

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY

MAY 11, 2004

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Youth Services Awards:
 - A. Supporting Youth Award – Fourth Quarter, 2003 – Thor Industries
 - B. Community Involvement Award – Fourth Quarter, 2003 – Catilynn Biles
 - C. Supporting Youth Award, First Quarter, 2004 – Office Depot
 - D. Community Involvement Award, 2004 – Leah Hall
2. Proclamation Recognizing National Women's Health Week, May 9-15
3. Proclamation Recognizing National Public Works Week, May 16-22

**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**

**MAY 11, 2004
REGULAR MEETING - 6:30 P.M.**

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 James G. Belle, Moreno Valley First Apostolic Faith Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS **ON MATTERS ON THE AGENDA** WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.) Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

PUBLIC COMMENTS **ON MATTERS NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

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. PA03-0079 – PINNACLE AT TOWNGATE APARTMENTS - ACCEPT BONDS AND AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - SOUTHWEST CORNER OF FREDERICK STREET AND TOWNGATE BOULEVARD. SUBDIVIDER - BRE PROPERTIES, INC. (Report of: Public Works Department)
Recommendation: Accept the bonds and Agreement for Public Improvements for PA03-0079; 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.

- A3. MINUTES – REGULAR MEETING OF APRIL 27, 2004 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

- A4. FINAL MAPS 27526 AND 27526-1 – REDUCE FAITHFUL PERFORMANCE BONDS BY 90% AND ADOPT RESOLUTION NO. 2004-32, 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 MAKENNA STREET, JAMES STREET, PECK STREET, BRAD STREET, PRADO STREET, AND STACY LYNN DRIVE INTO THE CITY MAINTAINED STREET SYSTEM. SUBDIVIDER – DON AND NANCY SKJERVEN (Report of: Public Works Department)
Recommendation: Approve a 90% reduction to the Faithful

Performance Bonds for Final Maps 27526 and 27526-1; authorize the City Engineer to reduce the Faithful Performance Bonds by 90%; and adopt Resolution No. 2004-32 authorizing the acceptance of the public right-of-way improvements for Final Maps 27526 and 27526-1 as complete and accepting Makenna Street, James Street, Peck Street, Brad Street, Prado Street and Stacy Lynn Drive into the City Maintained Street System.

Resolution No. 2004-32

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 Tracts 27526 and 27526-1, and Accepting Makenna Street, James Street, Peck Street, Brad Street, Prado Street, and Stacy Lynn Drive into the City Maintained Street System

- A5. APPROVAL OF RESOLUTION NO. 2004-33, SUMMARY VACATION OF AN UNNAMED ALLEY DESIGNATED AS LOT 'E' OF PARCEL MAP 6886. SOUTHWEST CORNER OF ALESSANDRO BOULEVARD AND WILMOT STREET. SUBDIVIDER-DONALD & NANCY NICHOLSON (Report of: Public Works Department)

Recommendation: Approve and adopt Resolution No. 2004-33, summarily vacating an unnamed alley designated as Lot 'E' of Parcel Map 6886 located at the southwest corner of Alessandro Boulevard and Wilmot Street and direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

Resolution No. 2004-33

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of an Unnamed Alley Designated as Lot 'E' of Parcel Map 6886

- A6. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE FISCAL YEAR 2003/2004 ANNUAL PAVEMENT RESURFACING PROGRAM, PROJECT NO. 03-12556330) (Report of: Public Works Department)

Recommendation: Award the construction contract for the Fiscal Year 2003/2004 Annual Pavement Resurfacing Program to Sully-Miller Contracting Company, 1100 East Orangethorpe Avenue, Suite 200, Anaheim, California 92801, the lowest responsible bidder; authorize the Mayor to execute a contract agreement with Sully-Miller Contracting Company; and authorize the issuance of a

Purchase Order for Sully-Miller Contracting Company in the amount of \$950,400.00 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 125.56330).

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 APRIL 27, 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. MINUTES – REGULAR MEETING OF APRIL 27, 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 APRIL 27, 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 TO ADOPT THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2004-2005 AND CONSOLIDATED PLAN AMENDMENT #1. (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 Annual Action Plan and Consolidated Plan Amendment #1;
2. Approve the proposed Annual Action Plan; and
3. Approve the proposed Consolidated Plan Amendment #1.

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

G. REPORTS

G1. REPORT ON RIVERSIDE COUNTY TRANSPORTATION COMMISSION ACTIVITIES BY MAYOR WEST (Informational Oral Presentation – not for Council action)

G2. PRESENTATION OF FY 2004-05 PROPOSED BUDGET (Report of the Finance Department)

Recommendation: That the City Council:

1. Review the City Manager's FY 2004/05 Proposed Budget as submitted;
2. Accept public comments on the FY 2004-05 Proposed Budget; and
3. Provide comments and discussion.

G3. ORDINANCE REGULATING SALES AND SPECIAL EVENTS IN PARKING LOTS (CONTINUED FROM APRIL 27, 2004) (Report of: City Attorney's Department)

Recommendation: The City Attorney recommends that:

1. That the City Council review Ordinance No. 664 regulating sales and special events in parking lots and take public comments regarding it.

2. The City Council, at its discretion, either:
 - b. Provide additional direction to staff and the City Attorney concerning the ordinance, or
 - c. Introduce Ordinance No. 664 “An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sections 9.02.150 and 9.08.120 with Respect to Outdoor Sales of Merchandise and Adding Section 9.02.155 to the City of Moreno Valley Municipal Code Regulating Sales and Similar Events in Parking Lots.”

Ordinance No. 664

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sections 9.02.150 and 9.08.120 with Respect to Outdoor Sales of Merchandise and Adding Section 9.02.155 to the City of Moreno Valley Municipal Code Regulating Sales and Similar Events in Parking Lots

- G4. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: That the City Council receive and file the report.
- G5. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- H1. INTRODUCE ORDINANCE NO. 665, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING ORDINANCE 498 AND ENACTING A NEW CHAPTER 8.10 TO THE MORENO VALLEY MUNICIPAL CODE, REGARDING STORM WATER AND URBAN RUNOFF POLLUTION PREVENTION CONTROL (Report of: Public Works Department)
Recommendation: That the City Council:
 1. Waive the reading of Ordinance No. 665 in its entirety and read by title only (roll call required); and
 2. Introduce Ordinance No. 665, An Ordinance of the City Council of the City of Moreno Valley, California Repealing Ordinance 498 and Enacting a New Chapter 8.10 to the Moreno Valley

Municipal Code, Regarding Storm Water and Urban Runoff
Pollution Prevention Control

Ordinance No. 665

An Ordinance of the City Council of the City of Moreno Valley,
California Repealing Ordinance 498 and Enacting a New
Chapter 8.10 to the Moreno Valley Municipal Code, Regarding
Storm Water and Urban Runoff Pollution Prevention Control

ORDINANCES - 2ND READING AND ADOPTION - NONE

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