

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

**MARCH 11, 2003**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS - 6:00 p.m.**

1. Special Presentation from Sister City, San Juan de los Lagos, to the City of Moreno Valley
2. Presentation of California Highway Patrol 10851 Awards to Officer Dean Baer, Officer Daniel Hinderliter, Officer Greg Miller, Officer Cheryl Owens, Officer Mark Sedgwick, Officer Vance Stolte, Officer Ken Thurm and Officer Frank Tiburzio
3. Youth Services Awards:
  - A. Community Involvement Award – First Quarter, 2003 – Bridget Navarro
  - B. Supporting Youth Award – First Quarter, 2003 – The Morning Optimist Club of Moreno Valley
4. Presentation by Don Smith of the Pepsi Company to the City of Moreno Valley

**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.  
MARCH 11, 2003**

**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 – CrossWinds 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, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, AND THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION**

All items listed under the Consent Calendars, Sections A, B, and C, 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 TRAFFIC SIGNAL AT IRIS AVENUE AND INDIAN STREET, PROJECT NO. 12566721-2, FEDERAL AID NO. CMLG 5441 (037) (Report of: Director of Public Works/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. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AT THE INTERSECTION OF FREDERICK STREET AND BRABHAM STREET/TOWNGATE CENTER DRIVEWAY, PROJECT NO. 01-12567321(3) (Report of: Director of Public Works/City Engineer)  
Recommendation: Accept the work as complete for the traffic signal at the intersection of Frederick Street and Brabham Street/Towngate Center Driveway, constructed by DBX, Inc., 42066 Avenida Alvarado, Suite C, Temecula, California, 92590; 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 DBX, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project and accept the improvements into the City's maintained road system.

- A4. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL AT PERRIS BOULEVARD AND SUNNYMEAD RANCH PARKWAY, PROJECT NO. 02-12566821 (Report of: Director of Public Works/City Engineer)  
Recommendation: Award the construction contract for the Traffic Signal at Perris Boulevard and Sunnymead Ranch Parkway to LA Signal, Inc., 1500 East Nelson Avenue, Industry, California 91744, the lowest responsible bidder; authorize the Mayor to execute a contract with L.A. Signal, Inc.; authorize the issuance of a Purchase Order to LA Signal, Inc. in the amount of \$202,654.10 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 125.66821); and authorize the Finance Director to transfer \$100,000 of unencumbered Measure "A" funds from the Pigeon Pass Road Rehabilitation project (Account No. 125.67021) into the Traffic Signal at Perris Boulevard and Sunnymead Ranch Parkway project (Account No. 125.66821).
- A5. BID AWARD – 2003 FORD F150 (RFQ# RLN02/03-07) (Report of: Director of Public Works/City Engineer)  
Recommendation: Award the purchase of one 2003 Ford F-150 pickup truck to Raceway Ford as a replacement for a fully depreciated vehicle and authorize the Finance Director to issue a purchase order to Raceway Ford in the amount of \$22,209.04.
- A6. SEVENTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY (Report of: Director of Community and Economic Development)  
Recommendation: Approve the Seventh Amendment to the Joint Exercise of Powers Agreement creating the Riverside County Habitat Conservation Agency; authorize the Mayor to execute the Agreement; and direct the City Clerk to forward said executed Agreement to the Riverside County Habitat Conservation Agency.
- A7. MINUTES – REGULAR MEETING OF FEBRUARY 25, 2003 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- A8. WARRANT REPORT – JANUARY, 2003 (Report of: Director of Finance/City Treasurer)  
Recommendation: Adopt Resolution No. 2003-13, approving the Warrant Report, dated January, 2003 in the total amount of \$10,824,913.49.

Resolution No. 2003-13

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated January 31, 2003

- A9. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL AT COLLEGE PARK FIRE STATION NO. 91 - PROJECT NO. 02-4372540(II) (Report of: Director of Public Works/City Engineer)  
Recommendation: Award the construction contract for the traffic signal at College Park Fire Station No. 91 to Pete & Sons Construction, Inc., 16510 Hoffa Lane, Riverside, California 92504, the lowest responsible bidder; authorize the Mayor to execute a contract with Pete & Sons Construction, Inc.; and authorize the issuance of a Purchase Order for Pete & Sons Construction, Inc. in the amount of \$98,230 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 434.72530).
- A10. CITY FLAG ADOPTION (Report of: Assistant City Manager)  
Recommendation: Adopt Resolution No. 2003-14, adopting the white flag bearing the circular image of the City Emblem as the official City Flag.

Resolution No. 2003-14

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the City Flag, and Authorizing its Use in the Conduct of Official City Business

**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 FEBRUARY 25, 2003 (Report of: City Clerk)  
Recommendation: Approve as submitted.
- B3. RECOMMENDATION TO NOT ACCEPT RECREATION CENTER AT MARCH AIR RESERVE BASE (Report of: Director of Parks and Recreation)  
Recommendation: Direct staff to advise the March Joint Powers Authority and the Base Conversion Agency of the City's intent to

not accept the Recreation Center as part of the Federal Lands to Parks Program.

**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 FEBRUARY 25, 2003  
(Report of: City Clerk)  
Recommendation: Approve as submitted.
- C3. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD II, LP (COTTONWOOD PLACE PHASE II) FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Director of Community and Economic Development)  
Recommendation: Adopt Resolution No. RDA 2003-01, supporting the revised Cottonwood Place Phase II Housing development and affirming the provision of assistance to Heacock Cottonwood II, LP, a subsidiary of the Palm Desert Development Company (PDDC).

Resolution No. RDA 2003-01

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Cottonwood Place Phase II Housing Development and Affirming its Intention to Provide Assistance to Heacock Cottonwood II, LP, A Subsidiary of the Palm Desert Development Company

**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. CONTINUED PUBLIC HEARING FOR ADOPTION OF A RESOLUTION IMPLEMENTING THE POLICIES AND PROCEDURES ESTABLISHED IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION PROGRAM NEXUS STUDY, AND INTRODUCTION OF AN ORDINANCE AUTHORIZING PARTICIPATION IN THE WESTERN

RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM (CONTINUED FROM FEBRUARY 25, 2003 WITH PUBLIC TESTIMONY PORTION CLOSED) (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, after conducting a public hearing:

1. Adopt Resolution No. 2003-12, authorizing the City of Moreno Valley to implement the policies and procedures established in the Western Riverside County Transportation Uniform Mitigation Program Nexus Study

Resolution No. 2003-12

A Resolution of the City Council of the City of Moreno Valley Authorizing Implementation of the Policies and Procedures Established in the Western Riverside County Transportation Uniform Mitigation Program Nexus Study

2. Introduce Ordinance No. 623, amending Title 3 of the City of Moreno Valley Municipal Code by adding a new chapter 3.44 authorizing participation in the Western Riverside County Transportation Uniform Mitigation Fee Program. (Roll Call Required)

Ordinance No. 623

An Ordinance of the City of Moreno Valley Amending Title 3 of the City of Moreno Valley Municipal Code, by Adding a New Chapter 3.44 Authorizing Participation in the Western Riverside County Transportation Uniform Mitigation Fee Program

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

**F. REPORTS**

- F1. PUBLIC COMMENTS DURING CITY COUNCIL MEETINGS (CONTINUED FROM FEBRUARY 25, 2003) (Report of: City Clerk)  
Recommendation: That the City Council discuss and consider changing the time public comments on matters not on the agenda are heard during regular City Council meetings, and if a different time for such comments is chosen, direct staff to prepare a resolution adopting amended Rules of Procedure to reflect the preferred change.

- F2. APPROVAL OF THE 2003/04 FISCAL YEAR STORMWATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Director of Public Works/City Engineer)  
 Recommendation: That the City Council approve the County Service Area (CSA) 152 Budget for FY 2003/04 in the amount of \$428,095; and authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2003/04.
- F3. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING TENTATIVE TRACT 21461 (AND ALL AFFECTED PHASES) MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) – SUNNYMEAD RANCH PARKWAY AND VIA PORTO (Report of: Director of Public Works/City Engineer)  
 Recommendation: 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 comments regarding the proposed inclusion of Tentative Tract 21461 (and all affected phases) into the CSD Zone B (Residential Street Lighting) program and the annual service charge.
- F4. LEGISLATIVE UPDATE (Report of: Assistant City Manager)  
 Recommendation: That the City Council receive and file the Legislative Status Report.
- F5. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

**G. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

- G1. ORDINANCE NO. 624, AMENDING CHAPTERS 3.12 AND 3.16 OF TITLE 3 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO CLAIMS AND REFUNDS, CONTRACTUAL AUTHORITY, AND PURCHASING REGULATIONS (Report of: City Attorney)  
 Recommendation: That the City Council introduce Ordinance No. 624, amending Chapters 3.12 and 3.16 of Title 3 of the City of Moreno Valley Municipal Code relating to claims and refunds, contractual authority, and amendments to existing purchasing regulations. (Roll call required.)



Ordinance No. 624

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapters 3.12 and 3.16 of Title 3 of the City of Moreno Valley Municipal Code by Amending Procedures for the Processing of Claims and Refunds; Requiring all Contracts with the City to be in Writing; and Amending Purchasing Specifications

ORDINANCES - 2ND READING AND ADOPTION

- G2. ORDINANCE NO. 619, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A ZONE CHANGE FROM COMMUNITY COMMERCIAL TO RESIDENTIAL 15 ON 1.90 ACRES ON THE SOUTH SIDE OF HEMLOCK AVENUE AND WEST OF PERRIS BOULEVARD (RECEIVED FIRST READING AND INTRODUCTION FEBRUARY 25, 2003 ON A 4-0-1 VOTE, COUNCILMEMBER WHITE ABSENT) (Report of: Director of Community and Economic Development)  
Recommendation: Adopt Ordinance No. 619.

Ordinance No. 619

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change from Community Commercial to Residential 15 on 1.90 Acres on the South Side of Hemlock Avenue and West of Perris Boulevard

- G3. ORDINANCE NO. 620, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA (PA02-0048), AMENDING THE OFFICIAL ATLAS OF SAID CITY, CHANGING THE ZONE ON A 33 ACRE PORTION OF PROPERTY FROM COMMUNITY COMMERCIAL (CC) TO R-2 (RESIDENTIAL-2) LAND USE DISTRICT LOCATED ON THE NORTHWEST AND NORTHEAST CORNERS OF HIGHWAY 60 AND OLIVER STREET, NORTH OF HIGHWAY 60 (RECEIVED FIRST READING AND INTRODUCTION FEBRUARY 25, 2003 ON A 4-0-1 VOTE, COUNCILMEMBER WHITE ABSENT) (Report of Director of Community and Economic Development)  
Recommendation: Adopt Ordinance No. 620.

Ordinance No. 620

An Ordinance of the City Council of the City of Moreno Valley, California (PA02-0048), Amending the Official Atlas of Said City, Changing the Zone on A 33 Acre Portion of Property from

Community Commercial (CC) To R-2 (Residential-2) Land Use District Located on the Northwest and Northeast Corners of Highway 60 and Oliver Street, North of Highway 60

- G4. ORDINANCE NO. 622, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 3 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY AMENDING SECTION 3.38.120 OF CHAPTER 3.38, RELATING TO RESIDENTIAL DEVELOPMENT IMPACT FEES, AND AMENDING SECTION 3.42.110 OF CHAPTER 3.42, RELATING TO COMMERCIAL DEVELOPMENT IMPACT FEES (RECEIVED FIRST READING AND INTRODUCTION FEBRUARY 25, 2003 ON A 4-0-1 VOTE, COUNCILMEMBER WHITE ABSENT) (Report of: Director of Finance/City Treasurer)  
Recommendation: Adopt Ordinance No. 622.

Ordinance No. 622

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Amending Section 3.38.120 of Chapter 3.38, Relating to Residential Development Impact Fees, and Amending Section 3.42.110 of Chapter 3.42, Relating to Commercial Development Impact Fees

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.

- **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 LAVENDER 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(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION  
Number of Cases: -2-
- 2) 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**