

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**

APRIL 24, 2001

CALL TO ORDER

PUBLIC COMMENTS

ROLL CALL

CLOSED SESSION - 6:00 P.M.

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. Prior to recessing to Closed Session the Council will convene in the City Council Chamber to hear public comments, if any, on matters on the Closed Session agenda. Reportable action will be announced at this evening's Council Meeting under Section D, of the City Council Agenda. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter 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) SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: APN 297-170-027 (Northeast corner of Frederick and Cactus)
City Negotiator: Tom Breitkruez
Property Owner: Ferguson Properties

Properties: APN 297-170-034 (Southeast corner of Alessandro & Frederick)
City Negotiator: Tom Breitkruez
Property Owner: Centerpointe Properties

Property: Southwest Corner of San Juan de la Lagos and Corporate Way
City Negotiator: John Terell
Property Owner: City of Moreno Valley

2) SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Case: *City of Moreno Valley v. David Lerma*
Court: Riverside Superior Court
Case No.: RSC 346259

b) Case: *City of Moreno Valley v. Joseph Teague*
Court: State Court of Appeals
Case No.: APP003071

c) Case: *Moreno Valley Coalition of Concerned Citizens v. City*
Court: Riverside Superior Court
Case No.: RIC 346812

Case: *Adelphia Communications Corporation, and Century-TCI California, L.P., a Delaware Limited Partnership*
Court: U.S. District Court
Case No.: EDCV 01-0181 VAP (SGLx)

3) 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:

**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 - 7:00 P.M.
APRIL 24, 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 Bill W. Martin Jr., Palm Canyon Community Church

- **ROLL CALL**

- **INTRODUCTIONS**

- **SPECIAL PRESENTATIONS**
 1. Employee of the Quarter – Dorathy Haun
 2. Firefighter of the Quarter – Jay Ayers
 3. Police Officer of the Quarter – Tony Hoxmeier
 4. Loyalty Day Proclamation
 5. Youth Week Proclamation

- **PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL (COMMENTS NOT CONCLUDED BY 7:30 P.M. WILL BE HEARD PRIOR TO CITY COUNCIL CLOSING COMMENTS AT THE END OF THE AGENDA)

There is a three-minute time limit per person. Please complete and submit a PINK speaker slip to the Bailiff.

- **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.)

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 AWARD – PROJECT NO. 99-25653- FISCAL YEAR 1999-2000, AB1020/AB2766 BIKEWAYS - VARIOUS LOCATIONS CITYWIDE (CLASS II/III BICYCLE ROUTES) (Report of: Director of Public Works/City Engineer)
Recommendation: Award the construction Contract for the subject project to DBX, Incorporated, Temecula, California, the lowest responsible bidder; authorize the Mayor to execute a Contract with DBX, Incorporated; and authorize the issuance of a Purchase Order to DBX, Incorporated, in the amount of \$160,359.10 (the amount of bid plus 10% contingency) when the Contract has been signed by all parties. (New Account No. 00125.65320.7200).

- A3. PARCEL MAP 20995 – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) – SOUTH SIDE OF ALESSANDRO BOULEVARD, EAST SIDE OF ELSWORTH STREET – SUBDIVIDER – NEWHOPE PROPERTIES III, CGP, 9751 TALBERT AVENUE, FOUNTAIN VALLEY, CA 92708 (Report of: Director of Public Works/City Engineer)
Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements.

- A4. FINAL MAP 23553-2, ACCEPT AGREEMENT & BONDS FOR LANDSCAPE & IRRIGATION IMPROVEMENTS – EAST SIDE OF PIGEON PASS ROAD, NORTH OF SUNNYMEAD RANCH PARKWAY (MV DEVELOPMENT, LLC, 20 CORPORATE PARK, SUITE 240, IRVINE, CA 92606)
(Report of: Director of Public Works/City Engineer)
Recommendation: Accept the bonds and authorize the Mayor to execute the Agreement for Landscape and Irrigation Improvements; and instruct the City Clerk to forward the completed Agreement for Landscape and Irrigation Improvements to the Riverside County Recorder's office for recordation.
- A5. WARRANT REGISTERS – MARCH 31, 2001 (Report of: Director of Finance/City Treasurer)
Recommendation: Adopt Resolution No. 2001-15, approving the Warrant Registers, including wire transfers, dated March, 2001 in the total amount of \$10,028,541.81.

Resolution No. 2001-15

A Resolution of the City Council of the City of Moreno Valley, Approving the Warrant Registers, Dated March 31, 2001

- A6. MINUTES – REGULAR MEETING OF APRIL 10, 2001 (Report of: Acting City Clerk)
Recommendation: Approve as submitted.
- A7. PARCEL MAP 27732 – APPROVAL FOR PHASING OF CERTAIN PUBLIC IMPROVEMENTS – SUBDIVIDER – MARCH COMMERCE CENTER LIMITED PARTNERSHIP, P.O. BOX 87, 1995 AGUA MANSA, RIVERSIDE, CA 92502
(Report of: Director of Public Works/City Engineer)
Recommendation: Approve construction of Cactus Avenue, Commerce Center Drive, and Goldencrest Drive as the first phase of public improvement construction; approve construction of the required traffic signals and the construction of Grant Street and Alessandro Boulevard as the second phase of public improvement construction; and approve deferral of construction of sidewalk for both phases to the future development of each individual parcel.

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 10, 2001 (Report of: Acting City Clerk)

Recommendation: Approve as submitted.

B3. RECOMMENDATION TO AWARD CONTRACT TO CONDUCT FOCUSED SURVEYS FOR SENSITIVE SPECIES LOCATED AT THE POORMAN'S RESERVOIR GOLF COURSE PROJECT (Report of: Director of Parks and Recreation)

Recommendation: Award the contract for the subject project to EIP Associates, 12301 Wilshire Boulevard, Suite 430, Los Angeles, CA 90025; and authorize the Finance Director to issue a purchase order upon execution of the contract to the above-mentioned consultant not to exceed the amount of \$42,000.00. The cost will be appropriated from available fund balance.

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. COACHELLA VALLEY HOUSING COALITION (Report of: Director of Community and Economic Development)

Recommendation: Approve the site selected by Coachella Valley Housing Coalition (CVHC) located on Hemlock Avenue for the proposed 40 units approved by the prior Agreement.

C3. MINUTES – REGULAR MEETING OF APRIL 10, 2001 (Report of: Acting City Clerk)

Recommendation: Approve as submitted.

C4. IMPLEMENTATION AGREEMENT TO THE OWNER PARTICIPATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY, MARCH COMMERCE CENTER AND GOLDENCREST (Report of: Director of Community and Economic Development)

Recommendation: Execute the Implementation Agreement to Owner Participation Agreement.

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

E. 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.

E1. MORENO VALLEY COMMUNITY SERVICES DISTRICT PUBLIC HEARING TO CONDUCT MAIL BALLOT PROCEEDINGS OF CERTAIN TRACTS WITHIN ZONE D (PARKWAY LANDSCAPE MAINTENANCE) (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council acting in their capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD):

1. Conduct a Public Hearing to consider the retention of Zone D (Parkway Landscape Maintenance) at the standard level and the annual service charge for sixteen (16) tracts;
2. Tabulate the mail ballots for each of the 16 tracts;
3. Verify and accept the results of each mail ballot proceeding; and
4. Authorize and impose the CSD Zone D charges.

• ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

F. REPORTS

F1. APPROVAL OF THE MORENO VALLEY EQUESTRIAN PARK AND NATURE CENTER GUIDELINES, AND AMENDMENT TO ORDINANCE NO. CSD-29 REGARDING THE MORENO VALLEY EQUESTRIAN PARK AND NATURE CENTER (CONTINUED FROM APRIL 10, 2001) (Report of: Director of Parks and Recreation)

Recommendation: That the City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District:

1. Approve the Moreno Valley Equestrian Park and Nature Center Guidelines, and
2. Introduce Ordinance No. CSD 30, amending Ordinance No. 29, regarding the Moreno Valley Equestrian Park and Nature Center.

Ordinance No. CSD 30

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Amending Ordinance No. CSD-29, regarding the Moreno Valley Equestrian Park and Nature Center

F2. LEGISLATIVE UPDATE (Report of: Assistant City Manager)

Recommendation: That the City Council receive and file the Legislative Status Report.

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING & INTRODUCTION - NONE

ORDINANCES - 2ND READING & ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS - NONE

- **CONTINUATION OF PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA,
IF NEEDED**

- **CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY
SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY**

ADJOURNMENT