$8,000 from the Trust Fund established for the acquisition and restoration of cultural or historic properties. Staff recommends that the funds in the Trust Fund should only be used for capital improvement costs.
- F4. CONSIDERATION OF HUD SALES CONTRACT WITHDRAWAL FOR THE SINGLE-FAMILY RESIDENCE LOCATED AT 13125 LARKHAVEN (Report of: Community and Economic Development Director)  
(Material not available at time of printing – to be provided under separate cover)
- F5. CITY COUNCIL RECOGNITION POLICY REVISION (CONTINUED FROM SEPTEMBER 25, 2001) (Report of: City Manager)  
Recommendation: That the City Council adopt the proposed City Council Recognition Policy revisions.
- F6. RESOLUTION NO. 2001-63 (Report of: Mayor Flickinger and Councilmember White)  

Resolution No. 2001-63

A Resolution of the City Council of the City of Moreno Valley, California, Expressing its Position that There be no Limitations Placed on the Future Development of the March Inland Port until a Reasonable Alternatives Have Been Fully Studied and Considered
- F7. LEGISLATIVE UPDATE (Report of Assistant City Manager)  
Recommendation: That the City Council receive and file the Legislative Status Report.
- F8. CITY MANAGER'S REPORT (Oral presentation only)

**G. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION

ORDINANCES - 2ND READING AND ADOPTION

ORDINANCES - URGENCY ORDINANCES

RESOLUTIONS

- G1. RESOLUTION FOR THE ABATEMENT OF PUBLIC NUISANCES (Report of: Community and Economic Development Director)  
Recommendation: That the City Council adopt Resolution No. 2001-61 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List in the staff report for the abatement of nuisances.

Resolution No. 2001-61

A Resolution of the City Council of the City of Moreno Valley, California, Confirming Statements of Costs against Real Property Located in the City of Moreno Valley for Abatements of Public Nuisances and Direction that Said Statements of Costs Constitute a Lien upon Said Properties

- 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**



## **PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

### **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. 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**