

**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 9, 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 Mark Orellano, Victory Outreach

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 Items withdrawn for report/discussion will be heard after public hearing items.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. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE NEWHOPE STREET IMPROVEMENT PROJECT, PROJECT NO. 01-12567421 (Report of: Public Works Department)
Recommendation: Award the construction contract for the Newhope Street Improvement Project to Sialic Contractors Corporation (DBA Shawnan), 12240 Woodruff Avenue, Downey, CA 90241, the lowest responsible bidder; authorize the Mayor to execute a contract with Sialic Contractors Corporation; authorize the issuance of a Purchase Order for Sialic Contractors Corporation in the amount of \$1,416,100 (the bid amount plus 10% contingency from Account Nos. 125.67421 and 125.56330) when all parties have signed the contract; and authorize the City Manager to execute the reimbursement agreements with the applicable utility agencies.

- A3. APPROVE AND AUTHORIZE THE EXECUTION OF COOPERATIVE AGREEMENT WITH CALTRANS DISTRICT EIGHT FOR CONSTRUCTION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF PIGEON PASS RD. AND ROUTE 60 EASTBOUND ON-RAMP, DISTRICT AGREEMENT NO. 08-1216 (Report of: Public Works Department)
Recommendation: Adopt Resolution No. 2003-92 and Authorize Execution of Cooperative Agreement with Caltrans District Eight for Construction of a Traffic Signal at the Intersection of Pigeon Pass Road and Route 60 Eastbound On-Ramp and increase the fiscal

year 2003/2004 budgeted amount for this project by \$11,000 (Account No. 426.65920) to cover the additional estimated construction cost.

Resolution No. 2003-92

A Resolution of the City Council of Moreno Valley, California, Approving and Authorizing Execution of Cooperative Agreement, District Agreement No. 8-1216 for Construction of a Traffic Signal on Pigeon Pass Road at Route 60 Eastbound On-Ramp between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley

- A4. APPROVAL OF FINAL MAP 30233 – SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS, SOUTHEAST CORNER OF CHAMPIONSHIP DRIVE AND JOHN F. KENNEDY DRIVE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (SP193) (KB HOME GREATER LOS ANGELES) (Report of: Public Works Department)
Recommendation: Approve Final Map 30233, 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.

- A5. TRACT 30318 – ACCEPT AGREEMENT AND BONDS FOR PARK IMPROVEMENTS TO PLANNING AREA 4C SPORTS PARK, EAST OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (EMPIRE LAND, LLC) (Report of: Public Works Department)
Recommendation: Accept the Agreement and bonds for Park Improvements to Planning Area 4C Sports Park; authorize the Mayor to execute the Agreement; approve the Offer of Dedication for the 10-acre Sports Park; and direct the City Clerk to forward the signed Agreement and the Offer of Dedication to the County Recorder's Office for recordation.

- A6. APPROVAL OF FINAL MAP 30318, SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS, EAST OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (BEAZER HOMES HOLDINGS CORP.)
Recommendation: Approve Final Map 30318, 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.

- A7. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE FISCAL YEAR 2002/2003 BTA PROJECT, CLASS II & CLASS III BIKEWAYS - PROJECT NO. 03-12565320 (Report of: Public Works Department)

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.

- A8. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR STREET IMPROVEMENTS ON ELSWORTH STREET AND SHERMAN AVENUE, PROJECT NO. 02-14568622 (Report of: Public Works Department)

Recommendation: Award the construction contract for the Street Improvements on Elsworth Street and Sherman Avenue to Laird Construction Co., Inc., 9460 Lucas Ranch Road, Rancho Cucamonga, CA 91730-5743, the lowest responsible bidder; authorize the Mayor to execute a contract agreement with Laird Construction Co., Inc.; authorize the issuance of a Purchase Order for Laird Construction Co., Inc. in the amount of \$374,473 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 145.68622); and authorize the closure to through traffic on Sherman Avenue from Farragut Avenue to Elsworth Street for duration of the construction work.

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. APPROVAL OF RESOLUTION AND FILING GRANT APPLICATION FOR SOCCER FIELD AT MARCH FIELD PARK (Report of: Parks and Recreation Department)

Recommendation: Approve the filing of an application for local assistance funds in the amount of \$3,000,000 to be funded from the Urban Park Act of 2001 under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and adopt Resolution No. CSD 2003-29 to certify the approval of

the governing board to enter into this transaction with the California Department of Parks and Recreation for the purpose of applying for grant funding from the Urban Park Act of 2001 under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to authorize the persons holding designated positions, as shown on the resolution, to sign contract documents for FY 2003/2004, 2004/2005, and 2005/2006.

Resolution No. CSD 2003-29

A Resolution of the City Council of the City of Moreno Valley, California, Acting in its Capacity as the Board of Directors of the Moreno Valley Community Services District Certifying the Approval of the Governing Board for the City of Moreno Valley Parks and Recreation Department to Apply for Grant Funds for the Urban Park Act of 2001 Program Under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 a Soccer Complex at March Field Park and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004, 2004/2005 and 2005/2006.

- B3. TRACT 30318 – ACCEPT AGREEMENT AND BONDS FOR PARK IMPROVEMENTS TO PLANNING AREA 4C SPORTS PARK, EAST OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (EMPIRE LAND, LLC) (Report of: Public Works Department)
Recommendation: Accept the Agreement and bonds for Park Improvements to Planning Area 4C Sports Park; authorize the Mayor to execute the Agreement; approve the Offer of Dedication for the 10-acre Sports Park; and direct the City Clerk to forward the signed Agreement and the Offer of Dedication to the County Recorder's Office for recordation.

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. THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY'S FISCAL YEAR 2002-2003 ANNUAL REPORT TO THE STATE CONTROLLER AND RESOLUTION FOR THE LOW AND MODERATE INCOME HOUSING FUND (Report of: Community and Economic Development Department)
Recommendation: Accept the Redevelopment Agency's Annual

Report for fiscal year 2002-2003 and authorize its submittal to the California State Controller and adopt Resolution No. RDA 2003-06, verifying the establishment and appropriate use of the Low and Moderate Income Housing Fund in accordance with Section 33334.3 (d) of the Health and Safety Code.

Resolution No. RDA 2003-06

A Resolution of the Redevelopment Agency of the City of Moreno Valley Verifying the Establishment and Appropriate Use of the Low and Moderate Income Housing Fund Pursuant to California Health and Safety Code 33334.3 (d) for Fiscal Year 2002-2003

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 ON THE PLANNING COMMISSION'S NOVEMBER 6, 2003 APPROVAL RECOMMENDATION OF A GENERAL PLAN AMENDMENT (PA03-0050) AND A ZONE CHANGE (PA03-0049) FROM THE CURRENT OFFICE ZONE TO THE R5 ZONE, AND TENTATIVE TRACT MAP NO. 31327 (PA03-0051) TO SUBDIVIDE 17.58-NET ACRES INTO 69 SINGLE-FAMILY RESIDENTIAL LOTS. THE SITE IS LOCATED AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND MORRISON STREET (Report of: Community and Economic Development Department)

Recommendation: That the City Council conduct a public hearing for review of the action taken by the Planning Commission recommending approval of a General Plan Amendment (PA03-0050), a Zone change (PA03-0049), and Tentative Tract Map No. 31327 (PA03-0051), and if General Plan Amendment Application PA03-0091 is approved in concept by the City Council, staff recommends that the City Council:

1. Adopt a Negative Declaration(s) for applications PA03-0050, PA03-0049, and PA03-0051. The projects, individually and cumulatively, will not result in a significant effect on the environment;
2. Approve City Council Resolution No. 2003-94, approving PA03-

0050 and PA03-0091, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibits A and B;

Resolution No. 2003-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA03-0050) Changing the Designation for Assessor's Parcel Numbers 477-220-048 and 049 from Office to Residential 5 for 17.58 Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street and a General Plan Amendment (PA03-0091) Rescinding the Existing Specific Plan 215 Designation, and Establishing Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

3. Introduce City Council Ordinance No. 646 approving a Change of Zone (PA03-0049) from Office to R5 for Assessor's Parcel Numbers 477-220-048 and -049, based on the findings in the Ordinance, and the revised Zoning Map as attached to the ordinance as Exhibit A (roll call required); and

Ordinance No. 646

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA03-0049, a Zone Change for Assessor's Parcel Numbers 477-220-048 and 049 from Office to R5 for 17.58-Net Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street

4. Approve City Council Resolution No. 2003-95 approving Tentative Tract Map No. 31327 (PA03-0051), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No. 2003-95

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map No. 31327 (PA03-0051) to Subdivide the 17.58-Net Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street into 69 Single-Family Residential Lots

OR

If General Plan Amendment Application PA03-0091 is not approved in concept by the City Council, staff recommends that the City Council:

1. Adopt a Negative Declaration(s) for applications PA03-0050, PA03-0049, and PA03-0051. The projects, individually and cumulatively, will not result in a significant effect on the environment;
2. Approve Resolution No. 2003-94 in concept, a Resolution approving applications PA03-0050 and PA03-0091, establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibits A and B; and defer adoption of said Resolution until General Plan Amendment application PA03-0091 has been approved or approved in concept by the City Council or said resolution is revised to delete references to application PA03-0091;

Resolution No. 2003-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA03-0050) Changing the Designation for Assessor's Parcel Numbers 477-220-048 and 049 from Office to Residential 5 for 17.58 Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street and a General Plan Amendment (PA03-0091) Rescinding the Existing Specific Plan 215 Designation, and Establishing Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

3. Introduce City Council Ordinance No. 646 in concept, approving a Change of Zone (PA03-0049) from Office to R5 for Assessor's Parcel Numbers 477-220-048 and -049, based on the findings in the Ordinance, and the revised Zoning Map as attached to the ordinance as Exhibit A; and defer introduction of the Ordinance until Resolution No. 2003-94 has been approved or approved in concept by the City Council (roll call required); and

Ordinance No. 646

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA03-0049, a Zone Change for Assessor's Parcel Numbers 477-220-048 and 049 from Office to R5 for 17.58-Net Acres Located at the Northeast Corner of

Alessandro Boulevard and Morrison Street

4. Approve Resolution No. 2003-95 in concept, a resolution approving Tentative Tract Map No. 31327 (PA03-0051) based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and defer adoption of said Resolution until General Plan Amendment application PA03-0091 has been approved or approved in concept by the City Council.

Resolution No. 2003-95

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map No. 31327 (PA03-0051) to Subdivide the 17.58-Net Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street into 69 Single-Family Residential Lots

- D2. A PUBLIC HEARING ON THE PLANNING COMMISSION'S JULY 31, 2003 APPROVAL RECOMMENDATION OF REPEAL OF SPECIFIC PLAN 215 (PA03-0089), PA03-0090 (CHANGE OF ZONE TO RESIDENTIAL 5), AND PA03-0091 (GENERAL PLAN AMENDMENT DESIGNATION TO RESIDENTIAL 5). (Report of: Community and Economic Development Department)
- Recommendation: Staff recommends that the City Council conduct a public hearing for review of the action taken by the Planning Commission recommending approval of the repeal of Specific Plan 215 (Specific Plan Amendment), a General Plan Amendment, and a Zone Change, and if General Plan Amendment Application PA03-0050 is approved in concept, staff recommends that the City Council:
1. Recognize that PA03-0089 (Repeal of Specific Plan 215 Amendment), General Plan Amendment (PA03-0091), and a Zone Change (PA03-0090), are exempt from CEQA; and
 2. Introduce City Council Ordinance No. 647 repealing Ordinance No. 263 Specific Plan 215 (PA03-0089), and hereby rescinding the ordinance which established the Specific Plan on the property in 1990; and based on the findings in the Ordinance (roll call required); and

Ordinance No. 647

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Ordinance No. 263, Specific Plan 215

(SP215) for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

3. Approve City Council Resolution No. 2003-94 approving PA03-0050 and PA03-0091, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibits A and B; and

Resolution No. 2003-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA03-0050) Changing the Designation for Assessor's Parcel Numbers 477-220-048 and 049 from Office to Residential 5 for 17.58 Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street and a General Plan Amendment (PA03-0091) Rescinding the Existing Specific Plan 215 Designation, and Establishing Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

4. Introduce City Council Ordinance No. 648, a Zone Change (PA03-0090), based on the findings in the Ordinance, and the revised Zoning Map as attached to the Ordinance as Exhibit A (roll call required).

Ordinance No. 648

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA03-0090), from SP215 Zoning to Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

OR

If General Plan Amendment application PA03-0050 is not approved in concept by the City Council, staff recommends that the City Council:

1. Recognize that PA03-0089 (Repeal of Specific Plan 215 Amendment), General Plan Amendment (PA03-0091), and a Zone Change (PA03-0090), are exempt from CEQA; and
2. Introduce City Council Ordinance No. 647 repealing Ordinance No. 263 Specific Plan 215 (PA03-0089), and hereby rescinding the Ordinance which established the Specific Plan on the

property in 1990; and based on the findings in the Ordinance; and defer introduction of the ordinance until General Plan Amendment application PA03-0050 has been approved or approved in concept by the City Council or said ordinance is revised to delete references to application PA03-0050 (roll call required); and

Ordinance No. 647

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Ordinance No. 263, Specific Plan 215 (SP215) for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

3. Approve Resolution No. 2003-94 in concept, a Resolution approving applications PA03-0050 and PA03-0091, establishing General Plan Land Use Map designations for certain properties as described in the Resolution and the revised General Plan maps as attached to the Resolution as Exhibits A and B; and defer adoption of said Resolution until General Plan Amendment application PA03-0050 has been approved or approved in concept by the City Council; and

Resolution No. 2003-94

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA03-0050) Changing the Designation for Assessor's Parcel Numbers 477-220-048 and 049 from Office to Residential 5 for 17.58 Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street and a General Plan Amendment (PA03-0091) Rescinding the Existing Specific Plan 215 Designation, and Establishing Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

4. Introduce City Council Ordinance No. 648, a Zone Change (PA03-0090), based on the findings in the Ordinance, and the revised Zoning Map as attached to the ordinance as Exhibit A; and defer introduction of the Ordinance until the General Plan Amendment application PA03-0050 has been approved or approved in concept by the City Council (roll call required).

Ordinance No. 648

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA03-0090), from SP215

Zoning to Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

- D3. A PUBLIC HEARING REGARDING AMENDMENT #1 TO THE CACTUS CORRIDOR SPECIFIC PLAN (SP #214) TO ADDRESS CHANGES TO THE INTERIOR SIDE YARD SETBACK FOR SINGLE-FAMILY RESIDENTIAL ZONES, AND TO REVISE LANGUAGE IN THE DESIGN GUIDELINES FOR THE SPECIFIC PLAN, WHICH ARE RELATED TO FENCE AND WALL DESIGNS, LANDSCAPE CRITERIA AND ARCHITECTURAL DESIGNS FOR SINGLE-FAMILY RESIDENCES. THE SPECIFIC PLAN IS BOUNDED GENERALLY ON THE WEST BY MORENO BEACH BOULEVARD, ON THE NORTH BY BRODIAEA AVENUE AND ON THE SOUTH BY CACTUS AVENUE, AND ON THE EAST BY THEODORE STREET (Report of: Community and Economic Development Department)

Recommendation: That the City Council conduct a public hearing for review of the action taken by the Planning Commission recommending approval of Amendment No. 1 to the Cactus Corridor Specific Plan (SP #214), and subsequent to the public hearing:

Introduce City Council Ordinance No. 649 finding that this project is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 5 Categorical Exemption, CEQA Guidelines, Section 15305 and approving P03-129 or Amendment No. 1 to the Cactus Corridor Specific Plan, subject to the attached amended Design Guidelines and Development Regulation Matrix included as Exhibits A and B.

Ordinance No. 649

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P03-129, or Amendment No. 1 to Cactus Corridor Specific Plan (SP #214) to Reduce the Side Yard Setback for a Single-Family Residential Zone, and to Revise the Design Guidelines to Address Changes in Fence/Wall Criteria, Landscape Criteria, and Architectural Designs for Single-Family Residences

ADJOURNMENT OF THE CITY COUNCIL TO A SPECIAL MEETING OF THE BOARD OF LIBRARY TRUSTEES OF THE CITY OF MORENO VALLEY

**SPECIAL MEETING OF THE BOARD OF LIBRARY TRUSTEES OF THE CITY
OF MORENO VALLEY**

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the Bailiff.

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.

1. RESOLUTION SETTING THE TIME AND PLACE FOR REGULAR MEETINGS OF THE BOARD OF LIBRARY TRUSTEES; AND ORDINANCE SETTING COMPENSATION FOR THE BOARD OF LIBRARY TRUSTEES (Report of: Library Director)

Recommendation: That the City Council:

1. Adopt Resolution No. 2003-93, setting the time and place of meeting of the Board of Library Trustees; and

Resolution No. 2003-93

A Resolution of the City Council of Moreno Valley, Setting the Time and Place for the Holding of Regular Meetings of Said Board

2. Introduce Ordinance No. 645 setting compensation for the Board of Library Trustees.

Ordinance No. 645

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Subsection 2.17.030B of Chapter 2.17 of the City of Moreno Valley Municipal Code, Setting the Compensation for the Board of Library Trustees

**ADJOURN SPECIAL MEETING OF THE BOARD OF LIBRARY TRUSTEES OF
THE CITY OF MORENO VALLEY TO A SPECIAL MEETING OF THE
INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF MORENO
VALLEY**

**SPECIAL MEETING OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF
THE CITY OF MORENO VALLEY**

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the Bailiff.

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.

1. RESOLUTION SETTING TIME AND PLACE FOR REGULAR MEETINGS OF THE BOARD OF DIRECTORS OF THE INDUSTRIAL DEVELOPMENT AUTHORITY (Report of: Finance Department)
Recommendation: That the City Council in its capacity as Chairperson and Members of the Industrial Development Authority (the Authority) adopt Resolution No. IDA 2003-01, repealing Resolution No. IDA 89-06, and establishing the time and place for the holding of regular meetings of the Board of Directors of said Authority.

Resolution No. IDA 2003-01

A Resolution of the Board of Directors of the Industrial Development Authority of the City of Moreno Valley, California, Repealing Resolution No. IDA 89-06, and Establishing the Time and Place for Regular Meetings of Said Board of Directors

RECONVENE 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

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

F. REPORTS

- F1. CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR AND MAYOR PRO TEM (Report of: City Clerk's Department)
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.

- F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31438 (AND ALL AFFECTED PHASES) FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – NORTH SIDE OF LAWLESS ROAD AND EAST TO PIGEON PASS ROAD (Report of: Public Works Department)

Recommendation: That the City Council accept public comments regarding the mail ballot proceeding for Tentative Tract 31438 (and all affected phases) for approval of the NPDES regulatory rate schedule and the maximum annual rate.

- F3. APPOINTMENTS TO CULTURAL PRESERVATION ADVISORY COMMITTEE (Report of: City Clerk's Department)

Recommendation: That the City Council, after reviewing the ballot provided by the City Clerk:

1. Appoint Leslie Smith to the Cultural Preservation Advisory Committee for a term expiring June 30, 2004; or
2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

- F4. PARTICIPATION IN GANG TASK FORCE ADMINISTERED BY RIVERSIDE COUNTY DISTRICT ATTORNEY (CONTINUED FROM NOVEMBER 18, 2003) (Report of: Administrative Services Department)

Recommendation: Adopt Proposed Resolution No. 2003-96, supporting the Riverside County District Attorney's proposal to establish a gang coordinator and to participate non-financially in the program; and commit in-kind resources to support and subsidize Task Force operations, in lieu of City funds.

Resolution No. 2003-96

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

- F5. MASTER POWER PURCHASE AND SALE AGREEMENT AND COMPLETED CONFIRMATIONS BY AND BETWEEN THE CITY OF MORENO VALLEY, CALIFORNIA AND THE CITY OF CORONA, CALIFORNIA (Report of: Public Works Department)

Recommendation: That the City Council:

1. Approve and authorize the Mayor to execute the Master Power Purchase and Sale Agreement (Agreement) by and between the City of Moreno Valley, California and the City of Corona, Corona, California, subject to any modifications approved by the Enterprise Services Manager and the City Attorney;
2. Authorize the City Manager to execute Confirmation orders with the City of Corona in amounts necessary to provide electrical service to new customers (Account Nos. to be provided by the Finance Department);
3. Authorize the Finance Director to issue a Purchase Order to the City of Corona in the amount equal to the total of all Confirmations anticipated under this Agreement for the period from February 1, 2004 – June 30, 2004 totaling \$688,000 (Account Nos. to be provided by the Finance Department);
4. Authorize the Finance Director to establish a working capital loan from the general fund in the amount of \$150,000 for the purchase of electrical energy;
5. Authorize the Finance Director to establish a revenue account with an estimated budget of \$688,000 (Account Nos. to be provided by the Finance Department); and
6. Authorize the Finance Director to appropriate \$688,000 for the purchase of energy (Account Nos. to be provided by the Finance Department).

F6. REQUEST TO APPROVE AND EXECUTE WHOLESAL
DISTRIBUTION ACCESS TARIFF (WDAT) AGREEMENTS TO
RECEIVE ACCESS TO WHOLESAL ELECTRICAL ENERGY
FOR DISTRIBUTION (Report of: Public Works Department)

Recommendation: That the City Council:

1. Approve the Draft Wholesale Distribution Access Tariff (WDAT) Service Agreements (Agreements) between the City of Moreno Valley and Southern California Edison; and
2. Authorize the Mayor to execute the final WDAT Service Agreement upon City Attorney's review and approval of the original Agreements.

F7. 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 NOVEMBER 25, 2003) (Report of: Parks and Recreation Department)

Recommendation: Due to the need to revise language in the proposed ordinance regarding the Use of Parks and Recreation Facilities, staff would like to request an extension to ensure that all issues have been addressed to the satisfaction of the City Attorney, Police Department and Parks and Recreation.

- F8. LEGISLATIVE UPDATE (Report of: Administrative Services Department)
Recommendation: That the City Council receive and file this report.
- F9. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. ORDINANCES OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, PROVIDING FOR THE ESTABLISHMENT AND ADJUSTMENT OF ELECTRICAL RATES AND TARIFFS BY RESOLUTION FOR MORENO VALLEY UTILITIES (Report of: Public Works Department)
Recommendation: That the City Council:

- 1. Introduce Ordinance No. 650 that Provides for the Establishment and Adjustment of Electrical Rates and Tariffs by Resolution for Moreno Valley Utilities (Roll call required); and

Ordinance No. 650

An Ordinance of the City Council of the City of Moreno Valley, California, that Provides for the Establishment and Adjustment of Electrical Rates and Tariffs by Resolution for Moreno Valley Utilities

- 2. Introduce and Adopt Urgency Ordinance No. 651 that Provides for the Establishment and Adjustment of Electrical Rates and Tariffs by Resolution for Moreno Valley Utilities (Roll call

required).

Ordinance No. 651

An Urgency Ordinance of the City Council of the City of Moreno Valley, California, that Provides for the Establishment and Adjustment of Electrical Rates and Tariffs by Resolution for Moreno Valley Utilities

ORDINANCES - 2ND READING AND ADOPTION

- G2. CSD ORDINANCE NUMBER CSD 43 INCREASING AND ESTABLISHING FEES (RECEIVED FIRST READING ON NOVEMBER 25, 2003 ON A 5-0 VOTE) (Report of: Parks and Recreation Department)
Recommendation: Adopt Ordinance No. CSD 43.

Ordinance No. CSD 43

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Increasing and Establishing Specified Fees for Recreational Activities, Parks, the Use of the Moreno Valley Senior Community Center, the Use of the Towngate Community Center, the Use of the Equestrian Park, the Use of the Mobile Stage Unit, the Use of the Valley Skate Park and Rescinding Certain Prior Enactments

- G3. ORDINANCE NO. 643, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING RESOLUTION NUMBER 2003-45; AMENDING TABLE 9.04.040-7, SECTIONS 9.05.040, 9.07.030, AND 9.017.020; AND ADDING SECTIONS 9.09.220 AND 9.09.230 TO TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO COMMERCIAL AND INDUSTRIAL DISTRICTS, LANDSCAPE REQUIREMENTS, MONUMENT SIGNAGE, AND OTHER DEVELOPMENT STANDARDS (RECEIVED FIRST READING AND INTRODUCTION, NOVEMBER 25, 2003 ON A 5-0 VOTE) (Report of: City Attorney's Office)
Recommendation: Adopt Ordinance No. 643.

Ordinance No. 643

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Resolution Number 2003-45; Amending Table 9.04.040-7, Sections 9.05.040, 9.07.030, and 9.17.020; and Adding Sections 9.09.220 and 9.09.230 to Title 9 of the City of Moreno

Valley Municipal Code Relating to Commercial and Industrial Districts, Landscape Requirements, Monument Signage, and other Development Standards

- G4. ORDINANCE NO. 644, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA (P02-074), APPROVING SPECIFIC PLAN AMENDMENT NO. 4 TO THE MORENO VALLEY AUTO MALL SPECIFIC PLAN (NO. 209) TO MODIFY PHASE 3 IN FULL, REVERT TO REGULATIONS OF THE MUNICIPAL CODE AND CHANGE THE LAND USE DESIGNATION ON A MAJOR PORTION OF THE SITE FROM D (DEALERSHIP), C (COMMERCIAL) AND PD (PLANNED DEVELOPMENT) TO CC (COMMUNITY COMMERCIAL), WHICH INCLUDES 38.87 NET ACRES (42.63 GROSS ACRES) AND R-15 (RESIDENTIAL-15 UNITS PER ACRE) WHICH INCLUDES 20.00 NET ACRES (25.68 GROSS ACRES) AND AMEND THE OFFICIAL ZONING ATLAS FOR A 71.86 ACRE PARCEL OF LAND. THE AMENDMENT ALSO PROPOSES HEIGHT MODIFICATIONS FOR SIGNS AND ALLOWS FOR AN ADJUSTMENT OF INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS. THE SITE IS LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 60 AND MORENO BEACH DRIVE AT THE MORENO BEACH DRIVE OFF RAMP (RECEIVED FIRST READING AND INTRODUCTION, AS AMENDED, NOVEMBER 25, 2003 ON A 50 VOTE) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. 644.

Ordinance No. 644

An Ordinance of the City Council of the City of Moreno Valley, California (P02-074), Approving Specific Plan Amendment No. 4 to the Moreno Valley Auto Mall Specific Plan (No. 209) to Modify Phase 3 In Full, Revert to Regulations of the Municipal Code and Change the Land Use Designation on a Major Portion of the Site From D (Dealership), C (Commercial) and PD (Planned Development) to CC (Community Commercial), which Includes 38.87 Net Acres (42.63 Gross Acres) and R-15 (Residential-15 Units Per Acre) which Includes 20.00 Net Acres (25.68 Gross Acres) and Amend the Official Zoning Atlas for a 71.86 Acre Parcel Of Land. The Amendment Also Proposes Height Modifications for Signs and Allows for an Adjustment of Interior Parking Lot Landscape Requirements. The Site Is Located on the Southwest Corner of Highway 60 and Moreno Beach Drive at the Moreno Beach Drive Off Ramp

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) 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