

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

**MARCH 23, 2004**

**CALL TO ORDER**

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

1. Chelbana Award
2. Presentation of New Fire Truck and Fire Engine

**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 AND THE BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING - 6:30 P.M.  
MARCH 23, 2004**

**CALL TO ORDER** (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 and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Johnathon Riveness, Moreno Christian Assembly

**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-D) 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 BOARD OF LIBRARY TRUSTEES**

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees 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. WARRANT REPORT – FEBRUARY 29, 2004 (Report of: Finance Department)  
Recommendation: Adopt Resolution No. 2004-19, approving the Warrant Report, dated February 29, 2004 in the total amount of \$13,865,376.43.

Resolution No. 2004-19

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated February 29, 2004

- A3. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AT HEACOCK STREET AND PARKLAND AVENUE PROJECT NO. 02-12566822 (Report of: Public Works Department)  
Recommendation: Ratify Contract Change Order No. 1 (Final); accept the work as complete for the traffic signal at Heacock Street and Parkland Avenue, constructed by New West Signal, 14055 Foothill Boulevard, Fontana, California 92335; direct the City Clerk to record the Notice of Completion within ten (10) calendar 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 New West Signal 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. EXTENSION OF THE HOUSING ASSISTANCE AGREEMENT WITH COACHELLA VALLEY HOUSING COALITION (Report of: Community and Economic Development Department)  
Recommendation: That the City Council extend the Housing Assistance Agreement with Coachella Valley Housing Coalition.
- A5. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE FISCAL YEAR 2003/2004 ANNUAL PAVEMENT RESURFACING PROGRAM, PROJECT NO. 03-12556330 (Report of: Public Works Department)  
Recommendation: That the City Council: 1) adopt the plans and specifications on file in the office of the City Engineer; and 2) authorize the City Clerk to advertise the project for construction bids.
- A6. THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES (Report of: Public Works Department)  
Recommendation: That the City Council: 1) approve the Third Amendment to Agreement for Professional Consultant Services with SA Associates, 1130 West Huntington Drive, Unit 12, Arcadia, California 91007 to provide Professional Consultation Services; 2) authorize the Mayor to execute said Third Amendment to Agreement for Professional Consultant Services with SA Associates, in the form attached hereto; and authorize an increase in the Purchase Order to SA Associates in the amount of \$98,000 to a total amount of \$272,000, when the Third Amendment to Agreement for Professional Consultant Services has been signed by all parties.
- A7. PARCEL MAPS 27548 AND 24350 – APPROVE DEEDS OF RECONVEYANCE TO RECONVEY THE CITY’S INTEREST IN PARCEL 3 OF PARCEL MAP 27548 AND PARCELS 1, 3, AND 4 OF PARCEL MAP 24350; ACCEPT DEED OF TRUST FOR PARCEL 4 AS REPLACEMENT SECURITY FOR THE PUBLIC IMPROVEMENTS TO PARCEL MAP 27548. JENNINGS COURT, NORTH OF PENUNURI PLACE AND EAST OF MORTON ROAD. SUBDIVIDER - MICHAEL P. JENNINGS. (Report of: Public Works Department)  
Recommendation: That the City Council: 1) authorize the Mayor to execute the Deed of Reconveyance to reconvey the interest in Parcel 3 of Parcel Map 27548 in the Deed of Trust known as Instrument No. 2002-283651, recorded May 28, 2002, in the Official Records of Riverside County, California; 2) authorize the Mayor to execute the Deed of Reconveyance to reconvey the interest in

Parcels 1, 3, and 4 of Parcel Map 24350 in the Deed of Trust known as Instrument No. 412494, recorded December 13, 1995, in the Official Records of Riverside County, California; 3) accept the Deed of Trust for Parcel 4 of Parcel Map 27548 in the form attached hereto, as reviewed and approved by the City Attorney, as replacement security for the required public improvements to Parcel Map 27548; and 4) direct the City Clerk to forward the signed Deeds of Reconveyance and Deed of Trust to the County Recorder's Office for recordation.

- A8. REPLACEMENT OF POLICE ENFORCEMENT MOTORCYCLES  
(Report of: Police Department)  
Recommendation: 1) approve the replacement of four (4) 2001 BMW R 1150 RT-P Police Motorcycles with four (4) 2004 fully equipped BMW R 1150 RT-P Police Enforcement Motorcycles; 2) approve budget expenditures in the amount of \$61,959.00 from the Equipment Replacement Reserve Fund account 757.99401.6641.648, for the thirty-nine (39) month pre-paid lease of four (4) 2004 fully equipped BMW R 1150 RT-P Police Enforcement Motorcycles; and 3) award the lease of four (4) 2004 fully equipped BMW R 1150 RT-P Police Enforcement Motorcycles from A & S BMW Motorcycles and authorize the Finance Director to issue a purchase order to A & S BMW Motorcycles in the amount of \$61,959.00.
- A9. ACCEPTANCE OF AWARD FOR THE UNIVERSAL HIRING GRANT FROM THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), U.S. DEPARTMENT OF JUSTICE  
(Report of: Police Department)  
Recommendation: That the City Council accept the COPS Universal Hiring Grant funding award in the amount of \$225,000, for three officers for a three year period, from the U.S. Department of Justice.
- A10. MINUTES – REGULAR MEETING OF MARCH 9, 2004 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- A11. AUTHORIZATION TO CONDUCT A FULL STREET CLOSURE AT THE INTERSECTION OF CACTUS AVENUE AND OLIVER STREET FROM MARCH 31, 2004 TO APRIL 16, 2004. SUBDIVIDER: D. R. HORTON, INC. (Report of: Public Works Department)  
Recommendation: Authorize the following full street closure in conjunction with the construction of Tract 22709: The intersection of Cactus Avenue and Oliver Street, approximately 200 feet north and

200 feet west of the intersection from March 31, 2004 to April 16, 2004.

- A12. INCREASED PENALTIES FOR UNAUTHORIZED PARKING IN SPACES DESIGNATED FOR DISABLED PERSONS (Report of: Administrative Services Department)  
Recommendation: Continue this report to April 13, 2004.
- A13. MEMORANDUM OF UNDERSTANDING BY AND BETWEEN EMPIRE LAND, LLC AND THE CITY OF MORENO VALLEY FOR THE CONSTRUCTION OF LASSELLE CORRIDOR BACKBONE ELECTRICAL SYSTEM (Report of: Public Works Department)  
Recommendation: Approve the Memorandum of Understanding (MOU) by and between Empire, LLC and the City of Moreno Valley for the construction of the Lasselle Corridor Backbone Electrical System; authorize staff to reconcile final construction costs associated with the Empire Land, LLC advancement of funds to the Moreno Valley Utility for the construction of the oversizing to a not-to-exceed amount of \$919,185.00; and authorize the Mayor to execute the final MOU upon City Attorney's review and approval of the original MOU.

**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. COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) - ANNEXATION 2003-2. (Report of: Public Works Department)  
Recommendation: Staff recommends that the City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District adopt Resolution No. CSD 2004-03; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1").

Resolution No. CSD 2004-03

Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1

- B3. RECOMMENDATION TO ACCEPT PROJECT AS COMPLETE, PROJECT NO. 02-001, VALLEY SKATE PARK (Report of: Parks and Recreation Department)

Recommendation: Accept the work for the subject project constructed by H & H General Contractors Inc., of San Bernardino, California; direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and authorize the Finance Director to release a total of \$120,902.71 in retention funds from the Valley Skate Park project to H & H General Contractors Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion.

- B4. AWARD OF CONTRACT - PROJECT NO. E-3/04 -MAINTENANCE OF STREETScape LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH WEST (Report of: Public Works Department)

Recommendation: That the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (CSD): 1) approve the attached Agreement for landscape maintenance services with Bemus Landscape, Inc., Santa Ana, California, and; 2) authorize the President of the Board to execute said Agreement with Bemus Landscape, Inc., and; 3) authorize the Purchasing Agent to issue open purchase orders to Bemus Landscape, Inc. in the amounts of: a.) One hundred forty-three thousand four hundred seventy-five dollars and no/100 (\$143,475.00) for fifteen months of base maintenance service, and; b.) Twenty-one thousand two hundred ninety-three dollars and no/100 (\$21,293.00) for anticipated additional work, per Section 3., paragraph d. of said Agreement.

- B5. MINUTES – REGULAR MEETING OF MARCH 9, 2004 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

**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. EXTENSION OF THE HOUSING ASSISTANCE AGREEMENT WITH COACHELLA VALLEY HOUSING COALITION (Report of: Community and Economic Development Department)

Recommendation: That the Board of Directors of the

Redevelopment Agency extend the Housing Assistance Agreement with Coachella Valley Housing Coalition.

- C3. MINUTES – REGULAR MEETING OF MARCH 9, 2004 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.

**D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

- D1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- D2. MINUTES – REGULAR MEETING OF MARCH 9, 2004 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.

**E. 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.

- E1. PUBLIC HEARING FOR INCLUSION OF TENTATIVE PARCEL MAP 31750 INTO THE COMMUNITY SERVICES DISTRICT ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE) PROGRAM. SOUTH OF ALESSANDRO BOULEVARD BETWEEN GRANT STREET AND ELSWORTH STREET (Report of: Public Works Department)  
Recommendation: That the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:
- 1) Tabulate the mail ballot for the CSD Zone M program;
  - 2) Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached 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 M charge.

E2. PUBLIC HEARINGS REGARDING:

- A. A PUBLIC HEARING ON THE PLANNING COMMISSION'S JANUARY 22, 2004 APPROVAL RECOMMENDATION OF A GENERAL PLAN AMENDMENT (PA03-0095) AND A ZONE CHANGE (PA03-0096) FROM THE CURRENT OFFICE (O) TO RESIDENTIAL 5 (R5) ZONE, AND TENTATIVE TRACT MAP NO. 31213 (PA03-0097) TO SUBDIVIDE 17.29-NET ACRES INTO 63 SINGLE-FAMILY RESIDENTIAL LOTS LOCATED AT THE NORTHWEST CORNER OF ALESSANDRO BOULEVARD AND MORRISON STREET (Report of: Community and Economic Development Department)

Recommendation: The subject General Plan Amendment application is linked with two other General Plan Amendment applications. The applications are linked because state law (Government Code Section 65358) does not allow any mandatory element of a general plan to be amended more frequently than four times during any calendar year. Because the applications are linked, the formal action on the resolution approving the General Plan Amendment cannot take place until the other General Plan Amendment applications have been at least approved in concept. Therefore, the first set of actions below should be taken only if the General Plan Amendments for the two other projects have already been approved in concept. If not, the second set of actions should be taken to approve the General Plan Amendment application in concept, and defer formal action on the introduction of the ordinance, and the approval of the resolution for the tentative tract map until the General Plan Amendment is approved.

If both the General Plan Amendment applications PA03-0111 and PA03-0009 have been approved in concept by the City Council, staff recommends that the City Council:

1. Adopt a Negative Declaration for applications PA03-0095, PA03-0096, and PA03-0097. The projects, individually and cumulatively, will not result in a significant effect on the environment;
2. Approve City Council Resolution No. 2004-20, approving PA03-0111, PA03-0095, and PA03-0009, 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, B, and C; and

Resolution No. 2004-20

A Resolution of the City Council of the City of Moreno Valley California, Approving a General Plan Amendment (PA03-0111) Changing the Designation for Assessor's Parcel Number 477-150-018 from Neighborhood Commercial (NC) to Residential 5 (R5) for 10 Acres (8.7 Net Acres) Located at the Northwest Corner of Morrison Street and Eucalyptus Avenue; a General Plan Amendment (PA03-0095) Changing the Designation for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office (O) to Residential 5 (R5) for 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street; and a General Plan Amendment (PA03-0009) Changing the Land Use Designation for Assessor Parcel Numbers 486-250-006, 009 and 010 from Community Commercial (CC) to Residential 5 (R5) for a 28.67 Net Acre Parcel Located on the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive and 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, B, and C.

3. Introduce City Council Ordinance No. 661, approving PA03-0096, a Zone Change from Office (O) to Residential 5 (R5) for Assessor's Parcel Number 477-220-013, -014, and -016 for 17.29-net acres located at the Northwest corner of Alessandro Boulevard and Morrison Street; and

Ordinance No. 661

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA03-0096, a Zone Change for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office to R5 for 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street in Order to Develop Tentative Tract Map No. 31213

4. Approve City Council Resolution No. 2004-21, approving PA03-0097, Tentative Tract Map No. 31213, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No. 2004-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map No. 31213 (PA03-0097) to Subdivide the 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street into 63 Single-Family Residential Lots

OR

If General Plan Amendment application PA03-0111 or PA03-0009 have yet to be approved in concept by the City Council, staff recommends that the City Council:

1. Adopt a Negative Declaration for applications PA03-0095, PA03-0096, and PA03-0097. The projects, individually and cumulatively, will not result in a significant effect on the environment;
2. Approve Resolution No. 2004-20, in concept, a Resolution approving applications PA03-0111, PA03-0095 and PA03-0009, 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, B and C; and defer adoption of said Resolution until General Plan Amendment applications PA03-0111 and PA03-0009 have been approved or approved in concept by the City Council or said resolution is revised to delete references to applications PA03-0111 or PA03-0009;

Resolution No. 2004-20

A Resolution of the City Council of the City of Moreno Valley California, Approving a General Plan Amendment (PA03-0111) Changing the Designation for Assessor's Parcel Number 477-150-018 from Neighborhood Commercial (NC) to Residential 5 (R5) for 10 Acres (8.7 Net Acres) Located at the Northwest Corner Of Morrison Street and Eucalyptus Avenue; a General Plan Amendment (PA03-0095) Changing the Designation for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office (O) to Residential 5 (R5) for 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street; and a General Plan Amendment (PA03-0009) Changing the Land Use Designation for Assessor Parcel Numbers 486-250-006, 009 and 010 from Community Commercial (CC) To Residential 5 (R5) for a 28.67 Net Acre Parcel Located on

the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive and 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, B, and C.

3. Introduce City Council Ordinance No. 661 in concept, approving PA03-0096, a Change of Zone from Office to R5 for Assessor's Parcel Numbers 477-220-013, -014, and -016, 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. 2004-20 has been approved or approved in concept by the City Council (roll call required); and

Ordinance No. 661

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA03-0096, a Zone Change for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office to R5 for 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street in Order to Develop Tentative Tract Map No. 31213

4. Approve Resolution No. 2004-21 in concept, a resolution approving PA03-0097, Tentative Tract Map No. 31213, 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 applications PA03-0111 and PA03-0009 have been approved or approved in concept by the City Council

Resolution No. 2004-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map No. 31213 (PA03-0097) to Subdivide the 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street into 63 Single-Family Lots

- B. A PUBLIC HEARING REGARDING THE APPLICANT'S REQUEST FOR A CHANGE OF ZONE (PA03-0008) AND GENERAL PLAN AMENDMENT (PA03-0009) FOR A CHANGE IN LAND USE DESIGNATION FROM CC (COMMUNITY COMMERCIAL) TO R5 (RESIDENTIAL-5). IN ADDITION, THE APPLICANT REQUESTS

APPROVAL OF TENTATIVE TRACT MAP NO. 31129 (PA03-0010) TO SUBDIVIDE A 28.67 NET-ACRE PARCEL OF LAND INTO 111 SINGLE-FAMILY RESIDENTIAL LOTS AND A LETTERED LOT FOR A MULTI-USE TRAIL. THE PROPOSED PROJECT, SUBMITTED BY THE APPLICANT, WINCHESTER ASSOCIATES INC., IS LOCATED ON THE NORTH SIDE OF CACTUS AVENUE, SOUTH OF BRODIAEA AVENUE, EAST OF OLIVER STREET AND WEST OF MORENO BEACH DRIVE (Report of: Community and Economic Development Department)

Recommendation: The subject General Plan Amendment application is linked with two other General Plan Amendment applications. The applications are linked because state law (Government Code Section 65358) does not allow any mandatory element of a general plan to be amended more frequently than four times during any calendar year. Because the applications are linked, the formal action on the resolution approving the General Plan Amendment cannot take place until the other General Plan Amendment applications have been at least approved in concept. Therefore, the first set of actions below should be taken only if the General Plan Amendments for the two other projects have already been approved in concept. If not, the second set of actions should be taken to approve the General Plan Amendment application in concept, and defer formal action on the introduction of the ordinance, and the approval of the resolution for the tentative tract map until the General Plan Amendment is approved.

If General Plan Amendment applications PA03-0111 and PA03-0095 have been approved in concept by the City Council, staff recommends that the City Council:

1. Adopt a Negative Declaration for PA03-0008 (Change of Zone), PA03-0009 (General Plan Amendment), and PA03-0010 (Tentative Tract Map) pursuant to the California Environmental Quality Act (CEQA) Guidelines. The projects individual and cumulatively, will not result in a significant effect on the environment;
2. Approve City Council Resolution 2004-20, approving PA03-0111, PA03-0095 and PA03-0009, 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, B and C;

Resolution No. 2004-20

A Resolution of the City Council of the City of Moreno Valley California, Approving a General Plan Amendment (PA03-0111)

Changing the Designation for Assessor's Parcel Number 477-150-018 from Neighborhood Commercial (NC) to Residential 5 (R5) For 10 Acres (8.7 Net Acres) Located at the Northwest Corner Of Morrison Street and Eucalyptus Avenue; a General Plan Amendment (PA03-0095) Changing the Designation for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office (O) to Residential 5 (R5) for 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street; and a General Plan Amendment (PA03-0009) Changing the Land Use Designation for Assessor Parcel Numbers 486-250-006, 009 And 010 from Community Commercial (CC) to Residential 5 (R5) for a 28.67 Net Acre Parcel Located on the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive and 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, B, and C.

3. Introduce City Council Ordinance No. 662, approving PA03-0008, requesting to change the zoning classifications for certain property from CC (Community Commercial) to R5 (Residential-5) as described in the Ordinance;

Ordinance No. 662

An Ordinance of the City Council of the City of Moreno Valley, California, (PA03-0009), Amending the Official Zoning Atlas of said City, Changing the Zone on a 28.67 Acre Parcel of Land, from Community Commercial (CC) to R-5 (Residential-5) Land Use District Located on the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive

4. Approve City Council Resolution 2004 -22, approving PA03-0010, (Tentative Tract Map No. 31129) for 111 single-family residential lots and a lettered lot for a multi-use trail, based on the findings in the Resolution, and the conditions of approval, as attached to the Resolution as Exhibit A.

Resolution No. 2004-22

A Resolution of the City Council of the City of Moreno Valley, Approving PA03-0010 (Tentative Parcel Map No. 31129) for a 111 Lot Single-Family Residential Subdivision, Including a Lettered Lot for a Required Multi-Use Trail on a 28.67 Acre

Parcel of Land

OR

If General Plan Amendment applications PA03-0111 and PA03-0095 have yet to be approved in concept by the City Council, staff recommends that the City Council:

1. Adopt a Negative Declaration for PA03-0008 (Change of Zone), PA03-0009 (General Plan Amendment), and PA03-0010 (Tentative Tract Map) pursuant to the California Environmental Quality Act (CEQA) Guidelines. The projects individual and cumulatively, will not result in a significant effect on the environment;
2. Approve Resolution 2004-20, in concept, a Resolution approving applications, PA03-0111, PA03-0095 and PA03-0010, establishing General Plan Land Use Map designations for certain properties as described in the Resolution as Exhibits A, B, and C and defer adoption of said Resolution until General Plan Amendment Applications PA03-0111 and PA03-0095 have been approved or approved in concept by the City Council, or said Resolution is revised to delete references to application PA03-0111 and PA03-0095.

Resolution No. 2004-20

A Resolution of the City Council of the City of Moreno Valley California, Approving a General Plan Amendment (PA03-0111) Changing the Designation for Assessor's Parcel Number 477-150-018 from Neighborhood Commercial (NC) to Residential 5 (R5) For 10 Acres (8.7 Net Acres) Located at the Northwest Corner Of Morrison Street and Eucalyptus Avenue; a General Plan Amendment (PA03-0095) Changing the Designation for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office (O) to Residential 5 (R5) for 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street; and a General Plan Amendment (PA03-0009) Changing the Land Use Designation for Assessor Parcel Numbers 486-250-006, 009 and 010 from Community Commercial (CC) to Residential 5 (R5) for a 28.67 Net Acre Parcel Located on the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive and 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, B, and C.

3. Introduce City Council Ordinance No. 662, in concept, approving PA03-0008, a Change of Zone from CC (Community Commercial) to R5 (Residential-5) for Assessor's Parcel Numbers 486-250-006, 009 and 010 based on the findings established within the Ordinance, and the revised Zoning Map as attached to the ordinance as Exhibit A; and defer introduction of the Ordinance until Resolution No 2004-20 has been approved or approved in concept by the City Council (roll call required); and

Ordinance No. 662

An Ordinance of the City Council of the City of Moreno Valley, California, (PA03-0009), Amending the Official Zoning Atlas of said City, Changing the Zone on a 28.67 Acre Parcel of Land, from Community Commercial (CC) to R-5 (Residential-5) Land Use District Located on the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive

4. Approve Resolution 2004-22 in concept, a resolution approving PA03-0010 (Tentative Tract Map No. 31129) for 111 single-family residential lots and a lettered lot for a multi-use trail, 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 applications PA03-0111 and PA03-0095 have been approved or approved in concept by the City Council.

Resolution No. 2004-22

A Resolution of the City Council of the City of Moreno Valley, Approving PA03-0010 (Tentative Parcel Map No. 31129) for a 111 Lot Single-Family Residential Subdivision, Including a Lettered Lot for a Required Multi-Use Trail on a 28.67 Acre Parcel of Land

- C. A PUBLIC HEARING ON THE PLANNING COMMISSION'S FEBRUARY 12, 2004 APPROVAL RECOMMENDATION OF A GENERAL PLAN AMENDMENT (PA03-0111) AND A ZONE CHANGE (PA03-0010) FROM THE CURRENT NEIGHBORHOOD COMMERCIAL (NC) TO RESIDENTIAL 5 (R5) ZONE, AND TENTATIVE TRACT MAP NO, 31591 (PA03-0112) TO SUBDIVIDE



10 ACRES (8.7 NET ACRES) INTO 34 SINGLE-FAMILY RESIDENTIAL LOTS LOCATED AT THE NORTHWEST CORNER OF MORRISON STREET AND EUCALYPTUS AVENUE (Report of: Community and Economic Development Department)

Recommendation: The subject General Plan Amendment application is linked with two other General Plan Amendment Applications. The applications are linked because state law (Government Code Section 65358) does not allow any mandatory element of a general plan to be amended more frequently than four times during any calendar year. Because the applications are linked, the formal action on the resolution approving the General Plan Amendment cannot take place until the other General Plan Amendment applications have been at least approved in concept. Therefore, the first set of actions below should be taken only if the General Plan Amendments for the two other projects have already been approved in concept. If not, the second set of actions should be taken to approve the General Plan Amendment application in concept, and defer formal action on the introduction of the ordinance, and the approval of the resolution for the tentative tract map until the General Plan Amendment is approved.

If General Plan Amendment applications, PA03-0009 and PA03-0095 have been approved in concept, staff recommends that the City Council:

1. Adopt a Negative Declaration for PA03-0110/0111/0112 pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
2. Approve City Council Resolution No. 2004-20 approving PA03-0111, PA03-0009 and PA03-0095, 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, B, and C; and

#### Resolution No. 2004-20

A Resolution of the City Council of the City of Moreno Valley California, Approving a General Plan Amendment (PA03-0111) Changing the Designation for Assessor's Parcel Number 477-150-018 from Neighborhood Commercial (NC) to Residential 5 (R5) For 10 Acres (8.7 Net Acres) Located at the Northwest Corner Of Morrison Street and Eucalyptus Avenue; a General Plan Amendment (PA03-0095) Changing the Designation for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office (O) to Residential 5 (R5) for 17.29-Net Acres Located at

the Northwest Corner of Alessandro Boulevard and Morrison Street; and a General Plan Amendment (PA03-0009) Changing the Land Use Designation for Assessor Parcel Numbers 486-250-006, 009 And 010 from Community Commercial (CC) To Residential 5 (R5) for a 28.67 Net Acre Parcel Located on the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive and 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, B, and C.

3. Introduce Ordinance No. 663, an Ordinance of the City Council of the City of Moreno Valley, California, approving PA03-0110, a Zone Change for Assessor's Parcel Number 477-150-018 from Neighborhood Commercial (NC) to Residential 5 (R5) for 10 acres (8.7 net acres) located at the northwest corner of Morrison Street and Eucalyptus Avenue

Ordinance No. 663

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA03-0110), from Neighborhood Commercial (NC) Zoning to Residential 5 (R5) for 10 Acres (8.7 Net Acres) Located at the Northwest Corner of Morrison Street and Eucalyptus Avenue

4. Approve City Council Resolution No. 2004-23 approving PA03-0112, Tentative Tract Map 31591 to subdivide 10 acres (8.7 net acres) into 33 single-family residential lots located at the northwest corner of Morrison Street and Eucalyptus Avenue.

Resolution No. 2004-23

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map 31591 (PA03-0112), to Subdivide 10 Acres (8.7 Net Acres) into 33 Single-Family Residential Lots

OR

If General Plan Amendment application PA03-0009 or PA03-0095 have yet to be approved in concept by City Council, staff recommends that the City Council:

1. Adopt a Negative Declaration for applications PA03-0110,

PA03-0111, and PA03-0112. The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. Approve Resolution No. 2004-20 in concept, a Resolution approving applications PA03-0111, PA03-0095 and PA03-0009, 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 on Exhibits A, B, and C; and defer adoption of said Resolution until General Plan Amendment applications PA03-0009 and PA03-0095 have been approved or approved in concept by the City Council or said resolution is revised to delete references to applications PA03-0009 or PA 03-0095;

#### Resolution No. 2004-20

A Resolution of the City Council of the City of Moreno Valley California, Approving a General Plan Amendment (PA03-0111) Changing the Designation for Assessor's Parcel Number 477-150-018 from Neighborhood Commercial (NC) to Residential 5 (R5) For 10 Acres (8.7 Net Acres) Located at the Northwest Corner Of Morrison Street and Eucalyptus Avenue; a General Plan Amendment (PA03-0095) Changing the Designation for Assessor's Parcel Numbers 477-220-013, -014, and -016 from Office (O) to Residential 5 (R5) for 17.29-Net Acres Located at the Northwest Corner of Alessandro Boulevard and Morrison Street; and a General Plan Amendment (PA03-0009) Changing the Land Use Designation for Assessor Parcel Numbers 486-250-006, 009 And 010 from Community Commercial (CC) To Residential 5 (R5) for a 28.67 Net Acre Parcel Located on the North Side of Cactus Avenue, South of Brodiaea Avenue, East of Oliver Street and West of Moreno Beach Drive and 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, B, and C.

3. Introduce City Council Ordinance 663, in concept, approving PA03-0110, a Change of Zone from Neighborhood Commercial (NC) to R5 for Assessor's Parcel Numbers 477-150-018, based on the findings in the Ordinance, and the revised Zoning Ordinance until Resolution No. 2004-20 has been approved or approved in concept by the City Council (roll call required); and

Ordinance No. 663

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA03-0110), from Neighborhood Commercial (NC) Zoning to Residential 5 (R5) for 10 Acres (8.7 Net Acres) Located at the Northwest Corner of Morrison Street and Eucalyptus Avenue

4. Approve Resolution No. 2004-23 in concept, a resolution approving PA03-0112, Tentative Tract Map No. 31591, 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 applications PA03-0009 and PA03-0095 have been approved or approved in concept, by the City Council.

Resolution No. 2004-23

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map 31591 (PA03-0112), to Subdivide 10 Acres (8.7 Net Acres) into 33 Single-Family Residential Lots

- E3. PUBLIC HEARING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME FY 2004/2005 PROPOSED PROJECTS (Report of: Community and Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Programs to allow the public an opportunity to comment on the proposed projects and programs; and
2. Select programs and projects for funding a part of the City's Annual Action Plan for FY 2004/2005, updating the 5-Year Consolidated Plan.

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

## **G. REPORTS**

- G1. 60/91/215 FREEWAY IMPROVEMENT PROJECT (PRESENTATION BY CALTRANS) (ORAL PRESENTATION – NO WRITTEN MATERIAL) (Report of: Public Works Department)
- G2. MORENO VALLEY MALL POLICE CONTRACT REVIEW (Report of: Assistant City Manager)  
Recommendation: That the City Council consider the proposal to reduce the hours of required deployment by the Mall officers. Reasonable policy justification exists for a modest reduction in costs, though the fiscal impact will be about \$48,000 per year to the city's general fund. If Council decides to reduce costs, staff recommends it be done as a direct subsidy rather than reducing hours at the mall.
- G3. APPOINTMENTS TO THE SENIOR CITIZENS' ADVISORY COMMITTEE AND PARKS AND RECREATION ADVISORY COMMITTEE (Report of: City Clerk)  
Recommendation: That the City Council, after reviewing the ballots provided by the City Clerk:
1. Appoint Robert Roma to the Senior Citizens' Advisory Committee for a term expiring June 30, 2006;
  2. Appoint one member to the Parks and Recreation Advisory Committee for a term expiring June 30, 2006; or
  3. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.
- G4. RESOLUTION OF SUPPORT FOR "THE LOCAL TAXPAYER AND PUBLIC SAFETY PROTECTION ACT" INITIATIVE (Report of: Assistant City Manager)  
Recommendation: That the City Council adopt Resolution No. 2004-24 in support of "The Local Taxpayer and Public Safety Protection Act" initiative.

Resolution No. 2004-24

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Local Taxpayers and Public Safety Protection Act

- G5. LEGISLATIVE UPDATE (Report of: Assistant City Manager)  
Recommendation: That the City Council receive and file the report.
- G6. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

## H. LEGISLATIVE ACTIONS

### ORDINANCES - 1ST READING AND INTRODUCTION

- H1. ORDINANCE NO. 660, 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 (Report of: Public Works Department)  
Recommendation: Introduce Ordinance No. 660; amending Section 12.36.010 of Chapter 12.36 of Title 12 of the Municipal Code to include Heacock Street, from Iris Avenue to San Michele Road, as a designated "Truck Route." (Roll call required)

#### Ordinance No. 660

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 - 2ND READING AND ADOPTION

- H2. ORDINANCE NO. 658 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING P03-040 FOR A SPECIFIC PLAN AMENDMENT (NO. 4) TO THE TOWNGATE SPECIFIC PLAN (NO. 200), MODIFYING THE DESIGN GUIDELINES REGARDING PERIMETER/EDGE LANDSCAPE REQUIREMENTS FOR ALL PROPERTIES THAT FRONT HIGHWAY 60 AND CHANGING THE LAND USE DESIGNATION FROM O (OFFICE) TO H (HIGH DENSITY RESIDENTIAL), WHILE AMENDING THE OFFICIAL ZONING ATLAS FOR A 33.24 ACRE PARCEL OF LAND WITHIN PLANNING AREA NO. 5 (RECEIVED FIRST READING AND INTRODUCTION MARCH 9, 2004 ON A 5-0 VOTE) (Report of: Public Works Department)  
Recommendation: Adopt Ordinance No. 658.

Ordinance No. 658

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P03-040 for a Specific Plan Amendment (No. 4) to the Towngate Specific Plan (No. 200), Modifying the Design Guidelines Regarding Perimeter/Edge Landscape Requirements for all Properties that Front Highway 60 and Changing the Land Use Designation from O (Office) to H (High Density Residential), While Amending the Official Zoning Atlas for A 33.24 Acre Parcel of Land Within Planning Area No. 5

- H3. ORDINANCE NO. 659 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 11.70 TO THE CITY OF MORENO VALLEY MUNICIPAL CODE, REGULATING CAMPING AND THE USE OF CAMP FACILITIES AND CAMP PARAPHERNALIA IN THE CITY OF MORENO VALLEY (RECEIVED FIRST READING AND INTRODUCTION MARCH 9, 2004 ON A 5-0 VOTE (Report of: City Attorney)  
Recommendation: Adopt Ordinance No. 659.

Ordinance No. 659

An Ordinance of the City Council of the City of Moreno Valley, California, Adding Chapter 11.70 to the City of Moreno Valley Municipal Code, Regulating Camping and the Use of Camp Facilities and Camp Paraphernalia in the City of Moreno Valley

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a 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 City Manager's 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**