

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

SEPTEMBER 9, 2003

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. American Public Works Association (APWA) Inland Empire Project of the Year Award for the Myers Street Improvement Project (Heacock Street to Perris Boulevard) – presentation by Tom Boyd, APWA President for the Inland Empire
2. Presentation of Proclamation to Keira Goerl

**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
MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION**

**REGULAR MEETING - 6:30 P.M.
SEPTEMBER 9, 2003**

CALL TO ORDER (Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and Moreno Valley Public Facilities Financing Corporation - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor O.J. Philpot, Christ Community 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.

Oral Presentation by Rod Pacheco, Chief-Deputy District Attorney, Riverside County District Attorney's Office - Gang Proposal

Oral Presentation by RCTC – State Route 60 High Occupancy Vehicle Lane Project

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. MINUTES – REGULAR MEETING OF AUGUST 26, 2003 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A3. RIVERSIDE COUNTY HOUSEHOLD HAZARDOUS WASTE AGREEMENT (Report of: Public Works Department)
Recommendation: Approve the agreement, prepared by the County of Riverside Department of Environmental Health, Hazardous Materials Management Division, to continue the Household Hazardous Waste Mobile Collection Program at the City of Moreno Valley Corporate Yard from July 1, 2003 through June 30, 2006; and authorize the Mayor to execute this agreement.

- A4. APPROVAL OF FINAL MAPS 29860 AND 29860-2 – SINGLE FAMILY RESIDENTIAL PROJECTS, AND ACCEPT AGREEMENTS AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, NORTH SIDE OF FIR AVENUE, EAST OF LASSELLE STREET (SUBDIVIDER - TRACT 29860, LLC) (Report of: Public Works Department)
Recommendation: Approve Final Maps 29860 & 29860-2, authorize the City Clerk to sign the maps and transmit said maps to the County Recorder's Office for recordation; accept the bonds and Agreement for Public Improvements for each final map; authorize the Mayor to execute the agreements; and direct the City Clerk to forward the signed agreements to the County Recorder's Office for recordation.
- A5. ACCEPTANCE OF GRANT MONIES FROM THE STATE HOMELAND SECURITY SUPPLEMENTAL GRANT (Report of: Administrative Services Department)
Recommendation: Authorize the acceptance of grant monies in the amount of \$132,344.69 for fiscal year 2003/2004 from the State Homeland Security Supplemental Grant for the purpose of preparedness; amend the budget to reflect the following: a) increase revenues in the amount of \$132,344.69 for Account Number 134.1340.4612, b) increase expenditures by \$132,344.69 as follows: Account Number 134.13410.6641.648, \$33,402.50, Ford F250 truck; Account Number 134.13410.6381, \$36,365.46, mobile trailers, generators, and portable lights; Account Number 134.13410.6392, \$22,045.22, First Aid equipment; Account Number 134.13410.6358.358, \$35,628.88, GIS/GPS equipment; Account Number 134.13410.6391, \$4,902.63, horns, badge, containers.
- A6. MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION ("MVPFFC") – AMENDMENT AND RESTATEMENT OF BYLAWS REGARDING DATE OF ANNUAL MEETINGS AND LOCATION OF PRINCIPAL OFFICE (Report of: City Clerk's Department)
Recommendation: That the City Council in its capacity as President and Board of Directors of the Moreno Valley Public Facilities Financing Corporation ("MVPFFC") amend and restate the Bylaws as proposed, changing the date of annual meetings and the location of the corporation's principal office.
- A7. AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF MORENO VALLEY AND THE COUNTY OF RIVERSIDE (Report of: Administrative Services Department)
Recommendation: Adopt the Agreement for Law Enforcement Services and authorize the Mayor to sign the document.

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 AUGUST 26, 2003 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- B3. ADOPT THE PUBLIC FACILITIES FEE CREDIT AGREEMENT FOR TRACT 22709 AND 22709-1 (Report of: Parks and Recreation Department)
Recommendation: Accept staff’s recommendation to adopt the proposed Public Facilities Fee Credit Agreement for Tract 22709 & 22709-1 for land and park improvements in Eastgate Ranch.

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 AUGUST 26, 2003 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

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. PUBLIC HEARING ON THE PROPOSED INSTALLATION OF STREET TREE LANDSCAPING AND INCLUSION INTO THE COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) PROGRAM FOR TRACTS 13576, 19080 AND 19081 AND ALL AFFECTED PHASES (Report of: Public Works Department)
Recommendation: That the Mayor and Members of the City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballots for inclusion of Tracts 13576, 19080 and 19081 (and all affected phases) into the CSD Zone D (Parkway Landscape Maintenance) service program;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;
3. Receive and file with the City Clerk's Office the accepted Official Tally Sheet and attached APN listing; and
4. If approved, authorize and impose the charge for CSD Zone D program services.

D2. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACTS 30320, 30476, AND 30714 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) AND CSD ZONE E-3A (INTERNAL WALLS/PARKWAY LANDSCAPE MAINTENANCE) AND APPROVAL OF THE CSD PARCEL CHARGES; 2) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE (Report of: Public Works Department)

Recommendation: That the City Council and the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballot(s) for inclusion into the CSD Zone B and E-3A programs and approval of the NPDES regulatory rate schedule;
2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;
3. Receive and file with the City Clerk's Office the accepted Official Tally Sheet and attached APN listing; and
4. If approved, authorize and impose the CSD Zone B and E-3A charges and the NPDES regulatory rate.

D3. A PUBLIC HEARING REGARDING A SPECIFIC PLAN AMENDMENT (P02-058) TO CHANGE THE LAND USE DESIGNATION WITHIN PLANNING AREAS 54 AND 60 AND DEVELOP TWO SEPARATE 176-UNIT APARTMENT COMPLEXES WITHIN THE MORENO VALLEY RANCH SPECIFIC PLAN (SP NO. 193) ON THE SOUTHWEST CORNER OF IRIS AVENUE AND VIA DEL LAGO (PA03-0022) AND ON THE SOUTHEAST CORNER OF MORENO BEACH DRIVE AND JOHN F. KENNEDY DRIVE (PA03-0023), AND MODIFY PARKING STANDARDS FOR TWO BEDROOM UNITS, SUBMITTED BY ALLIANCE RESIDENTIAL INC. (Report of: Community and Economic Development Department)
Recommendation: The Planning Commission recommends that the City Council conduct a public hearing to:

1. Adopt a Negative Declaration for P02-058 (Specific Plan Amendment), PA03-0022 (Plot Plan), and PA03-0023 (Plot Plan) pursuant to the California Environmental Quality Act (CEQA) Guidelines;
2. Introduce Ordinance No. 637 thereby approving P02-058 (Specific Plan Amendment) based on the findings in the City Council Ordinance for Amendment No. 10 to the Moreno Valley Ranch Specific Plan, including the associated amendment of the Official Zoning Atlas for PA 54 and 60 from C (Commercial) to H (High Density Residential) and minor modifications to parking standards within Section 3.7 "High Density Residential Zone" (H) within Specific Plan No. 193;

Ordinance No. 637

An Ordinance of the City Council of the City of Moreno Valley, Approving Specific Plan Amendment No. 10 (P02-058) to the Moreno Valley Specific Plan (No. 193) to Modify Parking Standards, Change the Land Use Designation on Project Areas 54 and 60 from C (Commercial) to H (High Density Residential) and Amend the Official Zoning Atlas for a 10.42 Parcel of Land and 10.28 Acre Parcel of Land within the Moreno Valley Ranch Specific Plan (SP No. 193)

3. Adopt Resolution No. 2003-70 thereby approving PA03-0022 (Plot Plan) based on the findings included in the City Council Resolution, and conditions of approval, attached as Exhibit A to the resolution; and

Resolution No. 2003-70

A Resolution of the City Council of the City of Moreno Valley Approving PA03-0022 for the Development of a 10.42 Acre Parcel of Land into a 176 Unit Apartment Complex with Accessory Uses within Planning Area No. 54 of the Moreno Valley Ranch Specific Plan (SP No. 193)

4. Adopt Resolution No. 2003-71 thereby approving PA03-0023 (Plot Plan), based on the findings included in the Resolution, and conditions of approval, attached as Exhibit A to the resolution.

Resolution No. 2003-71

A Resolution of the City Council of the City of Moreno Valley Approving PA03-0023, for the Development of a 10.28 Acre Parcel of Land into a 176 Unit Apartment Complex with Accessory Uses within Planning Area No. 60 of the Moreno Valley Ranch Specific Plan (SP No. 193)

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

F. REPORTS

- F1. GANG PROPOSAL FROM RIVERSIDE COUNTY DISTRICT ATTORNEY'S OFFICE: RESOLUTION NO. 2003-69, APPROVING PARTICIPATION IN THE RIVERSIDE COUNTY DISTRICT ATTORNEY'S OFFICE GANG TASK FORCE (Report of: Administrative Services Department)
Recommendation: That the City Council adopt Resolution No. 2003-69, approving the City of Moreno Valley's participation in the Riverside County District Attorney's Office Gang Task Force.

Resolution No. 2003-69

A Resolution of the City Council of the City of Moreno Valley, California, Approving Participation in the Riverside County District Attorney's Office Gang Task Force

- F2. ZONE COMMITTEE APPOINTMENTS FOR TUMF PROGRAM (WRCOG) (Report of: Administrative Services Department)
Recommendation: That the City Council appoint a Moreno Valley City Council representative and alternate to the TUMF Zone Committee.
- F3. INTRODUCTION OF ORDINANCE NO. 635 REPEALING AND REENACTING CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE USE OF PARKS AND RECREATION FACILITIES; AND INTRODUCTION OF CSD ORDINANCE NO. 42 APPROVING THE USE OF PARKS AND RECREATION FACILITIES AND RESCINDING CERTAIN PRIOR ENACTMENTS (CONTINUED FROM AUGUST 26, 2003) (Report of: Parks and Recreation Department)
Recommendation: That the City Council continue the item regarding the Use of Parks and Recreation Facilities to October 28, 2003, to allow the issues to be addressed.
- F4. APPOINTMENTS TO THE LIBRARY ADVISORY BOARD, CULTURAL PRESERVATION ADVISORY COMMITTEE, CITIZENS' ADVISORY COMMITTEE ON RECREATIONAL TRAILS AND SENIOR CITIZENS ADVISORY COMMITTEE (Report of: City Clerk's Department)
Recommendation: That the City Council, after reviewing the ballots provided by the City Clerk:
1. Appoint one member to the Library Advisory Board for a term expiring June 30, 2004 or a term expiring June 30, 2006;
 2. Appoint one member to the Cultural Preservation Advisory Committee for a term expiring June 30, 2004, June 30, 2005 or June 30, 2006;
 3. Appoint one member to the Citizens' Advisory Committee on Recreational Trails for a term expiring June 30, 2004, and two members for a term expiring June 30, 2006;
 4. Appoint one member to the Senior Citizens Advisory Committee for a term expiring June 30, 2005; or
 5. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

- F5. APPOINTMENT TO THE PARKS AND RECREATION ADVISORY COMMITTEE - TEENAGE MEMBER (Report of: City Clerk's Department)
 Recommendation: That the City Council:
1. Appoint one (1) teenage member to the Parks and Recreation Advisory Committee for a term expiring January 27, 2004, or until high school graduation, whichever comes first;
 2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.
- F6. LEGISLATIVE UPDATE (Report of: Administrative Services Department)
 Recommendation: That the City Council receive, file and ratify the Legislative Status Report.
- F7. City Manager's Report (Informational Oral Presentation – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. INTRODUCE ORDINANCE NO. 636 DESIGNATING SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS (Report of: Public Works Department)
 Recommendation: That the City Council:
1. Receive and file this report; and
 2. Introduce Ordinance No. 636, amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code designating prima facie speed limits on certain streets (as listed on the ordinance) and directing the City Engineer to take certain action respect thereto. (Roll call required)

Ordinance No. 636

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

ORDINANCES - 2ND READING AND ADOPTION

- G2. ORDINANCE NO. 630, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.36.010 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF TRUCK ROUTES (RECEIVED FIRST READING AND INTRODUCTION AUGUST 26, 2003 ON A 5-0 VOTE) (Report of: Public Works Department)
Recommendation: Adopt Ordinance No. 630

Ordinance 630

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.36.010 of the City of Moreno Valley Municipal Code Relating to the Designation of Truck Routes

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. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
 - a) SECTION 54956.9(b)(1) - Significant exposure to litigation
Number of Cases: -2-
 - b) SECTION 54956.9(c) - Initiation of litigation
Number of Cases: -2-

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

ADJOURNMENT