

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

APRIL 23, 2002

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Employee of the Quarter – Lea Deesing
2. Firefighter of the Quarter – Russell Burke
3. Officer of the Quarter - Officer Michael Portillo
4. Proclamation - Municipal Clerks Week
5. Proclamation - National Mental Health 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.
APRIL 23, 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 Charles Gibson, Breakthrough Church of God in Christ

- **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. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE ALESSANDRO ENTRYWAY IMPROVEMENTS - PROJECT NO. 98-92777 (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.

A3. RESOLUTION IN SUPPORT OF PRIORITY TREATMENT OF METROLINK'S RIVERSIDE LINE BY THE UNION PACIFIC RAILROAD COMPANY (Report of: Director of Public Works/City Engineer)

Recommendation: Adopt Resolution No. 2002-27 and authorize staff to prepare a letter to Riverside County Transportation Commission voicing the City's support for the priority treatment of Metrolink's Riverside Line by the Union Pacific Company

Resolution No. 2002-27

A Resolution of the City Council of the City of Moreno Valley, California, in Support of Priority Treatment of Metrolink's Riverside Line by the Union Pacific Railroad Company

- A4. FINAL MAP 24097 – SINGLE FAMILY RESIDENTIAL PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) - WEST SIDE OF VIA DEL LAGO AND SOUTH OF IRIS AVENUE – PACIFIC CENTURY HOMES, INC. (Report of: Director of Public Works/City Engineer)
 Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements and direct the City Clerk to forward the signed Amendment to Agreement for Public Improvements to the County Recorder’s office for recordation.
- A5. AGREEMENT WITH RIVERSIDE COUNTY TO PROVIDE VECTOR CONTROL SERVICES (Report of: Director of Public Works/City Engineer)
 Recommendation: Approve an agreement with the County of Riverside to provide vector control service to the City of Moreno Valley on an as-needed basis during the vector breeding season of each year, which is typically identified as April 1st through October 31st.
- A6. BID AWARD – MOTOR GRADER (BID NO. 01/02-05) (Report of: Director of Finance/City Treasurer)
 Recommendation: Award the purchase of one Motor Grader to RDO Equipment Co. of Riverside, CA as being in the best interest of the City and authorize the Finance Director to issue a purchase order to RDO Equipment Co. of Riverside, CA in the amount of \$129,473.87.
- A7. MINUTES – REGULAR MEETING OF MARCH 26, 2002 (Report of: City Clerk)
 Recommendation: Approve as submitted
- A8. MINUTES – SPECIAL MEETING OF APRIL 2, 2002 (Report of: City Clerk)
 Recommendation: Approve as submitted.
- A9. WARRANT REPORTS – MARCH 31, 2002 (Report of: Director of Finance/City Treasurer)
 Recommendation: Adopt Resolution No. 2002-28, approving the Warrant Reports, including wire transfers dated March, 2002 in the total amount of \$6,741,452.61.

Resolution No. 2002-28

A Resolution of the City Council of the City of Moreno Valley, California,

Approving the Warrant Reports Dated March 31, 2002.

- A10. PUBLIC COMPRESSED NATURAL GAS FUELING STATION MEMORANDUMS OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF MORENO VALLEY; THE CITY OF MORENO VALLEY AND THE UNITED STATES POSTAL SERVICE; AND THE CITY OF MORENO VALLEY AND ENRG FUEL USE (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council approve the Memorandums of Understanding (MOUs) by and between: 1) The County of Riverside and the City of Moreno Valley endorsing their intent to use the Compressed Natural Gas (CNG) Fueling Station and committing \$12,500 of the SB 2766 Subvention Funds toward the infrastructure of this station; 2) United States Postal Service (USPS), San Bernardino Vehicle Maintenance Facility and the City of Moreno Valley endorsing their intent to use the Compressed Natural Gas Station for their local fleet; and 3) ENRG Fuel USA and the City of Moreno Valley agree to a fuel cost for the City that will not exceed ten percent (10%) over the cost of the commodity including transportation, electrical, operation and maintenance costs.

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. EXTENSION OF CONTRACT – PROJECT NO. E -4/99 – MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH EAST (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the Amendment to Contract Agreement for MVCSD Project E-4/99 to extend the term of the contract for an additional one-year period and authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of Santa Ana, California; authorize the Purchasing Manager, at the start of Fiscal Year 2002/03, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

- a.) One Hundred and Four Thousand One Hundred Eighty-One Dollars and No/100 (\$104,181.00) for twelve months of base maintenance service, and;

b.) Fifteen Thousand Four Hundred Forty Dollars and No/100 (\$15,440.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.

B3. EXTENSION OF CONTRACT – PROJECT NO. E -2/01 – MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – HIDDEN SPRINGS (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the Amendment to the Contract Agreement for MVCSD Project E -2/01 to extend the term of the contract for an additional one-year period and authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. in the amounts of:

a.) One Hundred Fourteen Thousand One Hundred Twenty-Seven Dollars and 44/100 (\$114,127.44) for twelve months of base maintenance service, and;

b.) Eighteen Thousand Three Hundred Seventy-Five Dollars and No/100 (\$18,375.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.

B4. NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE STREETLIGHT IN-FILL PROJECT S/L 00/01(Report of: Director of Public Works/City Engineer)

Recommendation: Accept the work for the Citywide Streetlight In-fill Project – S/L 00/01 various locations, constructed by D.B.X., Inc., Temecula, California 92520, as complete; ratify the following Contract Change Orders:

Contract Change Order No. 1 which includes the construction services for the installation of 6 concrete streetlights along Kristen Court; 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; authorize the Director of Finance to release the retention to D.B.X., Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, as required by Section 7107 9c (3) of the California Public Contract Code (Account Nos. 00172.87220.7200 and 00171.87120.7200), and accept the improvements.

B5. MINUTES – REGULAR MEETING OF MARCH 26, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted

B6. REPLACEMENT OF PLAY STRUCTURE COMPONENTS AND REPAIR/REPLACEMENT OF RUBBERIZED SURFACES IN CITY PARKS

(Report of: Director of Parks and Recreation)

Recommendation: Award a purchase order to Miracle Playground Sales, 27464 Commerce Center Drive, Suite 1, Temecula, California 92590 for material and labor to replace play structure components and repair/replace rubberized surfaces on various surfaces on various parks playgrounds and authorize the Finance Director to execute the necessary documents in an amount not to exceed \$150,000 as appropriated in FY 01/02, in account code 161.76210.6641.648.

B7. 2001/2002 BUDGET APPROPRIATION ADJUSTMENTS FOR CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE)

(Report of: Director of Public Works/City Engineer)

Recommendation: Approve the 2001/2002 budget appropriation adjustments in the amount of \$46,450 to cover the increase in contract cost for CSD Zone D (Parkway Landscape Maintenance) Full Service Group 1, (D-SG1/01) for the 2001/02 contract year (Account No. 181.78110.6261) and a \$1,460 budget appropriation adjustment from the Zone D fund balance for mulch materials (Account No. 181.78110.6361.362)

B8. APPROVE GRANT APPLICATION FOR PHASE 2 OF THE SPORTS AND COMMUNITY CENTER (Report of: Director of Parks and Recreation)

Recommendation: Approve the filing of an application for local assistance funds in the amount of \$3,000,000 for Phase 2 of the Sports and Community Center to be funded from the Murray-Hayden Urban Parks and Youth Service Program under the safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 and adopt Resolution No. CSD 2002-04 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 Phase 2 of the Sports and Community Service 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 2002/03, 2003/04, 2004/05.

Resolution No. CSD 2002-04

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 Under the Murray-Harden Urban Parks and Youth Service Program Under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act Of 2000 for the Sports and Community Center and to Authorize Designated Personnel to Sign Contract Documents For FY 2002/03, 2003/04 and

2004/2005

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. PALOS VERDES APARTMENTS - SUBORDINATION REQUEST (Report of: Director of Community and Economic Development)
Recommendation: Approve the revised Implementation Agreement by and between the Community Redevelopment Agency and Palos Verdes Apartments.
- C3. MINUTES – REGULAR MEETING OF MARCH 26, 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. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – ELEVEN (11) TRACTS (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) Tabulate the mail ballots for eleven (11) affected tracts for CSD Zone D;
 - 2) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;
 - 3) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
 - 4) Authorize and impose the applicable CSD Zone D charge.

D2. PUBLIC HEARING TO CONSIDER AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2001-02 ANNUAL ACTION PLAN (Report of: Director of Community and Economic Development)
Recommendation: That the City Council

1. Approve the proposed amendments to the FY 2001-02 Annual Action Plan;
2. Authorize the transfer of \$300,000 from account 142.84450 to new project account for child care center; and
3. Authorize the transfer of \$21,667 from unprogrammed funds to new project for small business counseling.

D3. JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO CONSIDER AN AGREEMENT WITH MORENO VALLEY SENIOR HOUSING, INC., (COOPERATIVE SERVICES) (Report of: Director of Community and Economic Development)

Recommendation: Staff recommends that the City Council:

- 1) Adopt Resolution No. 2002-29:
 - a) Making the findings required by Section 33433 and Section 33445 of the Health and Safety Code for the disposition of Agency owned property and the use of Agency funds for publicly owned improvements;
 - b) Making the finding and providing the consent required by Section 33421.1 of the Health and Safety Code for the Agency to pay the costs of off-site improvements required by the City as a condition of granting entitlements for the project; and
 - c) Approving the Disposition and Development Agreement (DDA) with Moreno Valley Senior Housing, Inc. and authorizing the City Manager to execute the DDA and other instruments necessary or convenient to implement the DDA.

Resolution No. 2002-29

A Resolution of the City Council of the City of Moreno Valley, California, Approving a Disposition and Development Agreement with Moreno Valley Senior Housing, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds

- 2) Adopt Resolution No. 2002-30, making the findings required by the California Environmental Quality Act for the approval of the project

Resolution No. 2002-30

A Resolution of the City Council of the City of Moreno Valley, California,
Making Environmental Findings

- 3) That the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution No. RDA 2002-01:
 - a) Making the findings required by Section 33433 and Section 33445 of the Health and Safety Code for the disposition of Agency owned property and the use of Agency funds for publicly owned improvements;
 - b) Authorizing a budget appropriation in the amount of \$227,323 from the Redevelopment Agency's affordable housing fund balance to Moreno Valley Senior Housing, Inc. account 894.67120; and
 - c) Approving the Disposition and Development Agreement (DDA) with Moreno Valley Senior Housing, Inc. and authorizing the Executive Director to execute the DDA and other instruments as necessary or convenient to implement the DDA.

Resolution No. RDA 2002-01

A Resolution of the Redevelopment Agency of the City of Moreno Valley, California, Approving a Disposition and Development Agreement with Moreno Valley Senior Housing, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds

- 4) That the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution No. RDA 2002-02, making the findings required by the California Environmental Quality Act for the approval of the project

Resolution No. RDA 2002-02

A Resolution of the Redevelopment Agency of the City of Moreno Valley, Making Environmental Findings

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

F. REPORTS

- F1. NEW MAIN LIBRARY PROJECT (CONTINUED FROM APRIL 16, 2002)
(Report of: Library Director)
Recommendation: That the City Council rescind its previous policy direction for filing an application for California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act funding in round one of the funding cycle in June 2002. This recommendation is due to the financial uncertainty created by the upcoming Utility User's Tax election in November.
- F2. HOMEBUYER ASSISTANCE PROGRAM (HAP) REVISIONS (Report of: Director of Community and Economic Development)
Recommendation: That the Redevelopment Agency Board of the City of Moreno Valley ("the Agency"), approve the following actions related to the Homebuyer Assistance Program (HAP), and authorize staff to administratively amend the Homebuyer Assistance Program Procedures Manual as necessary.
1. Approve an increase of the maximum sales price from \$125,000 to \$150,000;
 2. Restrict the use of HAP funds to only down payment assistance and remove the homebuyer's minimum contribution of three (3) percent; and
 3. Approve the removal of the minimum housing and total debt-to-income ratios.
- F3. PRESENTATION OF DEPARTMENTAL 5-YEAR PLAN/POWERPOINT PRESENTATION – PUBLIC WORKS – ORAL PRESENTATION ONLY – NO WRITTEN MATERIAL
- F4. STUDY OF INDEPENDENT POLICE DISPATCH CENTER (Report of: Assistant City Manager)
Recommendation: That the City Council take no further action on this issue at this time and table the discussion to study and implement an independent City police dispatch center.

- F5. APPOINTMENTS TO SENIOR CITIZENS ADVISORY COMMITTEE AND CULTURAL PRESERVATION ADVISORY COMMITTEE (Report of: City Clerk)
Recommendation: That the City Council:
1. Review the ballot (to be provided by the City Clerk) for appointments to the Senior Citizens Advisory Committee and appoint one member for a term expiring June 30, 2003, and one member for a term expiring June 30, 2004;
 2. Appoint Vonzetta M. Fielding to the Cultural Preservation Advisory Committee with a term expiring June 30, 2004; or
 3. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.
- F6. PUBLIC MEETING ON PROPOSED 2002/03 FEE SCHEDULE (Report of: Director of Finance/City Treasurer)
Recommendation: That the City Council conduct a Public Meeting for public comment on the Proposed 2002/03 Fee Schedule.
- F7. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: Receive and file the Legislative Status Report.
- F8. 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. 600 (RECEIVED FIRST READING AND INTRODUCTION APRIL 9, 2002 ON A 4–1 VOTE, WEST VOTING NO) (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt Ordinance No. 600

Ordinance No. 600

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley

Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

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: -0-
 - b) SECTION 54956.9(c) - Initiation of litigation
Number of Cases: -1-
- 2) SECTION 54957.6 –LABOR NEGOTIATIONS
Agency Negotiator: Gene Rogers
Employee Organization: MVCEA & MVMA

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

ADJOURNMENT