

**NOTICE AND CALL OF SPECIAL MEETING  
OF THE MORENO VALLEY CITY COUNCIL (CLOSED SESSION)**

**OCTOBER 28, 2003 – 5:30 P.M.**

**NOTICE IS HEREBY GIVEN** that a Special Meeting (Closed Session) 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 will be held on October 28, 2003, commencing at 5:30 p.m., in Finance Conference Room, second floor, City Hall. The City Council will meet to confer with its legal counsel regarding the matter(s) listed below 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. Prior to recessing to Closed Session the Council will hear public comments, if any, on the Closed Session agenda in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**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.

**CLOSED SESSION**

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-

**ADJOURN TO REGULAR MEETING**

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

**OCTOBER 28, 2003**

**CALL TO ORDER**

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

1. 3CMA Award of Excellence – MVTV3
2. Proclamation Recognizing Marine Arrival Air Control Group –  
Departure
3. Air Control Group (AACG/DACG) Operations
4. Employee of the Quarter – Ellen Johnson
5. Firefighter of the Quarter – Captain Mike Kemp
6. Officer of the Quarter – Investigator Mike Petti

**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.  
OCTOBER 28, 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 Paul M. Cunningham, Calvary Baptist Church  
of Moreno Valley

**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.

**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 – SPECIAL MEETING/CLOSED SESSION OF OCTOBER 7, 2002 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
- A3. MINUTES – REGULAR MEETING OF OCTOBER 14, 2003 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
- A4. WARRANT REPORT (Report of: Finance Department)  
Recommendation: Adopt Resolution No. 2003-78, approving the Warrant Report, dated September, 2003 in the total amount of 9,586,287.78.

Resolution No. 2003-78

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated September 30, 2003.

- A5. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE FISCAL YEAR 2002/2003 ANNUAL SLURRY SEAL PROGRAM PROJECT, PROJECT NO. 02-12584830 (Report of: Public Works Department)  
Recommendation: Award the construction contract for the Fiscal Year 2002/2003 Annual Slurry Seal Program to Bond Black Top, Inc., 1147 Atlantic Street, Union City, CA 94587, Union City, CA

94587, the lowest responsible bidder; authorize the Mayor to execute a contract with Bond Black Top, Inc.; and authorize the issuance of a Purchase Order in the amount of \$1,262,874.69 (the bid amount plus 10% contingency) when the contract has been signed by all parties.

- A6. ACCEPTANCE OF OFFICE OF TRAFFIC SAFETY (OTS) GRANT FUNDING, "CALIFORNIA SEAT BELT COMPLIANCE CAMPAIGN" (Report of: Police Department)  
Recommendation: Accept the OTS Grant in the amount of \$14,377.00 entitled "California Seat Belt Compliance Campaign". This will allow the MVPD to provide directed enforcement during the statewide campaign. This campaign will coincide with the Thanksgiving Holiday period this year and will be related to seat belt and child safety seat usage.
- A7. FINAL MAP 23455 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2003-79, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE PUBLIC RIGHT-OF-WAY IMPROVEMENTS AS COMPLETE AND ACCEPTING PETE DYE STREET AND JOHN F. KENNEDY DRIVE INTO THE CITY MAINTAINED STREET SYSTEM (KB HOME GREATER LOS ANGELES INC.) (Report of: Public Works Department)  
Recommendation: Approve an 80% reduction to the Faithful Performance Bond for Final Map 23455; authorize the City Engineer to reduce the Faithful Performance Bond by 80%; and adopt Resolution No. 2003-79 authorizing acceptance of the public right-of-way improvements for Final Map as complete and accepting Pete Dye Street and John F. Kennedy Drive into the City Maintained Street System.

Resolution No. 2003-79

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 23455, and Accepting Pete Dye Street and John F. Kennedy Drive Into the City Maintained Street System

- A8. APPROVAL OF FINAL MAP 30316 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, EAST OF LASSELLE STREET, NORTH OF IRIS AVENUE, AND NORTH SIDE OF CAMINO FLORES IN THE MORENO VALLEY RANCH SPECIFIC PLAN (SP193) AREA (K. HOVNANIAN FORECAST

HOMES, INC.) (Report of: Public Works Department)  
Recommendation: Approve Final Map 30316, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accept the bonds and Agreement for Public Improvements; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

- A9. APPROVAL OF PARCEL MAP 31234 NORTHWEST CORNER OF PERRIS BOULEVARD AND IRIS AVENUE (SUBDIVIDER - HOME DEPOT U.S.A., INC, ORANGE, CA 92868) (Report of: Public Works Department)

Recommendation: Approve Parcel Map 31234, authorize the City Clerk to sign the map, and transmit said map to the County Recorder's Office for recordation.

- A10. ENGAGEMENT LETTER FOR LEGAL SERVICES WITH LATHAM AND WATKINS, LLP TO REVIEW DRAFT MAINTENANCE AGREEMENT FOR STORM WATER MANAGEMENT SERVICES (Report of: Public Works Department)

Recommendation: Approve the Engagement Letter for Western Pacific Matter as reviewed by the City Attorney; and authorize the Mayor to execute the Approval of Engagement form that is part of said letter.

- A11. RESOLUTION FOR THE ABATEMENT OF PUBLIC NUISANCES (Report of: Community and Economic Development Department)

Recommendation: Adopt Resolution No. 2003-80 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List for the abatement of nuisances.

Resolution No. 2003-80

A Resolution of the City Council of the City of Moreno Valley, California, Confirming Statements of Costs Against Real Property Located in the City of Moreno Valley, for Abatements of Public Nuisances and Direction that Said Statements of Costs Constitute a Lien upon Said Properties

- A12. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD II, LP (COTTONWOOD PLACE PHASE II) OWNER PARTICIPATION AGREEMENT (Report Of: Community And Economic Development Department)

Recommendation: Adopt Resolution No. 2003-81 Approving the Owner Participation Agreement (OPA) Between The Community

Redevelopment Agency (Agency) And Heacock Cottonwood Limited Partnership II (Participant); And Intercreditor Agreement.

Resolution No. 2003-81

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Owner Participation Agreement Between the Community Redevelopment Agency of the City of Moreno Valley and Heacock Cottonwood Limited Partnership II, and Making Findings in Connection Therewith

**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 – SPECIAL MEETING/CLOSED SESSION OF OCTOBER 7, 2002 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
- B3. MINUTES – REGULAR MEETING OF OCTOBER 14, 2003 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted
- B4. APPROVAL OF TENANT AGREEMENT WITH MORENO VALLEY CULTURAL ARTS FOUNDATION FOR USE OF SPACE AT THE PARK EL MORENO RECREATION CENTER, 13671 FREDERICK STREET (Report of: Parks and Recreation Department)  
Recommendation: Approve the execution of the Tenant Agreement between the Community Services District (CSD) and Moreno Valley Cultural Arts Foundation (MVCAF) for the use of building space at the Park El Moreno Recreation Center, located at 13671 Frederick Street, Moreno Valley, the term of the agreement is twelve months with an option to renew for additional three (3) twelve-month terms. Authorize the City Manager to execute agreement as well as the annual renewals.

**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 – SPECIAL MEETING/CLOSED SESSION OF OCTOBER 7, 2002 (Report of: City Clerk’s Department)

Recommendation: Approve as submitted.

- C3. MINUTES – REGULAR MEETING OF OCTOBER 14, 2003 (Report of: City Clerk’s Department)

Recommendation: Approve as submitted

- C4. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD II, LP (COTTONWOOD PLACE PHASE II) OWNER PARTICIPATION AGREEMENT (Report of: Community and Economic Development Department)

Recommendation: Adopt Resolution No. RDA 2003-05 approving the Owner Participation Agreement (OPA) between the Community Redevelopment Agency (Agency) and Heacock Cottonwood Limited Partnership II (Participant); and Intercreditor Agreement.

Resolution No. RDA 2003-05

A Resolution of the Redevelopment Agency of the City of Moreno Valley, California, Approving an Owner Participation Agreement Between the Community Redevelopment Agency of the City of Moreno Valley and Heacock Cottonwood Limited Partnership II, and Making Findings in Connection Therewith

**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. A PUBLIC HEARING REGARDING THE APPLICANT’S REQUEST TO CONSIDER REVISED PROPOSALS FOR PA03-0023 (PLOT PLAN) AND PA02-058 (SPECIFIC PLAN AMENDMENT), INCLUDING A CHANGE IN LAND USE FROM C (COMMERCIAL) TO H (HIGH DENSITY RESIDENTIAL), A MODIFICATION TO EXISTING PARKING STANDARDS FOR TWO BEDROOM UNITS, AND A PROPOSED 176-UNIT APARTMENT COMPLEX FOR THE SOUTHEAST CORNER OF JOHN F. KENNEDY DRIVE AND MORENO BEACH DRIVE (PLANNING AREA 60) AND THE RECONSIDERATION OF PA03-0022 (PLOT PLAN) AND P02-058 (SPECIFIC PLAN AMENDMENT), A CHANGE IN LAND USE DESIGNATION FROM C (COMMERCIAL) TO H (HIGH DENSITY RESIDENTIAL), A MODIFICATION OF PARKING STANDARDS FOR TWO BEDROOM UNITS AND A PROPOSED 176-UNIT



APARTMENT COMPLEX FOR THE SOUTHWEST CORNER OF IRIS AVENUE AND VIA DEL LAGO (PLANNING AREA 54) WITHIN THE MORENO VALLEY RANCH SPECIFIC PLAN (SP NO. 193), AS SUBMITTED BY ALLIANCE RESIDENTIAL INC. (Report of: Community and Economic Development Department)  
Recommendation: That the City Council conduct a public hearing and take the following actions:

1. Adopt a Negative Declaration for P02-058 (Specific Plan Amendment) and PA03-0023 (Plot Plan) for the parcel at the southeast corner of John F. Kennedy Drive and Moreno Beach Drive (Planning Area 60) pursuant to the California Environmental Quality Act (CEQA) Guidelines:
2. Introduce Ordinance No. 642 thereby approving P02-058 (Specific Plan Amendment) in conjunction with PA03-0023 (Plot Plan), 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 Planning Area 60 at the southeast corner of John F. Kennedy Drive and Moreno Beach Drive, from C (Commercial) to H (High Density Residential) and modification to parking standards for two bedroom units within Section 3.7 "High Density Residential Zone" (H) within Specific Plan No. 193;

Ordinance No. 642

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P02-058 for a Specific Plan Amendment (No. 10) to the Moreno Valley Specific Plan (No. 193) Modifying Parking Standards, Changing the Land Use Designation from C (Commercial) to H (High Density Residential) and Amending the Official Zoning Atlas for a 10.24 Parcel of Land in Project Area 60 (Southeast Corner of Moreno Beach Drive and John F. Kennedy Drive) Within the Moreno Valley Ranch Specific Plan

3. Approve Resolution No. 2003-83 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. 2003-83

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)

4. Adopt a Negative Declaration for P02-058 (Specific Plan Amendment) and PA03-0022 (Plot Plan) for the parcel at the southwest corner of Iris Avenue and Via del Lago (Planning Area 54) pursuant to the California Environmental Quality Act (CEQA) Guidelines;
5. Introduce Ordinance No. 641 thereby approving P02-058 (Specific Plan Amendment) in conjunction with PA03-0022 (Plot Plan), 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 Planning Area 54 at the southwest corner of Iris Avenue and Via del Lago, from C (Commercial) to H (High Density Residential) and modifications to parking standards for two bedroom units within Section 3.7 "High Density Residential Zone" (H) within Specific Plan No. 193; and

Ordinance No. 641

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P02-058 for a Specific Plan Amendment (No. 10) to the Moreno Valley Specific Plan (No. 193), Modifying Parking Standards, Changing the Land Use Designation from C (Commercial) to H (High Density Residential) and Amending the Official Zoning Atlas for a 10.42 Parcel of Land in Project Area 54 (Southwest Corner of Iris Avenue and Via Del Lago) Within the Moreno Valley Ranch Specific Plan

6. Approve Resolution No. 2003-82 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.

Resolution No. 2003-82

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)

D2. PUBLIC HEARING FOR FISCAL YEAR 2003 LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) PROGRAM FUNDING ALLOCATION (Report of: Police Department)

Recommendation: That the City Council take the following actions:

- 1) Hold a public hearing to allow public comments on the proposed use of the Local Law Enforcement Block Grant Program, and;
- 2) Consider the comments or views received by the public; and
- 3) Adopt the proposed use of the Local Law Enforcement Block Grant Program funding, as appropriate, to address public and Council comments, and;
- 4) Accept the Local Law Enforcement Block Grant Program funding in the amount of \$189,185 (Total Program amount \$210,206; with City's 10% match) from the U.S. Department of Justice, Bureau of Justice Assistance, and;
- 5) Authorize a budget appropriation adjustment in the amount of \$21,021 from the General Fund account 62210.6291.295 to 255.62567 (Transfers to Fund 255) in order to satisfy the 10% matching requirement.

D3. A PUBLIC HEARING TO CONSIDER APPLICATION NOS. PA02-0021 AND P03-023. PA02-0021 IS AN AMENDMENT TO THE MORENO VALLEY RANCH SPECIFIC PLAN AND THE OFFICIAL ZONING ATLAS THAT WOULD CHANGE THE ZONING FOR THE SOUTHEAST CORNER OF IRIS AVENUE AND LASSELLE STREET FROM COMMERCIAL (10.5 ACRES), PARK (5 ACRES) AND HIGH DENSITY RESIDENTIAL (17-20 DWELLINGS PER ACRE ON 14.1 ACRES). PA02-0021 WOULD ALSO CHANGE THE ZONING FOR THE 5.7 ACRES AT THE SOUTHWEST CORNER OF IRIS AVENUE AND LASSELLE STREET FROM COMMERCIAL TO MEDIUM-LOW DENSITY RESIDENTIAL (4-8 DWELLINGS PER ACRE). IN ADDITION, PA02-0021 WOULD MODIFY THE PARKING AND BUILDING SEPARATION REQUIREMENTS FOR THE MEDIUM HIGH DENSITY RESIDENTIAL AND HIGH DENSITY RESIDENTIAL ZONES AND AMEND THE DESIGN MANUAL TO COINCIDE WITH THE PROPOSED ZONE CHANGES. P03-023 IS AN AMENDMENT TO THE MORENO VALLEY RANCH SECOND AMENDED DEVELOPMENT AGREEMENT TO ALLOW PAYMENT OF PARK FEES IN LIEU OF DEDICATION OF PLANNING AREA 28 FOR

PARK PURPOSES. P03-023 WOULD REQUIRE IN-LIEU FEE PAYMENTS PRIOR TO DEVELOPMENT TO THE SITES OF THE PROPOSED ZONE CHANGES AS WELL AS THE NORTHEAST CORNER OF KRAMERIA AVENUE AND LASSELLE STREET. (Report of: Community and Economic Development Department)  
Recommendation: That the City Council conduct a public hearing and:

1. Adopt a Negative Declaration for Application Nos. PA02-0021 and PO03-023; and
2. Introduce City Council Ordinance No. 640, based on the findings contained in the Ordinance, thereby approving: (1) Moreno Valley Ranch Specific Plan Amendment No. 12; (2) Amendment of the Official Zoning Atlas; and (3) Amendment to the Moreno Valley Ranch Second Amended Development Agreement between the City of Moreno Valley and Empire Land, LLC. (roll call required)

Ordinance No. 640

An Ordinance of the City Council of the City of Moreno Valley, California, (1) Amending the Moreno Valley Specific Plan (Amendment No. 12) by Changing the Zoning Designations for Planning Areas 28, 29, 30, 31 and 32 (Generally Located at the Southeast and Southwest Corners of Iris Avenue and Lasselle Street), Amending the Moreno Valley Ranch Design Manual and Official Zoning Atlas in Accordance with Said Zone Changes and Amending Certain Parking and Building Separation Standards; and (2) Amending the Moreno Valley Ranch Second Amendment Development Agreement to Allow Payment of Fees In-Lieu of Dedication of Planning Area 28 Prior to Development of Planning Areas 28, 29, 30, 31, 32, 21 and 21A (21 and 21A are Generally Located at the Northeast Corner of Lasselle Street and Krameria Avenue)

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

**F. REPORTS**

- F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACTS 30319 AND 30233 (AND ALL AFFECTED PHASES) FOR APPROVAL OF

THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE - NORTHWEST CORNER OF IRIS AVENUE AND LASSELLE STREET (Report of: Public Works Department)

Recommendation: That the City Council accept public comments regarding the mail ballot proceedings for Tentative Tracts 30319 and 30233 (and all affected phases) for approval of the NPDES regulatory rate schedule and the maximum annual rate.

- F2. IMPACT OF PROPOSED UTILITY USER'S TAX REPEAL BALLOT MEASURE (Report of: Finance Department)  
Recommendation: That the City Council receive and file the report which includes the staff response to the City Council's request for a report on the impacts of repealing the utility user's tax.
- F3. INITIATIVE MEASURE TO REPEAL THE CITY'S UTILITY USER'S TAX (Report of: City Clerk's Department)  
Recommendation: The City Council must do either of the following:
- A. Adopt proposed ordinance (initiative measure) without alteration; or
  - B. Order proposed ordinance to be submitted to the voters at the November 2, 2004 election; and
    - 1. Adopt Resolution No. 2003-74, ordering the submission of the initiative measure to repeal the City's utility user's tax to the qualified electors; and
    - 2. Adopt Resolution No. 2003-75, directing the City Attorney to prepare an Impartial Analysis regarding said initiative measure; and
    - 3. Adopt Resolution No. 2003-76, providing for the filing of Rebuttal Arguments for said initiative measure.
- F4. APPOINTMENTS TO THE LIBRARY ADVISORY BOARD CULTURAL PRESERVATION ADVISORY COMMITTEE, AND CITIZENS ADVISORY COMMITTEE ON RECREATIONAL TRAILS (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;

2. Appoint one member to the Cultural Preservation Advisory Committee for a term expiring June 30, 2004, or June 30, 2005;
  3. Appoint one member to the Citizens' Advisory Committee on Recreational Trails for a term expiring June 30, 2004; or
  4. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.
- F5. ORDINANCE AMENDING TITLE 1 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING CIVIL CITATIONS (Report of: Community and Economic Development Department)  
Recommendation: That the City Council introduce Ordinance No. 639 amending Title 1 of the City of Moreno Valley Municipal Code, by adding a new Chapter 1.10 regarding Civil Citations. (Roll Call required)

Ordinance No. 639

An Ordinance of the City Council of the City of Moreno Valley Amending Title 1 of the City of Moreno Valley Municipal Code, by Adding a New Chapter 1.10, Relating to Civil Citations

- F6. CANYON CROSSINGS MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF RIVERSIDE AND MORENO VALLEY (Report of: Public Works Department)  
Recommendation: That the City Council approve the MOU between the Cities of Riverside and Moreno Valley concerning the Canyon Crossings project and authorize the Mayor to sign the MOU.
- F7. INTRODUCTION OF ORDINANCE NO. 635 AND CSD ORDINANCE NO. 42 REPEALING AND REENACTING CHAPTER 11.40 OF TITLE 11 OF THE MORENO VALLEY MUNICIPAL CODE RELATING TO THE USE OF PARKS AND RECREATION FACILITIES (CONTINUED FROM SEPTEMBER 9, 2003) (Report of: Parks and Recreation Department)  
Recommendation: That the City Council continue the item regarding the Use of Parks and Recreation Facilities to November 25, 2003, to allow the issues to be addressed.
- F8. JOINT RESOLUTION WITH THE CITY OF RIVERSIDE-ECONOMIC DEVELOPMENT (Report of: Community and Economic Development Department)  
Recommendation: That the City Council adopt Resolution No. 2003-84, a joint resolution with the City of Riverside supporting economic development cooperation.

Resolution No. 2003-84

A Joint Resolution of the City Council of the City of Moreno Valley and the City Council of the City of Riverside, supporting Economic Development Cooperation

F9. LEGISLATIVE UPDATE (Report of: Administrative Services Department)  
Recommendation: That the City Council receive, file and ratify the Legislative Status Report.

F10. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

**G. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

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**

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

**ADJOURNMENT**