

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

DECEMBER 11, 2001

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Children of Rainbow Ridge Child Care Grant Program singing Christmas Carols
2. Presentation by Dick Meyer of the Automobile Club of Southern California – AAA Silver Award for Community Traffic Safety/2001

**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.
DECEMBER 11, 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 Rich Hall, Evangelical Free 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.)**

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 Items withdrawn for report/discussion will be heard after public hearing items.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. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR IRIS AVENUE IMPROVEMENTS FROM INDIAN STREET TO PERRIS BOULEVARD - PROJECT NO. 01-12566721 (Report of: Public Works Director/City Engineer)
Recommendation: Adopt the Plans and Specifications that are on file in the office of the Public Works Director; and authorize the City Clerk to advertise the project for construction bids.

- A3. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR PIGEON PASS ROAD REHABILITATION FROM IRONWOOD AVENUE TO OLD LAKE DRIVE – PROJECT NO. 01-12567021 (Report of: Public Works Director/City Engineer)
Recommendation: Adopt the Plans and Specifications for Pigeon Pass Road rehabilitation from Ironwood Avenue to Old Lake Drive, which are on file in the office of the Public Works Director; and authorize the City Clerk to advertise the project for construction bids.

- A4. SENIOR CITIZENS' ADVISORY COMMITTEE AND PLANNING COMMISSION VACANCIES (Report of: City Clerk)

Recommendation: Declare vacant David Deardorff's position on the Senior Citizens' Advisory Committee, with the remainder of his term expiring on June 30, 2002 – vacancy effective January 1, 2002; Declare vacant Ann Romero's position on the Senior Citizens' Advisory Committee, with the remainder of her term expiring on June 30, 2004 - vacancy effective January 1, 2002; declare vacant Shirley Rollins' position on the Senior Citizens' Advisory Committee, with the remainder of her term expiring on June 30, 2004; declare vacant Tracy Vackar's position on the Planning Commission, with the remainder of her term expiring on January 01, 2003; and authorize the City Clerk to notice these positions as vacant.

- A5. MINUTES – REGULAR MEETING OF NOVEMBER 27, 2001 (Report of: City Clerk)

Recommendation: Approve as submitted.

- A6. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT – PROJECT NO. 00-84820 - FISCAL YEAR 2000/2001 ANNUAL SLURRY SEAL PROGRAM (Report of: Public Works Director/City Engineer)

Recommendation: Award the construction contract for the Fiscal Year 2000/2001 Annual Slurry Seal Program to Pavement Coatings Company, 5312 Cypress Street, P.O. Box 1491, Cypress, California 90630, as the lowest responsible bidder; authorize the Mayor to execute a contract Agreement with Pavement Coatings Company; and authorize the issuance of a purchase order to Pavement Coatings Company in the amount of \$1,043,810.09 (the amount of bid plus 10% contingency) when both parties have signed the contract (Account No. 125.84830).

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 -3/99 – MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH WEST (Report of: Public Works Director/City Engineer)

Recommendation: Approve the Amendment to the Contract Agreement for MVCSD Project E -3/99 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of Santa Ana, California; authorize the Purchasing Manager to issue open purchase orders to Bemus Landscape, Inc.

in the amount of: a) EIGHTY-THREE THOUSAND THREE HUNDRED NINETY-FOUR DOLLARS AND NO/100 (\$83,394.00--\$41,697.00 for FY 2001/02 and \$41,697.00 for FY 2002/03) for twelve months of base maintenance service; and b) THIRTEEN THOUSAND TWO HUNDRED FIFTY-SEVEN DOLLARS AND NO/100 (\$13,257.00--\$6,628.50 for FY 2001/02 and \$6,628.50 for FY 2002/03) for anticipated additional work per Section 3, paragraph d. of the Amended Agreement.

- B3. MINUTES – REGULAR MEETING OF NOVEMBER 27, 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 – REGULAR MEETING OF NOVEMBER 27, 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. Please complete and submit a GOLDENROD speaker slip to the Bailiff.

- D1. PUBLIC HEARING FOR INCLUSION OF TRACT NO. 30286 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) (Report of: Public Works Director/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. Conduct the Public Hearing to consider the inclusion of Tract No. 30286 (and all affected phases) into the CSD Zone B (Residential Street Lighting) at the annual service charge for each;
 2. Tabulate the mail ballots for CSD Zone B;

3. Verify and accept the results of the mail ballot proceeding; and
4. Authorize and impose the CSD Zone B charge.

D2. HABITAT FOR HUMANITY – CLOVER NEW DEVELOPMENT PROJECT
 (Report of: Community and Economic Development Director)
 Recommendation: That the City Council and the Community Redevelopment Agency do the following:

1. Conduct a Public Hearing to consider the disposition of three single-family parcels located on Clover Avenue;
2. Authorize staff to finalize the Affordable Housing Agreement between Habitat for Humanity, a Community Housing Development Organization (CHDO), the Community Redevelopment Agency of the City of Moreno Valley and the City of Moreno Valley; and
3. Authorize the City Manager to execute the Affordable Housing Agreement and other required documentation to complete the Clover Project and to protect the City and the Community Redevelopment Agency.

D3. A PUBLIC HEARING FOR P01-058 (DEVELOPMENT AGREEMENT AMENDMENT), SUBMITTED BY WESTERN PACIFIC HOUSING INC. FOR AMENDMENT NO. 1 TO THE TOWNGATE DEVELOPMENT AGREEMENT TO MODIFY THE TERMS OF THE AGREEMENT PERTAINING TO PARK SITE IMPROVEMENTS FOR PLANNING AREA 11, LOCATED ON THE SOUTHWEST SIDE OF THE TOWNGATE SPECIFIC PLAN (SP 200), ENCOMPASSING AN AREA FROM DAY STREET TO THE WEST, EUCALYPTUS AVENUE TO THE NORTH, ELSWORTH STREET TO THE EAST, AND COTTONWOOD AVENUE TO THE SOUTH (Report of: Community and Economic Development Director)

Recommendation: That the City Council conduct a public hearing to:

1. RECOGNIZE that the Development Agreement Amendment is not considered to have the potential for any direct or indirect impacts under CEQA and is therefore exempt under Section 15061 of the CEQA Guidelines;
2. INTRODUCE Ordinance No. 595, thereby approving Amendment No. 1 to the Towngate Development Agreement

Ordinance No. 595

An Ordinance of the City Council of the City of Moreno Valley, California, Approving the First Amendment to the Towngate Development Agreement and Changing the Requirement for a Park within Planning Area 11, to Include a 4,000 Square Foot Recreation Building in Lieu of a Community Swimming Pool, Relative to a Development Known as Western Pacific Housing Inc., Located in an Area Bounded by Day Street to the West, Eucalyptus Avenue to the North, Elsworth Street to the East and Cottonwood Avenue to the South

- D4. A PUBLIC HEARING FOR P01-074 (MODIFICATION OF CONDITIONS) PERTAINING TO TIMING OF CONDITIONS OF APPROVAL FOR PA01-0004 (TENTATIVE TRACT MAP NO. 29143) AND P01-006 (TOWNGATE SPECIFIC PLAN AMENDMENT) AS THEY RELATE TO THE RECORDATION OF A FINAL MAP, SUBMITTED BY WESTERN PACIFIC HOUSING INC., FOR A RECENTLY APPROVED 557 LOT SINGLE-FAMILY RESIDENTIAL HOUSING TRACT AND PUBLIC PARK, LOCATED ON THE SOUTHWEST SIDE OF THE TOWNGATE SPECIFIC PLAN (SP NO. 200), ENCOMPASSING AN AREA FROM DAY STREET TO THE WEST, EUCALYPTUS AVENUE TO THE NORTH, ELSWORTH STREET TO THE EAST, AND COTTONWOOD AVENUE TO THE SOUTH AND APPROVAL OF AN INTERIM PUBLIC FACILITIES FEE AGREEMENT (Report of: Community and Economic Development Director)

Recommendation: That the City Council conduct a public hearing to:

1. RECOGNIZE that the Modification of Conditions is not considered to have the potential for any direct or indirect impacts under CEQA and is therefore exempt under Section 15061 of the CEQA Guidelines;
2. APPROVE Resolution No. 2001-72, thereby approving the modification of conditions of approval (P01-074) and modifying condition Nos. 32-33, 60 and 97-98 of Tentative Tract Map No. 29143 (PA01-0004) and 17 of the Towngate Specific Plan Amendment No. 3 (P01-006); and
3. APPROVE and AUTHORIZE the Mayor to execute the Interim Public Facilities Fee Agreement

Resolution No. 2001-72

A Resolution of the City Council of the City of Moreno Valley, California, Approving P01-074, Relating to the Modification of Conditions for a Recently

Approved 557 Lot Single-Family Residential Housing Tract and Public Park to Include Condition Nos. 32-33, 60 and 97-98 of Tentative Tract Map No. 29143 (PA01-0004) and Condition No. 17 of the Towngate Specific Plan Amendment No. 3 (P01-006) Pertaining to Timing of Conditions as they Relate to the Recordation of a Final Map

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

F. REPORTS

F1. APPROVAL OF FINAL MAP 29143-1 SUBJECT TO RECEIPT OF AN ACCEPTABLE LETTER OF CREDIT FOR AREA DRAINAGE FEES, AUTHORIZE THE CITY CLERK TO SIGN THE MAP AND TRANSMIT SAID MAP TO THE COUNTY RECORDER'S OFFICE FOR RECORDATION UPON RECEIPT OF SUCH LETTER OF CREDIT, AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - SOUTH OF EUCALYPTUS AVENUE, EAST OF DAY STREET, AND NORTH OF COTTONWOOD AVENUE - SUBDIVIDER -WESTERN PACIFIC HOUSING (Report of: Public Works Director/City Engineer)

Recommendation: That the City Council:

1. Approve Final Map 29143-1 subject to receipt of an acceptable Letter of Credit for area drainage fees, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation upon receipt of such Letter of Credit;
2. Accept the bonds and Agreement for Public Improvements;
3. Authorize the Mayor to execute the agreement; and
4. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE INCLUSION OF PARCEL MAP NO. 27548 (ASSESSOR PARCEL NO. (APN) 256-150-013) AND APNS 256-150-029, 256-150-030, 256-150-033, AND

ANY DIVISION THEREOF INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) SERVICE PROGRAM (Report of: Public Works Director/City Engineer)

Recommendation: Staff recommends 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 comment regarding the proposed inclusion of Parcel Map No. 27548 (APN 256-150-013) and APNs 256-150-029, 256-150-030, 256-150-033 and any division thereof into the CSD Zone B (Residential Street Lighting) program and the associated annual service charge.

F3. REQUEST TO CONTINUE DISCUSSION ON CAPITAL PROJECTS (CONTINUED FROM OCTOBER 23, 2001) (Report of: Finance Director/City Treasurer/City Manager)

Recommendation: That the City Council continue this item to January 22, 2002, to allow more time to provide Council with updated cost information and a status report on all capital projects approved by Council during the past two years that were totally or partially funded by the capital expenditures reserve, as well as additional projects under consideration for funding.

F4. RECRUITMENT CAMPAIGN FOR ADVISORY COMMITTEES (Report of: City Clerk)

Recommendation: That the City Council review the following suggestions designed to improve the recruitment process for advisory committees:

1. Accept year-round applications (Applications would be retained for one year after submittal.) [*The current practice is to accept applications only during the recruitment period, and applications are retained only until appointments are made.*];
2. Reduce to seven the number of members in those committees currently composed of nine members by attrition, if necessary;
3. Allow committees to vote to meet quarterly rather than monthly;
4. Hold an annual orientation program for prospective committee members;
5. Require that prospective applicants attend at least one meeting of their desired committee(s) prior to appointment;
6. Eliminate the current practice of preparing a staff report to request that Council declare a vacancy by formally delegating that responsibility to the City Clerk; [*This will expedite the recruiting process*];
7. Meet annually with committee chairpersons to receive reports from all

committees;

8. Meet at least bi-annually with each committee to review their work programs and discuss policy issues;
9. Utilize Moreno Valley Live to allow committee chairpersons or other members to publicize the purposes and assignments of their respective committees;
10. Announce future openings or vacancies during City Council meetings;
11. Consider amending the Municipal Code to resolve a policy inconsistency regarding attendance.

- F5. RCIP CITIES TECHNICAL ADVISORY COMMITTEE UPDATE (Report of: Community and Economic Development Director)
Informational Oral Presentation only.
- F6. CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR AND MAYOR PRO TEM (Report of: City Clerk)
Recommendation: That the City Council conduct the reorganization of the City Council by selecting two Councilmembers to serve one-year terms respectively as Mayor and Mayor Pro Tem.
- F7. 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. 593 (RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 27, 2001, ON A 5-0 VOTE) (Report of: Public Works Director)
Recommendation: Adopt Ordinance No. 593:

ORDINANCE NO. 593

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 2.27.010 of Chapter 2.27 of the City of Moreno Valley Municipal Code, Relating to the Composition of the Traffic Safety Advisory Committee

- G2. ADOPTION OF ORDINANCE NO. 594 (RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 27, 2001, ON A 5-0 VOTE) (Report of: Director of Parks and Recreation)
Recommendation: Adopt Ordinance No. 594:

ORDINANCE NO. 594

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 2.24.040 of Chapter 2.24 of Title 2 of the City of Moreno Valley Municipal Code, Relating to the Meeting Dates for the Citizens' Advisory Committee on Recreation Trails

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS - NONE

- 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**

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: -0-

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

ADJOURNMENT