

**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.
APRIL 13, 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 – Bishop Steve Clark, Church of Jesus Christ Latter-Day Saints

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. APPROVAL OF THE 2004/05 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)
Recommendation: Approve the County Service Area (CSA) 152 Budget for FY 2004/2005 in the amount of \$436,060; and authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2004/2005.
- A3. NOTICE OF COMPLETION AND ACCEPTANCE OF THE FISCAL YEAR 2002/2003 BICYCLE TRANSPORTATION ACCOUNT (BTA), CLASS II & III BIKEWAYS PROJECT, PROJECT NO. 03-12565320 (Report of: Public Works Department)
Recommendation: Ratify Contract Change Order Nos. 1 and 2 (Final); accept the work as complete for the Fiscal Year 2002/2003 BTA, Class II & III Bikeways by C-18, Inc., P.O. Box 3360, Beaumont, California 92223; direct the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorize the Director of Finance to release the retention to C-18, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and accept the improvements into the City's maintained road system.
- A4. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE DAY STREET REHABILITATION FROM ALESSANDRO BOULEVARD TO

COTTONWOOD AVENUE (PROJECT NO. 02-89266920), AND STORM DRAIN LINE GG FROM OLD I-215 FRONTAGE ROAD TO DAY STREET (PROJECT NO. 02-89280022) (Report of: Public Works Department)

Recommendation: Approve the Amendment to Agreement for Professional Consultant Services with AEI • CASC Engineering, 937 South Via Lata, Suite 500, Colton, California 92324 to provide preliminary engineering services for street and storm drain improvements; authorize the Mayor to execute the Amendment to Agreement for Professional Consultant Services with AEI • CASC Engineering; and authorize an increase in the Purchase Order to AEI • CASC Engineering, in the not-to-exceed amount of \$12,206 for Account No. 892.66920 and \$2,300 for Account No. 892.80022, when the Amendment to Agreement has been signed by all parties.

- A5. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE TELECOMMUNICATIONS MASTER PLAN (TMP), PROJECT NO. 01-41268721 (Report of: Public Works Department)

Recommendation: Approve the Amendment to Agreement for Professional Consultant Services with Auriga Corporation, 890 Hillview Court, Suite 130, Milpitas, California 95035 to provide Professional Consultant Services for the completion of the Telecommunications Master Plan (TMP); authorize the Mayor to execute the Amendment to Agreement for Professional Consultant Services with Auriga Corporation; authorize the Finance Director to appropriate and transfer \$8,980 from the General Fund unencumbered Capital Reserve to the TMP (Account No. 412.68721); and authorize an increase in the Purchase Order to Auriga Corporation, in the not-to-exceed amount of \$9,980 for Account No. 412.68721, when the Amendment to Agreement has been signed by all parties.

- A6. FINAL MAP 29761 – REDUCE FAITHFUL PERFORMANCE BOND BY 90% AND ADOPT RESOLUTION NO. 2004-25, 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 MARINER WAY, BEACHCOMBER STREET, CORAL LANE, VIA PAVON, AND NAUTICAL CIRCLE INTO THE CITY MAINTAINED STREET SYSTEM - SUBDIVIDER – D. R. HORTON, INC. (Report of: Public Works Department)

Recommendation: Approve a 90% reduction to the Faithful Performance Bond for Final Map 29761; authorize the City Engineer to reduce the Faithful Performance Bond by 90%; and adopt Resolution No. 2004-25 authorizing the acceptance of the

public right-of-way improvements for Final Map 29761 as complete and accepting Mariner Way, Beachcomber Street, Coral Lane, Via Pavon, and Nautical Circle into the City Maintained Street System.

Resolution No. 2004-25

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 29761, and Accepting Mariner Way, Beachcomber Street, Coral Lane, Via Pavon, and Nautical Circle into the City Maintained Street System

- A7. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) RESOLUTIONS FOR TAX CREDIT APPLICATION (Report of: Community and Economic Development Department)
Recommendation: Adopt Resolution No. 2004-26, a Resolution of the City of Moreno Valley regarding assistance to the Cottonwood Place Phase III housing development proposed by Palm Desert Development Company.

Resolution No. 2004-26

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Cottonwood Place Phase III Housing Development and Affirming its Intention to Provide Assistance to Heacock Cottonwood III, LP, a Subsidiary of the Palm Desert Development Company

- A8. APPROVAL OF PARCEL MAP 31438 - LAWLESS ROAD, EAST OF PIGEON PASS ROAD - SUBDIVIDER - JAMES R. MAURER (Report of: Public Works Department)
Recommendation: Approve Parcel Map 31438, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A9. 2003 ANNUAL REPORT ON THE PLANNING COMMISSION (Report of: Community and Economic Development Department)
Recommendation: Receive and file the 2003 Annual Report of the Planning Commission and authorize transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.
- A10. MARCH JOINT POWERS AUTHORITY RESOLUTION (Report of: City Manager)
Recommendation: Adopt Resolution No. 2004-27 designating

March Joint Powers Authority (JPA) “single local base retention entity”.

Resolution No. 2004-27

A Resolution of the City Council of the City of Moreno Valley to Appoint the March Joint Powers Authority the Single Local Base Retention Entity for March Air Reserve Base

- A11. MINUTES – REGULAR MEETING OF MARCH 23, 2004 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A12. ACCEPTANCE OF YOUTHBUILD GRANT OF \$400,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Report of: Community and Economic Development Department)
Recommendation: Accept the YouthBuild grant and authorize the City Manager to execute a contract with the U.S. Department of Housing and Urban Development (HUD) for \$400,000.
- A13. REQUEST FOR FUNDING FOR MJPA PARKS AND RECREATION FEASIBILITY STUDY (Report of: Parks and Recreation Department)
Recommendation: Approve a request from the March Joint Powers Authority (MJPA) for Moreno Valley to participate in a Parks and Recreation Feasibility Study at a cost not to exceed \$10,000.
- A14. APPROVAL OF RESOLUTION NO. 2004-28, SUMMARY VACATION OF PORTIONS OF THE EQUESTRIAN TRAIL EASEMENT TO FINAL MAP 30232 - SOUTHEAST CORNER OF CACTUS AVENUE AND JOHN F. KENNEDY DRIVE. SUBDIVIDER - RYLAND HOMES OF CALIFORNIA, INC. (Report of: Public Works Department)
Recommendation: Approve and adopt Resolution No. 2004-28, summarily vacating portions of the equestrian trail easement to Final Map 30232; and direct the City Clerk to certify said resolution and transmit a copy of the County Recorder’s office for recording.

Resolution No. 2004-28

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Portions of the Equestrian Trail Easement to Final Map 30232

- A15. TRACT 29732-ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS FOR UTILITY ELECTRICAL INFRASTRUCTURE. VIA DEL LAGO AT IRIS AVENUE AND MORENO BEACH DRIVE. SUBDIVIDER - U. S. HOME CORPORATION (Report of: Public Works Department)
Recommendation: Accept the bonds and Agreement for Public Improvements for Utility Electrical Infrastructure for Tract 29732; 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.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- B2. MINUTES – REGULAR MEETING OF MARCH 23, 2004 (Report of: City Clerk)
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. MINUTES – REGULAR MEETING OF MARCH 23, 2004 (Report of: City Clerk)
Recommendation: Approve as submitted.
- C3. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) RESOLUTIONS FOR TAX CREDIT APPLICATION (Report of: Community and Economic Development Department)
Recommendation: That the Redevelopment Agency Board adopt Resolution RDA 2004-01, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Cottonwood Place Phase III housing development proposed by Palm Desert Development Company.

Resolution No. RDA 2004-01

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

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 23, 2004 (Report of: City Clerk)
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.

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

G. REPORTS

- G1. PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR TRACTS 19529 (SOUTH OF EUCALYPTUS AVENUE AND WEST OF GRAHAM STREET) AND 20072 (NORTH OF IRONWOOD AVENUE AND WEST OF MATHEWS ROAD) – COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) PROGRAM (Report of: Public Works Department)
Recommendation: That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD), accept public comments regarding the mail ballot proceedings for the proposed increase in the Zone D annual charges for Tracts 19529 and 20072.

G2. INCREASED PENALTIES FOR UNAUTHORIZED PARKING IN SPACES DESIGNATED FOR DISABLED PERSONS (CONTINUED FROM 3/23/04) (Report of: Assistant City Manager)
Recommendation: That the Council take no action on this enabling state legislation.

G3. THE COMMUNITY REDEVELOPMENT AGENCY'S REQUIRED PAYMENT OF PROPERTY TAX REVENUE TO RIVERSIDE COUNTY'S EDUCATIONAL REVENUE AUGMENTATION FUND (ERAF) AND ORDINANCE TO AMEND THE REDEVELOPMENT PLAN (Report of: Community and Economic Development Department)
Recommendation: That the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley take the following actions:

1. Appropriate \$320,239 from RDA fund 895 and approve payment to the County of Riverside for the Agency's required shift of property tax revenue to the State of California's Education Revenue Augmentation Fund (ERAF) for the 2003-2004 fiscal year; and
2. Introduce Ordinance No. RDA 06 to amend the Redevelopment Plan to extend the effectiveness of the Plan and extend the time limit to receive tax increment. (Roll call required).

Ordinance No. RDA 06

An Ordinance of the Community Redevelopment Agency of the City of Moreno Valley, California, Amending the Redevelopment Plan for the Moreno Valley Redevelopment Project Pursuant to Health and Safety Code Section 33333.2 (c)

G4. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: That the City Council receive and file the report.

G5. TRAFFIC ENFORCEMENT PRESENTATION (Report of: Police Department) – Power Point presentation only

G6. CITY PURCHASE OF OUTSTANDING REDEVELOPMENT PROMISSORY NOTES (Report of: Community and Economic Development Department) – Material not available at time of printing – to be provided under separate cover.

G7. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. 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 (RECEIVED FIRST READING AND INTRODUCTION MARCH 23, 2004 ON A 5-0 VOTE) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. 661.

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

- H2. ORDINANCE NO. 662, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, (PA03-0008), 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 (RECEIVED FIRST READING AND INTRODUCTION MARCH 23, 2004 ON A 4-1 VOTE, MAYOR WEST OPPOSING) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. 662.

Ordinance No. 662

An Ordinance of the City Council of the City of Moreno Valley, California, (PA03-0008), 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

- H3. 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 (RECEIVED FIRST READING AND INTRODUCTION MARCH 23, 2004 ON A 5-0 VOTE) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. 663.

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

- H4. 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 (RECEIVED FIRST READING AND INTRODUCTION MARCH 23, 2004 ON A 5-0 VOTE) (Report of: Public Works Department)
Recommendation: Adopt Ordinance No. 660.

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 - URGENCY ORDINANCES - NONE

RESOLUTIONS – NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,
COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT
AGENCY**

CLOSED SESSION

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the Finance Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

- 1) 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