

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

FEBRUARY 12, 2002

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. United Way Campaign Presentation to the City Council

**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.
FEBRUARY 12, 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** – Don Maresh, Moreno Valley 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 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. ECONOMIC DEVELOPMENT MARKETING PLAN CONTRACT APPROVAL
(Report of Community and Economic Development Director)
Recommendation: Authorize the City Manager to execute a contract with Geographics Inc. not to exceed \$165,000 to continue the comprehensive economic development marketing program for the City of Moreno Valley.

- A3. AUTHORIZE THE AMENDMENT OF EXISTING PURCHASE ORDERS FOR TEMPORARY PROFESSIONAL STAFFING SERVICES FOR THE CAPITAL PROJECTS DIVISION (Report of: Director of Public Works/City Engineer)
Recommendation: Authorize the amendment to the existing Purchase Orders to Engineering Resources to increase the total amount to \$150,000.

- A4. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE ATWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 00-89277420 (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.

- A5. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED DECEMBER 31, 2001 (Report of Director of Finance/City Treasurer)
Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.
- A6. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT -PROJECT NO. 01-12567021 - PIGEON PASS ROAD REHABILITATION FROM IRONWOOD AVENUE TO OLD LAKE DRIVE (Report of: Director of Public Works/City Engineer)
Recommendation: Award the construction contract for the Pigeon Pass Road rehabilitation from Ironwood Avenue to Old Lake Drive to Vance Corporation, as the lowest responsible bidder; authorize the Mayor to execute a contract Agreement with Vance Corporation; authorize the issuance of a Purchase Order to Vance Corporation, in the amount of \$879,857 (the amount of bid plus 10% contingency), when both parties have signed the contract (Account Nos. 125.67021 and 225.68621 and authorize the City Manager to execute a reimbursement Agreement with the County of Riverside for reimbursement of work done on its behalf by the City.
- A7. 5-YEAR EXTENSION ADDENDUM FOR POTENTIALLY REIMBURSABLE ADDITIONAL CAPACITY CHARGES AGREEMENT FOR TRACT 22049, LOT 2 (Report of: Director of Public Works/City Engineer)
Recommendation: Approve the Addendum to the Standard Water and/or Sewer Facilities and Service Agreement – Extension Agreement to expire on June 25, 2006 and authorize the Mayor to execute the Addendum to the Standard Water and/or Sewer Facilities and Service Agreement – Extension Agreement with Eastern Municipal Water District (EMWD).
- A8. RESOLUTION NO. 2002-10, ADOPTING AN AMENDED SPECIAL DISTRICT FINANCING POLICY FOR THE PUBLIC FINANCING OF PUBLIC FACILITIES THROUGH THE ESTABLISHMENT OF ASSESSMENT DISTRICTS OR COMMUNITY FACILITIES DISTRICTS (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt Resolution No. 2002-10 to amend the Special District Financing Policy, (the “Policy”) which will address the use of Developer fee credits to reduce the annual amount of debt service or to redeem bonds as determined by the amount of credit received.

Resolution No. 2002-10

A Resolution of the City Council of the City of Moreno Valley, California,
Adopting an Amended Special District Financing Policy, for the Public

Financing of Public Facilities Through Establishment of Assessment Districts or Community Facilities Districts

- A9. RESOLUTION NO. 2002-11, APPROVE AND AUTHORIZE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. M011, TO THE ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL AID PROJECT NO. 08-5441 FOR THE CONSTRUCTION OF A REINFORCED CONCRETE BOX CULVERT ALONG REDLANDS BLVD. AT STORM CHANNEL LINE "F" (CITY PROJECT NO. 97-25898) (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt Resolution No. 2002-11, and approve Program Supplement agreement No. M011, to the Administering Agency-State Agreement for Federal-Aid Project No. 08-5441 for the construction of a reinforced concrete box culvert along Redlands Boulevard at Storm Channel Line "F" and authorize the Mayor to execute Program Supplement No. M011.

Resolution No. 2002-11

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. M011 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

- A10. AUTHORIZATION TO PURCHASE THE PUBLIC AWARENESS RADAR EDUCATION TRAILER (PARET) FOR FY 2001-2002 (Report of: Director of Public Works/City Engineer)
Recommendation: Approve appropriation of \$16,500 from the General Fund contingencies reserve to cover the cost of purchasing a new Public Awareness Radar Education Trailer (PARET) which is to be included in fiscal year 2001/2002 budget plan. The Office of Traffic Safety (OTS) has awarded the City a grant in the amount of \$16,500. OTS will then reimburse the City the total cost of the new PARET up to the amount granted.
- A11. ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2001 (Report of Director of Finance/City Treasurer)
Recommendation: Accept the Comprehensive Annual Financial Report for the

Fiscal Year ended June 30, 3001.

- A12. SENIOR CITIZENS' ADVISORY COMMITTEE VACANCY (Report of: City Clerk)
Recommendation: Declare Roger Lussier's position on the Senior Citizens' Advisory Committee vacant, with remainder of a term expiring June 30, 2003 and authorize the City Clerk to recognize same and notice the position as vacant.
- A13. MINUTES – REGULAR MEETING OF JANUARY 22, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A14. MINUTES – SPECIAL MEETING OF FEBRUARY 6, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A15. REQUEST TO TRANSFER FUNDS FROM PRELIMINARY STREET ENGINEERING FUND (ACCOUNT NO. 125.67321) TO THE CENTRAL SUNNYMEAD STREET DESIGN FUND (ACCOUNT NO. 892.77420) (Report of: Director of Public Works/City Engineer)
Recommendation: Authorize the Finance Director to transfer \$42,000 from the Preliminary Street Engineering Fund (Account No. 125.67321) to the Central Sunnymead Street Design Fund (Account No. 892.77420) to pay for professional engineering services to complete the engineering design of the Dracaea Avenue Street Improvement Project.
- A16. REQUEST AUTHORIZATION FOR REPROGRAMMING OF CDBG FUNDS, ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SIDEWALKS (SOUTHEAST EDMONT AREA) - PROJECT NO. 01-14368520 (Report of: Director of Public Works/City Engineer)
Recommendation: Authorize the reprogramming of \$77,775 from Fiscal Year (FY) 2000/2001 CDBG funds (Fund 143) to the FY 2000/2001 CDBG Edgemont Sidewalk Project Account (Account No. 143.68520); 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.
- A17. AWARD BID FOR AERIAL LADDER TRUCK (Report of: Fire Chief)
Recommendation: Award the bid for the purchase of a 100' Aerial Ladder Truck to KME Fire Apparatus, Nesquehoning, PA. as being in the best interest of the

City and authorize the Finance Director to issue a purchase order to KME Fire Apparatus in the amount of \$700,294.19.

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 JANUARY 22, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted
- B3. RYLAND HOMES - PAYMENT OF \$50,000 FOR PICNIC SHELTERS (Report of: Director of Parks and Recreation)
Recommendation: Accept check #00063625 from Ryland Homes in the amount of \$50,000 for picnic shelters.

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 JANUARY 22, 2002 (Report of: City Clerk)
Recommendation: Approve as submitted

D. PUBLIC HEARINGS

None

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

F. REPORTS

- F1. PALOS VERDES APARTMENTS - SUBORDINATION REQUEST (Report of Community and Economic Development Director)
Recommendation: That the Redevelopment Agency ("the Agency") take the following actions:
1. Conditionally approve a change in ownership, control and management of Palos Verdes Apartments;
 2. Conditionally approve a refinancing and related subordination of the first mortgage by Palos Verdes Apartments;
 3. Approve an Implementation Agreement by and between the Agency and Palos Verdes Apartments relating thereto; and
 4. Authorize the Executive Director to negotiate and execute the documents necessary to effectuate the Implementation Agreement by and between the Community Redevelopment Agency and Palos Verdes Apartments.
- F2. APPOINTMENTS TO THE SENIOR CITIZENS' ADVISORY COMMITTEE (Report of: City Clerk)
Recommendation: That the City Council:
1. Review the ballot for the appointments to the Senior Citizens' Advisory Committee (to be provided by the City Clerk) and mark your choice where appropriate; or
 2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.
- F3. BUSINESS VISITATION PROGRAM (Report of: Community and Economic Development Director)
Recommendation: That the City Council receive and file the 2001 Business and Labor Market Survey and the Business Resource Guide (Spanish edition) reports that were prepared under a business visitation grant.
- F4. RECOMMENDATION TO ENTER INTO NEGOTIATIONS WITH THE PEPSI BOTTLING GROUP (PBG) FOR AN EXCLUSIVE SOFT DRINKS DISTRIBUTION PARTNERSHIP AGREEMENT FOR A TEN-YEAR PERIOD. (Report of: Director of Parks and Recreation)
Recommendation: That the City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, conditionally approve the proposal of the Pepsi Bottling Group (PBG) and authorize the City Manager to negotiate and enter into a contract with PBG for

exclusive soft drink distribution for a ten-year period, substantially upon the terms and conditions set forth in the draft agreement and in form and substance acceptable to the City Manager and City Attorney.

- F5. UPDATE ON CANYON SPRINGS GOLF COURSE (Report of: Parks and Facilities Manager)
Recommendation: This update on the Canyon Springs Golf Course is informational only and no action is being recommended at this time.
- F6. ENCUMBRANCE OF CULTURAL AND HISTORIC TRUST FUND BALANCE TOTALING \$94,322 TO BE COMMITTED AS MATCHING FUNDS FOR GRANT APPLICATION BEING SUBMITTED BY MORENO VALLEY MUSEUM FOUNDATION. (Report of: Director of Parks and Recreation)
Recommendation: That the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District, authorize the encumbrance of the entire balance of the Trust Fund established for the acquisition and restoration of cultural or historic properties totaling \$94,332 to be committed to the Moreno Valley Museum Foundation.
- F7. CONCEPTUAL MASTER PLAN UPDATE - AQUEDUCT TRAIL SYSTEM IMPROVEMENTS (Report of: Director of Parks and Recreation)
Recommendation: That the City Council review and file this report and direct staff to include the study cost of \$15,000 as a budget issue for the upcoming budget cycle.
- F8. STAFF REPORT ON PROPOSED FINANCING OF PUBLIC FACILITIES CAPITAL PROJECTS (CONTINUED FROM 1/22/02) (Report of: Director of Finance/City Treasurer)
- F8a. PERFORMING ARTS AND CULTURAL CENTER EVALUATION – REPORT OF FINDINGS AND COST OPINIONS
Recommendation: That the City Council receive and file the report.
- F8b. UPDATE ON THE LIGHTED SOCCER FIELD COMPLEX
Recommendation: That the Mayor and Members of City Council, acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, receive and file the report.

- F8c. STATUS REPORT ON NEW MAIN LIBRARY PROJECT
Recommendation: That the City Council receive and file the status report.
- F8d. RECOMMENDED ACTIONS ON FINANCING OF CAPITAL PROJECTS
Recommendation: That the City Council study the proposed financing options regarding public facilities capital projects and authorize staff to prepare a detailed funding plan to move forward with priority capital projects, including the main library application for State bond funds.
- F9. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: That the City Council receive and file the Legislative Status report.
- F10. CITY MANAGER'S REPORT (Informational Oral Presentation only – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

ORDINANCES - 2ND READING AND ADOPTION

- G1. ADOPTION OF ORDINANCE NO. 597 (RECEIVED FIRST READING AND INTRODUCTION JANUARY 22, 2002 ON A 5-0 VOTE) (Report of: Community and Economic Development Director)

Ordinance No. 597

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Change of Zone (PA01-0020) Amending the Official Zoning Atlas from CC (Community Commercial) to R20 (Residential, 20 Units per Acre) on 20.87 Acres Located on the South Side of Alessandro Boulevard, West of Kitching Street.

ORDINANCES - URGENCY ORDINANCES

RESOLUTIONS

- 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: -0-

2) **SECTION 54957.6 –LABOR NEGOTIATIONS**

Agency Representative: Gene Rogers
Employee Organization: Moreno Valley Management Association

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

ADJOURNMENT