

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

MAY 10, 2005

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Proclamation Recognizing National Public Works Week
2. California Association of Public Information Officials "Award of Distinction" for MVTV-3's "City Watch" News Program

**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 AND THE BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING - 6:30 P.M.
MAY 10, 2005**

CALL TO ORDER (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 and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Robert Mink, Discovery Christian 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 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. 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.

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, AND THE BOARD OF LIBRARY TRUSTEES

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees 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. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS - PROJECT NO. 98-25897 (Report of: Public Works Department)
Recommendation: Approve the Agreement for Professional Consultant Services with Parsons Brinckerhoff Quade & Douglas, Inc., 685 East Carnegie Drive, Suite 210, San Bernardino, California 92408-3507 to provide design services; authorize the Mayor to execute said Agreement for Professional Consultant Services with Parsons Brinckerhoff Quade & Douglas, Inc.; authorize the issuance of a Purchase Order to Parsons Brinckerhoff Quade & Douglas, Inc., in the amount of \$1,080,232.00 (the proposal amount plus 15% contingency) when the agreement has been signed by all parties (Account No. 125.89720).
- A3. MINUTES - REGULAR MEETING OF APRIL 26, 2005 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A4. PARCEL MAP 32174 – ACCEPT REPLACEMENT BONDS AND RELEASE CASH DEPOSIT – SOUTHEAST SIDE OF HEACOCK STREET AND COTTONWOOD AVENUE – SUBDIVIDER: HEACOCK COTTONWOOD III LIMITED PARTNERSHIP, 73061 EL PASEO, SUITE 214, PALM DESERT, CA 92261 (Report of: Public Works Department)
Recommendation: Accept Replacement Bonds for Parcel Map

32174; and authorize the City Engineer to release Cash Deposit to Heacock Cottonwood III Limited Partnership.

- A5. 2004 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)
Recommendation: Receive and file the 2004 Annual Report of the Planning Commission and authorize transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.
- A6. APPROVE AND ACCEPT THE CONSENT LETTER FOR THE QUIET TITLE PROCEEDING DEEMING THE 50.98 FEET OF PROPERTY ON THE SOUTH SIDE OF ASSESSOR PARCEL NO. 473-160-009 OWNED BY CALVARY CHAPEL, AND DELEGATE THE AUTHORITY TO THE CITY ENGINEER TO SIGN THE CONSENT LETTER ON BEHALF OF THE CITY OF MORENO VALLEY (Report of: Public Works Department)
Recommendation: Approve and accept the consent letter for the quiet title proceeding deeming the 50.98 feet of property on the south side of Assessor Parcel No. 473-160-009 owned by Calvary Chapel; and delegate the authority to the City Engineer to sign the consent letter on behalf of the City of Moreno Valley.
- A7 APPROVE AND ADOPT RESOLUTION NO. 2005-41 ACCEPTING PUBLIC RIGHT OF WAY FOR A PORTION OF VIA VON BATSCH, LASSELLE STREET, MERWIN STREET, BAY AVENUE, GIFFORD AVENUE, WILLIAMS AVENUE, AND STEVENS AVENUE, WHICH ARE PART OF THE STREET IMPROVEMENT PROGRAM (SIP), PROJECT NO. 02-12185520 (Report of: Public Works Department)
Recommendation: Approve and adopt Resolution No. 2005-41 accepting dedication of property for public right-of-way, but not accepting these portions of streets into the City-maintained road system; and direct the City Clerk to certify the acceptance of said dedication and cause said certification to be recorded in the office of the Recorder of the County of Riverside together with said Resolution.

Resolution No. 2005-41

A Resolution of the City Council of the City of Moreno Valley, California, Accepting Public Right-of-Way for Portions of Via Von Batsch from Perris Boulevard Easterly; Lasselle Street North of Chateau Court to Kalmia Street; Merwin Street from Stevens Avenue to Alessandro Boulevard; Merwin Street from Stevens Avenue to Bay Avenue; Bay Avenue from Redlands Boulevard to

Merwin Street; Bay Avenue from Wilmot Street to Redlands Boulevard; Gifford Avenue from Wilmot Street to Redlands Boulevard; Gifford Avenue from Redlands Boulevard Easterly; Williams Avenue from Redlands Boulevard Easterly; and Stevens Avenue from Redlands Boulevard Easterly Accepting Dedication of Easements over Certain Property for Public Road Purposes

- A8. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNALS AT IRONWOOD AVENUE AND NASON STREET, PROJECT NO. 03-12566723, AND AT IRONWOOD AVENUE AND MORENO BEACH DRIVE, PROJECT NO. 03-12566723 (Report of: Public Works Department)
Recommendation: Award the construction contract for the traffic signals at Ironwood Avenue and Nason Street and at Ironwood Avenue and Moreno Beach Drive to Hillcrest Contracting Inc., 1467 Circle City Drive, Corona, CA 92879, as the lowest responsible bidder; authorize the Mayor to execute a contract with Hillcrest Contracting, Inc.; and authorize the issuance of two (2) Purchase Orders for Hillcrest Contracting, Inc. in the amounts of \$261,519 (the bid amount plus 10% contingency) for the traffic signal project at the intersection of Ironwood Avenue and Nason Street (Account No. 415.70124), and \$345,114 (the bid amount plus 10% contingency) for the traffic signal project at the intersection of Ironwood Avenue and Moreno Beach Drive (Account No. 415.70224) when the contract has been signed by all parties.
- A9. FY04/05 BUDGET APPROPRIATION ADJUSTMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE PUBLIC WORKS DEPARTMENT, LAND DEVELOPMENT DIVISION (Report of: Public Works Department)
Recommendation: Approve an additional appropriation to the Public Works Professional Consultant Services Fund (Account Number 00011.52310.6255) in the amount of \$180,000.

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 APRIL 26, 2005 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

- B3. CONFERENCE AND RECREATION CENTER LEASE AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY (RDA) AND COMMUNITY SERVICES DISTRICT (CSD) (Report of: Economic Development Department)
Recommendation: Approve the Conference and Recreation Center Lease Agreement between the Community Redevelopment Agency (landlord) and the Moreno Valley Community Services District (tenant).

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 APRIL 26, 2005 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- C3. CONFERENCE AND RECREATION CENTER LEASE AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY (RDA) AND COMMUNITY SERVICES DISTRICT (CSD) (Report of: Economic Development Department)
Recommendation: Approve the Conference and Recreation Center Lease Agreement between the Community Redevelopment Agency (landlord) and the Moreno Valley Community Services District (tenant).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- D2. MINUTES - REGULAR MEETING OF APRIL 26, 2005 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

E. 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.

- E1. PUBLIC HEARING TO ADOPT ANNUAL ACTION PLAN FOR FISCAL YEAR 2005-2006 AND CONSOLIDATED PLAN AMENDMENTS (Report of: Economic Development Department)
Recommendation: That the City Council:
1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Programs to allow the public an opportunity to comment on the proposed 05/06 Annual Action Plan and Consolidated Plan Amendments #2 and #3;
 2. Approve the proposed 05/06 Annual Action Plan;
 3. Approve the proposed Consolidated Plan Amendment #2;
and
 4. Approve the proposed Consolidated Plan Amendment #3.
- E2. A PLOT PLAN (PA04-0010) UNIT AFFORDABLE HOUSING MULTI-FAMILY APARTMENT COMPLEX WITH VARIOUS RECREATIONAL FACILITIES ON AN EXISTING 19.20 NET ACRE PARCEL OF LAND. THE PROPOSED PROJECT, SUBMITTED BY THE APPLICANT, ALPHA III DEVELOPMENT INC., IS LOCATED ON THE EAST SIDE OF PERRIS BLVD., 600 SOUTH OF JOHN F. KENNEDY DRIVE. (CONTINUED FROM APRIL 26, 2005) (PUBLIC TESTIMONY PORTION WAS CLOSED) (Report of: Community Development Department)
Recommendation: That the City Council approve City Council Resolution No. 2005-38, approving PA04-0010, (Plot Plan) for a 241-unit affordable apartment complex with various recreational facilities on an existing 19.20 net acre parcel of land, based on the findings in the Resolution, and the conditions of approval, as attached as Exhibit A to the Resolution.

Resolution No. 2005-38

A Resolution of the City Council of the City of Moreno Valley Approving PA04-0010, for the Development of a 19.20 Net Acre (19.55 Gross Acre) Parcel of Land into a 241-Unit Affordable Apartment Complex with Various Recreational Accessory Uses

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

G. REPORTS

- G1. PRESENTATION OF FY 2005/06 PROPOSED BUDGET (Report of the Finance Department) (To be provided under separate cover)
Recommendation: That the City Council:
1. Review the City Manager's FY 2005/06 Proposed Budget as submitted;
 2. Accept public comments on the FY 2005/06 Proposed Budget; and
 3. Provide comments and discussion.
- G2. SAFELY SURRENDERED BABY PROGRAM (Report of: Fire Department)
Recommendation: That the City Council authorize the City Fire Department to institute the Safely Surrendered Baby Program (Newborn Abandonment Law, SB 1368) within the City of Moreno Valley.
- G3. LEGISLATIVE UPDATE (Report of: Interim Assistant City Manager)
Recommendation: That the City Council receive and file the report.
- G4. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. CITY COUNCIL ORDINANCE NO. 687, APPROVING PA04-0009, REQUESTING TO CHANGE THE ZONING CLASSIFICATIONS FOR CERTAIN PROPERTY FROM NC (NEIGHBORHOOD COMMERCIAL) AND R-20 (RESIDENTIAL-20) TO R15 (RESIDENTIAL-15) AS DESCRIBED IN THE ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION APRIL 26, 2005 ON A 3-0-2 VOTE, Batey and Stewart absent) (Report of: Community Development Department)
Recommendation: Adopt Ordinance No. 687.

Ordinance No. 687

An Ordinance of the City Council of the City of Moreno Valley, California, (PA04-0009), Amending the Official Zoning Atlas of said City, Changing the Zone on a 19.20 Net Acre (19.55 Gross Acre) Portion of Property from NC (Neighborhood Commercial) to R-15 (Residential-15) on 9.55 Acres and R-20 (Residential -20) to R-15 (Residential-15) on 10 Acres Located on the East Side of Perris Boulevard, Just South of John F. Kennedy Drive

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 BLUE 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.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. 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.

The Closed Session will be held pursuant to Government Code:

- 1) SECTION 54956.9(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
- 2) SECTION 54956.9(b) (1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: -2-
- 3) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Number of Cases: -2-

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

ADJOURNMENT