

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

MAY 25, 2004

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Proclamation Recognizing May 2004 as Water Awareness Month
2. Eastern Municipal Water District (EMWD) "Water is Life" Poster Contest Awards:
Juliet Boddy, Ridgecrest Elementary School - Teacher Mike Morrison
Desiree Hallstrom, Ridgecrest Elementary - Teacher Rosie Hernandez
Marcella Nikolie, Vista Heights - Teacher Mrs. Brill
3. Presentation of California Highway Patrol (CHP) Auto Theft Recovery 10851 Awards - Sponsored by the American Automobile Association (AAA):
Corporal Mike Hatfield (2nd, 3rd, 4th and 5th pin)
Officer Michael Portillo (1st, 2nd, 3rd and 4th pin)
Officer Vance Stolte (3rd pin)
Officer Chris Durham (1st pin)
Officer Kevin Lamb (2nd pin)
Officer Dean Baer (16th pin)
Officer William Mooney (8th, 9th, 10th, & 11th pins)
Investigator Ron Anne (1st pin)
4. Mayor's Award of Valor Recognizing William DeGeorge
5. Proclamation Recognizing Cesar Donavin Colondres for Act of Heroism

**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.
MAY 25, 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 Paul Cunningham, Calvary Baptist 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. MINUTES – SPECIAL MEETING OF APRIL 20, 2004 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- A3. MINUTES – REGULAR MEETING OF MAY 11, 2004 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- A4. AUTHORIZATION TO CONDUCT A FULL STREET CLOSURE OF OLIVER STREET, BETWEEN IRIS AVENUE AND JOHN F. KENNEDY DRIVE, FROM JUNE 18, 2004 TO JULY 6, 2004 - SUBDIVIDER - GREYSTONE HOMES (Report of: Public Works Department)
Recommendation: Authorize the following full street closure in conjunction with the construction of Tract 29732: Oliver Street, between Iris Avenue and John F. Kennedy Drive, from June 18, 2004 to July 6, 2004.
- A5. FINAL MAP 28568 – ACCEPT LANDSCAPE & IRRIGATION IMPROVEMENTS INTO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT LANDSCAPE MAINTENANCE ZONE E-4 AND REDUCE FAITHFUL PERFORMANCE BOND FOR LANDSCAPE & IRRIGATION IMPROVEMENTS - NORTH SIDE OF JOHN F. KENNEDY DRIVE, EAST OF MORENO BEACH DRIVE - SUBDIVIDER - RYLAND HOMES OF CALIFORNIA, INC. (Report of: Public Works Department)

Recommendation: Accept landscape & irrigation improvements for Final Map 28568 into the Moreno Valley Community Services District Landscape Maintenance Zone E-4; approve a 90% reduction to the Landscape & Irrigation Faithful Performance Bond; and instruct the City Engineer to prepare a 90% reduction letter reducing the Landscape & Irrigation Faithful Performance Bond.

- A6. APPROVAL OF GRANT APPLICATION SUBMITTAL FOR THE BICYCLE AND PEDESTRIAN FACILITIES PROGRAM, SENATE BILL 821 (SB 821) (Report of: Public Works Department)
Recommendation: Approve the submittal of the grant application for the Bicycle and Pedestrian Facilities Program.
- A7. LEAGUE OF CALIFORNIA CITIES AND CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) JOINT POLICY RESOLUTION (Report of: City Manager's Department)
Recommendation: Adopt Resolution No. 2004-34 supporting a joint League/CSAC Policy Statement to decrease impacts on public health and safety resulting from wildland urban interface fires.

Resolution No. 2004-34

A Resolution of the City Council of the City of Moreno Valley, Supporting a Joint League/CSAC Policy Statement to Decrease Impacts on Public Health and Safety Resulting from Wildland Urban Interface Fires

- A8. APPROVAL OF FINAL MAP 27523-2 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT BONDS & AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS SOUTH SIDE OF BRODIAEA AVENUE BETWEEN MORENO BEACH DRIVE AND WILMOT STREET – SUBDIVIDER - MORENO VALLEY CACTUS RANCH, LLC (Report of: Public Works Department)
Recommendation: Approve Final Map 27523-2, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accept the bonds and Agreement for Public Improvements; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.
- A9. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 2004 (Report of: Finance Department)
Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.

- A10. PARCEL MAP 20995 – EXONERATE TRAFFIC SIGNAL MITIGATION PAYMENT BOND AND APPROVE A PARTIAL REDUCTION OF THE PUBLIC IMPROVEMENT FAITHFUL PERFORMANCE AND MATERIAL & LABOR BONDS, SOUTHEAST CORNER OF ALESSANDRO BOULEVARD AND ELSWORTH STREET, SUBDIVIDER – NEWHOPE PROPERTIES III, CGP (Report of: Public Works Department)
Recommendation: Approve an exoneration of the Traffic Signal Mitigation Payment Bond for Parcel Map 20995; approve a \$131,000 reduction to the Faithful Performance and Material & Labor Bonds for Parcel Map 20995; and authorize the City Engineer to exonerate the Traffic Signal Mitigation Payment Bond and reduce the Faithful Performance and Material & Labor Bonds by \$131,000 for Parcel Map 20995.
- A11. Agreement to Accept Letter of Credit to Guarantee Completion of the Multi-Use Trail Improvements Within Tract 30232 (Report of: Parks and Recreation Department) - Material not available at time of printing – to be provided under separate cover

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 MAY 11, 2004 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- B3. ACCEPTANCE OF ONE-TIME GRANT FUNDING - CHILD CARE GRANT (Report of: Parks and Recreation Department)
Recommendation: Authorize the acceptance of one-time grant funding in the amount of \$3,482 from the California Department of Education, Child Development Division. The purpose of these grant monies is to improve the quality and availability of child care and to allow the contractor flexibility in the expenditure of the funds for one-time only items that primarily benefit the school age child care services program and adopt Resolution No. CSD 2004-04 to certify the approval of the governing board to enter into this transaction with the California Department of Education and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2003/2004 and FY 2004/2005.

Resolution No. CSD 2004-04

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Acting in its Capacity as the Board of Directors of the Moreno Valley Community Services District Board to Enter into a Transaction with the California Department of Education for the Purpose of One-Time Expenditures that Primarily Benefit the School-Age Child Care Services Program and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004 and 2004/2005

- B4. FORMALLY NAME THE PARK LOCATED AT 14875 CALIENTE DRIVE "CELEBRATION PARK" (Report of: Parks and Recreation Department)
Recommendation: Adopt the name as recommended and submitted by the Parks and Recreation Advisory Committee for the park located at 14875 Caliente Drive as "Celebration Park".

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 MAY 11, 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 MAY 11, 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 COMMENTS ON THE FY 04/05 PROPOSED BUDGET AND CONTINUED BUDGET REVIEW (Report of: Finance Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing on the City's FY 04/05 Proposed Budget;
2. Continue its review of the FY 04/05 Proposed Budget.

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

G. REPORTS

G1. CERTIFICATION OF INITIATIVE MEASURE REGULATING MANAGEMENT OF THE CITY'S MUNICIPAL ELECTRIC UTILITY INCLUDING PROHIBITING USE OF CITY GENERAL FUNDS FOR ITS SUPPORT; MANDATING LEVELS OF FINANCIAL RESERVES; PROHIBITING USE OF ELECTRIC UTILITY RESERVES FOR ANY PURPOSE OTHER THAN THE ELECTRIC UTILITY; ESTABLISHING LOAD RESOURCE REQUIREMENTS; ESTABLISHING LIMITS ON ELECTRIC RATES; REQUIRING UNIFORM ELECTRIC RATES FOR ALL CUSTOMERS IN A RATE GROUP; AND REQUIRING UTILITY WORK BE DONE BY QUALIFIED EMPLOYEES PAID AT PREVAILING WAGE (Report of: City Clerk)

Recommendation: Pursuant to the requirements of California Elections Code §9215, the City Council must do one of the following:

- A. Adopt the ordinance (initiative measure) without alteration; or
- B. Order the ordinance to be submitted to the voters at the November 2, 2004, election; and
 1. Adopt Resolution No. 2004-35, ordering the submission of the initiative measure to regulate management of the City's municipal utility to the qualified electors; and

Resolution No. 2004-35

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley

Initiative Measure Regulating Management of the City's Municipal Utility at the General Municipal Election to be held on Tuesday, November 2, 2004

2. Adopt Resolution No. 2004-36, directing the City Attorney to prepare an Impartial Analysis regarding said initiative measure; or

Resolution No. 2004-36

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis Regarding the Measure Regulating Management of the City's Municipal Election to be held on November 2, 2004

- C. Order a report on the effect of any or all of the following, said report to be submitted to the City Council within 30 days, after which time the City Council shall either adopt the ordinance or order the ordinance to be submitted to the voters at the November 2, 2004 election:
 1. Its fiscal impact;
 2. Its effect on the internal consistency of the City's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under §65008 of the Government Code and Chapters 4.2 (commencing with §65913) and 4.3 (commencing with §65915) of Division 1 of Title 7 of the Government Code;
 3. Its effect on the use of land, the impact on the availability and location of housing, and the ability of the City to meet its regional housing needs;
 4. Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses;
 5. Its impact on the community's ability to attract and

retain business and employment;

6. Its impact on the uses of vacant parcels of land;
7. Its impact on agricultural lands, open spaces, traffic congestion, existing business districts, and developed areas designated for revitalization; and
8. Any other matters the City Council requests to be in the report.

G2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED 2004/2005 ANNUAL CHARGES (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) (the "Board"), accept public comment regarding the CSD proposed 2004/2005 annual charges. The proposed charges shall provide for continued services to parks, recreation, residential street lighting and improvements, arterial street lighting, parkway landscaping, extensive parkway landscaping, internal parkway landscaping/walls, and medians during fiscal year 2004/2005, as submitted in the Annual Levy Report on file in the office of the City Clerk.

G3. DISCUSSION AND RECOMMENDATIONS REGARDING THE CENTERPOINTE AREA ALONG ALESSANDRO BOULEVARD (approximately between Elsworth Street and Heacock Street) (Report of: Community and Economic Development Department)

Recommendation: Direct planning staff to proceed with a Municipal Code amendment to require a Conditional Use Permit application for all "Storage Lots and Mini-Warehouses" within the Community Commercial zone, and establish policy to minimize frontage use by self-storage warehouses along designated arterials directing these uses on side streets and rear portions of lots along arterial streets.

G4. DEVELOPMENT SERVICES BUDGET ADJUSTMENT AND AUTHORIZATION TO HIRE PRINCIPAL PLANNER (Report of: Community and Economic Development Department) – Material not available at time of printing – to be provided under separate cover

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)
- G7. REPORT ON RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY ACTIVITIES BY COUNCIL MEMBER BATEY (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ADOPT 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 (RECEIVED FIRST READING AND INTRODUCTION MAY 11, 2004 ON A 5-0 VOTE) (Report of: Public Works Department)
Recommendation: Adopt Ordinance No. 665.

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 - 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