

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

JULY 13, 2004

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Presentation of July 4th Parade Awards

**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.
JULY 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 – Ministry Assistant Don Maresh, Discovery Christian 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 JUNE 15, 2004 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A3. MINUTES – REGULAR MEETING OF JUNE 22, 2004 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A4. REQUEST FOR A 4-WAY STOP AT THE INTERSECTION OF INDIAN STREET AND BRODIAEA AVENUE (Report of: Public Works Department)
Recommendation: Adopt Resolution No. 2004-53 to establish 4-way stop controls at the intersection of Indian Street and Brodiaea Avenue and direct Transportation Engineering Division to prioritize Indian Street and Brodiaea Avenue on the 2005/2006 signal priority list.

Resolution No. 2004-53

A Resolution of the City Council of the City of Moreno Valley Establishing Stop Controls for North and South Bound Traffic on Indian Street and Brodiaea Avenue

- A5. PA02-0120 – IDI WAREHOUSE - ACCEPT BONDS AND AGREEMENT FOR PUBLIC RIGHT-OF WAY IMPROVEMENTS - EAST OF PERRIS BOULEVARD, SOUTH OF GLOBE STREET, NORTH OF THE PERRIS VALLEY STORM DRAIN - SUBDIVIDER - INDUSTRIAL DEVELOPMENT INTERNATIONAL, INC. (Report of: Public Works Department)
Recommendation: Accept the bonds and Agreement for Public Improvements for PA02-0120; 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.
- A6. PA03-0066 – SERTA MATTRESS - ACCEPT AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - NORTHEASTERLY OF GRAHAM STREET AND BRODIAEA AVENUE -SUBDIVIDER - NATIONAL BEDDING LLC (Report of: Public Works Department)
Recommendation: Accept the Agreement for Public Improvements for PA03-0066; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation.
- A7. APPROVAL OF FINAL MAP 31128 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT BONDS & AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - SOUTHWEST CORNER OF CACTUS AVENUE AND OLIVER STREET - SUBDIVIDER -WESTERN PACIFIC HOUSING (Report of: Public Works Department)
Recommendation: Approve Final Map 31128, 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.
- A8 APPROVAL OF FINAL MAP 31149 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT BONDS & AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - WEST SIDE OF KITCHING STREET AND NORTH OF FRAN LOU DRIVE - SUBDIVIDER - J. W. S. ASSOCIATES, LLC (Report of: Public Works Department)
Recommendation: Approve Final Map 31149, 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 RESOLUTION NO. 2004-54, SUMMARY VACATION OF UNNAMED PUBLIC RIGHT-OF-WAY - WEST SIDE OF INDIAN STREET, NORTH OF OLEANDER AVENUE SUBDIVIDER - VOETSAK-ALBERS GROUP ET AL (Report of: Public Works Department)
Recommendation: Approve and adopt Resolution No. 2004-54, summarily vacating unnamed public right-of-way located on the west side of Indian Street, north of Oleander Avenue; 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. 2004-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Unnamed Public Right-of-Way

- A10. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE SB 821 SIDEWALK PROJECT AT PERRIS BOULEVARD BETWEEN DRACAEA AVENUE AND EUCALYPTUS AVENUE, AND ALESSANDRO BOULEVARD SIDEWALK IMPROVEMENTS BETWEEN ELSWORTH STREET AND GRANT STREET, PROJECT NOS. 04-12272220 AND 03-89280023 (Report of: Public Works Department)
Recommendation: Adopt the plans and specifications that are on file in the office of the City Engineer and authorize the City Clerk to advertise the project for construction bids.
- A11. AWARD OF ANNUAL COPIER AGREEMENT TO XEROX CORPORATION (Report of: Finance Department)
Recommendation: Award the annual copier agreement to Xerox Corporation as being in the best interest of the City.
- A12. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Community and Economic Development Department)
Recommendation: Adopt Resolution No. 2004-56, 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. 2004-56

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

- A13. WARRANT REPORT – JUNE, 2004 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2004-57, approving the Warrant Report, dated June 30, 2004 in the total amount of \$17,813,420.63.

Resolution No. 2004-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated June 30, 2004

- A14. REQUEST CLOSURE OF PROFESSIONAL CONSULTANT SERVICES AGREEMENT (PLANNING AND ENVIRONMENTAL PHASE) AND AUTHORIZATION TO SOLICIT PROPOSALS FOR PROFESSIONAL CONSULTANT SERVICES (DESIGN PHASE) FOR THE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS, PROJECT NO. 98-25897 (Report of: Public Works Department)
Recommendation: Approve the Fifth Amendment to Agreement for Professional Consultant Services with Parsons Brinckerhoff Quade and Douglas, Inc., 685 East Carnegie Drive, Suite 210, San Bernardino, California 92408-3507 for additional environmental services in the not-to-exceed amount of \$93,092.50 for Account No. 125.89720; authorize the Mayor to execute Fifth Amendment to Agreement for Professional Consultant Services with Parsons Brinckerhoff Quade & Douglas, Inc.; authorize an increase in the Purchase Order to Parsons Brinckerhoff Quade & Douglas, Inc. in the not-to-exceed amount of \$93,092.50 for Account No. 125.89720; and approve Closure of the Professional Consultant Services Agreement (Planning and Environmental Phase) and authorize staff to solicit proposals for Professional Consultant Services (Design Phase).

- A15. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE FISCAL YEAR 2003-2004 ANNUAL SLURRY SEAL PROGRAM, PROJECT NO. 03-12584830 (Report of: Public Works Department)
Recommendation: Award the construction contract for Fiscal Year 2003-2004 Annual Slurry Seal Program to Pavement Coatings Co., 5312 Cypress Street, Cypress, CA 90630 the lowest responsible bidder; authorize the Mayor to execute a contract with Pavement Coatings Co.; and authorize the issuance of a Purchase Order for Pavement Coatings Co. in the amount of \$1,848,218.00 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 125.84830)
- A16. TRACTS 27523-1 AND 27523-2 - ACCEPT BONDS AND AGREEMENT FOR PUBLIC RIGHT-OF WAY IMPROVEMENTS FOR UTILITY ELECTRICAL INFRASTRUCTURE SOUTH SIDE OF BRODIAEA AVENUE BETWEEN MORENO BEACH DRIVE AND WILMOT STREET - SUBDIVIDER – MORENO VALLEY CACTUS RANCH, LLC (Report of: Public Works Department)
Recommendation: Accept the bonds and Agreement for Public Improvements for Utility Electrical Infrastructure for Tracts 27523-1 and 27523-2; 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.
- A17. NOTICE OF COMPLETION AND ACCEPTANCE OF THE STREET IMPROVEMENTS AT ELSWORTH STREET FROM SHERMAN AVENUE TO BAY AVENUE, AND SHERMAN AVENUE FROM FARRAGUT AVENUE TO ELSWORTH STREET, PROJECT NO. 02-14568622 (Report of: Public Works Department)
Recommendation: Authorize an increase in the Purchase Order for Laird Construction Co., Inc. in the amount of \$3,427.91 from the unencumbered budgeted project balance (Fund 145.68622) for the street improvements on Elsworth Street and Sherman Avenue; ratify Contract Change Order Nos. 1 and 2 (Final); accept the work as complete for the street improvements on Elsworth Street and Sherman Avenue, constructed by Laird Construction Co., Inc., 9460 Lucas Ranch Road, Rancho Cucamonga, CA 91730-5743; and 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.
- A18. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE TRAFFIC SIGNALS AT LASSELLE STREET AND JOHN F. KENNEDY DRIVE, AND AT INDIAN STREET AND BAY

AVENUE, PROJECT NOS. 03-13768123 AND 03-13766123
(Report of: Public Works Department)

Recommendation: Adopt the plans and specifications that are on file in the office of the City Engineer and authorize the City Clerk to advertise the project for construction bids.

- A19. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE TRAFFIC SIGNALS AT PERRIS BOULEVARD AND MANZANITA AVENUE, AND AT LASSELLE STREET AND GENTIAN AVENUE, PROJECT NOS. 03-12566823 AND 04-12583023 (Report of: Public Works Department)

Recommendation: Adopt the plans and specifications that are on file in the office of the City Engineer and authorize the City Clerk to advertise the project for construction bids.

- A20. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR PIGEON PASS ROAD WIDENING FROM CLIMBING ROSE DRIVE TO NORTH CITY LIMITS (Report of: Public Works Department)

Recommendation: Award the Agreement for Professional Consultant Services to HDR Engineering, Inc., 1936 East Deere Avenue, Suite 220, Santa Ana, CA 92705, to provide planning services for the Pigeon Pass Road Widening and authorize the Mayor to execute the Agreement for Professional Consultant Services with HDR Engineering, Inc.; and authorize the issuance of a Purchase Order to HDR Engineering, Inc., in the amount of \$322,700 (the proposal plus 10% contingency) for Fund 415, when the agreement has been signed by all parties.

- A21. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR SUNNYMEAD BOULEVARD REVITALIZATION FROM FREDERICK STREET TO PERRIS BOULEVARD, PROJECT NO. 04-89280221 (Report of: Public Works Department)

Recommendation: Award the Agreement for Professional Consultant Services to David Evans and Associates Inc., 800 North Haven Avenue, Suite 300, Ontario, CA 91764, to provide planning services for the Sunnymead Boulevard Revitalization; authorize the Mayor to execute the Agreement for Professional Consultant Services with David Evans and Associates Inc.; and authorize the issuance of a Purchase Order to David Evans and Associates Inc., in the amount of \$561,600 (Phase I of the proposal amount plus 10% contingency) for Account No. 892.80221, when the agreement has been signed by all parties.

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 – SPECIAL MEETING OF JUNE 15, 2004 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B3. MINUTES – REGULAR MEETING OF JUNE 22, 2004 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B4. RESERVE PORTION OF FUND BALANCES FOR COMMUNITY SERVICES DISTRICTS - ZONE B (RESIDENTIAL STREET LIGHTING), ZONE C (ARTERIAL STREET LIGHTING AND INTERSECTIONS LIGHTING), ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AND ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) (Report of: Public Works Department)
Recommendation: Reserve 75% of CSD fund balances, with or without an agreement, for anticipated or unanticipated capital projects and future operating expenses.
- B5. EXTENSION OF CONTRACT - PROJECT NO. D-SG1/01 - MAINTENANCE OF STANDARD LANDSCAPING AND IRRIGATION (Report of: Public Works Department)
Recommendation: Approve the Amendment to the Contract Agreement for MVCSD Project D-SG1/01 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Excel Landscape, Inc. of Corona, California; and authorize the Purchasing Manager to issue open purchase orders to Excel Landscape, Inc. in the amounts of:
- a.) Two Hundred Thirty Thousand Three Hundred Seventy-Six Dollars and 48/100 (\$230,376.48) for twelve months of base maintenance service, and
- b.) Twenty-Five Thousand Nine Hundred Sixty-One Dollars and 25/100 (\$25,961.25) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement

- B6. ADOPT THE PUBLIC FACILITIES FEE CREDIT AGREEMENT FOR TRACT 31128 (Report of: Parks and Recreation Department)
Recommendation: Adopt the proposed Public Facilities Fee Credit Agreement for Tract 31128 for land and park improvements in Eastgate Ranch.

- B7. RELOCATION OF CHILD CARE PROGRAM PORTABLE CLASSROOM TO RED MAPLE ELEMENTARY (Report of: Parks and Recreation Department)
Recommendation: Authorize the use of child care grant reserve funds to relocate one portable classroom to Red Maple Elementary; delegate the Executive Director to enter into contracts, award bids, and issue change orders within the not-to-exceed budgeted amount of \$108,000, for the construction and relocation of a child care portable classroom; and direct that any action taken by the Executive Director be taken back to the Moreno Valley Community Service District Board of Directors for ratification at a future date.

- B8. COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) – ANNEXATION 2004-3 (Report of: Public Works Department)
Recommendation: Adopt Resolution No. 2004-18; 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. 2004-18

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

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 – SPECIAL MEETING OF JUNE 15, 2004 (Report of: City Clerk)
Recommendation: Approve as submitted.

- C3. MINUTES – REGULAR MEETING OF JUNE 22, 2004 (Report of: City Clerk)
Recommendation: Approve as submitted.

- C4. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Community and Economic Development Department)
Recommendation: Adopt Resolution No. 2004-03, 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. 2004-03

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 JUNE 22, 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.

- E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31128 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING), CSD ZONE E-15 (HIGH-SERVICE-LEVEL PARKWAY AND LIMITED FLOOD CONTROL CHANNEL LANDSCAPE MAINTENANCE), AND APPROVAL OF THE CSD PARCEL CHARGES; 2) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION

SYSTEM (NPDES) REGULATORY RATE SCHEDULE (Report of: Public Works Department)

Recommendation: That the City Council and the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballots for Tentative Tract 31128 (and all affected phases) for each described service:
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 applicable CSD charges and the NPDES regulatory rate for Tentative Tract 31128 (and all affected phases).

E2. ADOPTION OF FY 2004-05 FEE RESOLUTION AND FEE SCHEDULE (Report of: Finance Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the Proposed FY 2004-05 Fee Schedule; and
2. Adopt Resolution 2004-55, approving the Fee Schedule for FY 2004-05.

Resolution No. 2004-55

A Resolution of the City Council of the City of Moreno Valley, California, Increasing and Establishing Specified Fees for Various Services; Maintaining the Present Level of Certain Fees; Reducing the Level of Certain Fees; Reducing the Level of Certain Fees; and Incorporating Certain Prior Enactments

E3. CONSIDERATION OF AGREEMENTS RELATING TO THE MORENO VALLEY YOUTHBUILD PROGRAM (Report of: Community and Economic Development Department)

Recommendation: That after conducting a public hearing, the City Council and the Board of Directors of the Redevelopment Agency of the City of Moreno Valley:

1. Approve the Affordable Housing Agreement between the City of

Moreno Valley, the Redevelopment Agency of the City of Moreno Valley, and Moreno Valley YouthBuild, Inc. to implement the City's YouthBuild Program and authorize the City Manager and the Agency's Executive Director to execute the appropriate documents and take the necessary actions to implement the Agreement.

2. Adopt Resolution 2004-58, a resolution of the City Council of the City of Moreno Valley approving an Affordable Housing Agreement with the Redevelopment Agency of the City of Moreno Valley and Moreno Valley YouthBuild, Inc. and making findings in connection therewith.

Resolution No. 2004-58

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Affordable Housing Agreement with the Redevelopment Agency of the City of Moreno Valley and Moreno Valley YouthBuild, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds

3. Authorize the transfer of title of Assessor's Parcel 292-202-010 from the City of Moreno Valley to the Community Redevelopment Agency.
 4. Adopt Resolution No. RDA 2004-04, a resolution of the Community Redevelopment Agency of the City of Moreno Valley approving an Affordable Housing Agreement with the City of Moreno Valley and Moreno Valley YouthBuild, Inc. and making findings in connection therewith.
 5. Appropriate \$166,000 from fund number 894.91310 (RDA Housing Set aside funds) for the payment to the City of fair market value of the property.
 6. Authorize the transfer of title of Assessor's Parcel 292-202-010 from the Community Redevelopment Agency to Moreno Valley YouthBuild, Inc. in accordance with the Affordable Housing Agreement.
- E4. A PUBLIC HEARING REGARDING AN ASSUMPTION OF JURISDICTION BY CITY COUNCIL FOR A PLOT PLAN APPLICATION (PA04-0004) CONSISTING OF 61 AFFORDABLE APARTMENT UNITS ON A 4.4-ACRE PARCEL OF LAND (3.6

NET ACRES) WITHIN THE R-20 (RESIDENTIAL-20) LAND USE DISTRICT. THE PROPOSED PROJECT, SUBMITTED BY THE APPLICANT, GLOBAL PREMIER INC., IS LOCATED ON THE SOUTHEAST CORNER OF BAY AVENUE AND PAN AM BLVD. (Report of: Community and Economic Development Department)
Recommendation: The Planning Commission recommends that the City Council:

1. Recognize that the proposed plot plan (PA04-0004) for a 61 unit apartment complex within the R-20 (Residential 20) land use district, is exempt from the California Environmental Quality Act pursuant to Section 15332 "In-Fill Development Projects" of the CEQA Guidelines; and
2. Approve City Council Resolution No. 2004-59, thereby approving PA04-0004 (Plot Plan), based on the findings included in the Resolution.

Resolution No. 2004-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA04-0004, for the Development of a 3.6 Net Acre Parcel of Land into a 61 Unit Affordable Apartment Complex with Accessory Uses

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

G. REPORTS

- G1. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACTS 30708 AND 30924 (AND ALL AFFECTED PHASES: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) AND 2) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE. SOUTHWEST CORNER OF IRIS AVENUE AND LASSELLE STREET (Report of: Public Works Department)
Recommendation: That the City Council and the Board of Directors of the Moreno Valley Community Services District (CSD) accept public comments regarding the mail ballot proceedings for Tentative Tracts 30708 and 30924 (and all affected phases) for: 1) inclusion into CSD Zone B and approval of the annual charge; and 2) approval of the NPDES regulatory rate schedule.

G2. ORDINANCE NO. 664 AMENDING SECTIONS 9.02.150 AND 9.08.120 WITH RESPECT TO TEMPORARY USES AND OUTDOOR SALES OF MERCHANDISE (CONTINUED FROM JUNE 22, 2004) (Report of: City Attorney's Department)
Recommendation: That the City Council:

1. 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 Temporary Uses and Outdoor Sales of Merchandise."

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 Temporary Uses and Outdoor Sales of Merchandise

G3. MARCH JOINT POWERS AGREEMENT AMENDMENT #8 (CONTINUED FROM JUNE 22, 2004) (Report of: Community and Economic Development Department)
Recommendation: That the City Council approve the following proposed amendments to the Joint Powers Agreement between the Cities of Moreno Valley, Perris and Riverside and the County of Riverside relating to the use and reuse of March Air Force Base:

- a. To require only the vote of five members for the transaction of business, rather than six, as currently required;
- b. To grant March Joint Powers Authority the power to issue bonds; and
- c. To grant March Joint Powers Authority the power to tax.

Staff further recommends that the City Council not approve the proposed amendment that would grant March Joint Powers Authority the power to condemn real property, unless alternative amendment language is proposed that would allow a participating City or County to deny a property condemnation proceeding that affects real property within, or contiguous to, the jurisdiction of that City or County.

G4. CONCEPTUAL MASTER PLAN UPDATE – AQUEDUCT BIKEWAY (Report of: Parks and Recreation 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)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 668, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY: (1) AMENDING THE OFFICIAL ZONING ATLAS BY CHANGING THE ZONING CLASSIFICATION FROM RESIDENTIAL 2 AND HILLSIDE RESIDENTIAL TO RESIDENTIAL 3 AND OPEN SPACE FOR ABOUT 60 ACRES OF LAND GENERALLY LOCATED BETWEEN CASEY ROAD AND MANZANITA AVENUE AT THE EAST END OF COVEY ROAD: AND (2) PREZONING APPROXIMATELY 138 ACRES OF LAND GENERALLY LOCATED AT THE NORTH END OF OLD PERRIS BOULEVARD, OUTSIDE OF THE CITY LIMITS AS RESIDENTIAL 3 AND OPEN SPACE (RECEIVED FIRST READING AND INTRODUCTION JUNE 22, 2004 ON A 5-0 VOTE) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance 668.

Ordinance No. 668

An Ordinance of the City Council of the City of Moreno Valley: (1) Amending the Official Zoning Atlas by Changing the Zoning Classification from Residential 2 and Hillside Residential to Residential 3 and Open Space for About 60 Acres of Land Generally Located Between Casey Road and Manzanita Avenue at the East End of Covey Road: and (2) Prezoning Approximately 138 Acres of Land Generally Located at the North End of Old Perris Boulevard, Outside of the City Limits as Residential 3 and Open Space

- H2. ORDINANCE NO. 669, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 2.04.050 OF CHAPTER 2.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO COMPENSATION AND REIMBURSEMENT FOR CITY COUNCIL

MEMBERS (RECEIVED FIRST READING AND INTRODUCTION
JULY 6, 2004 ON A 5-0 VOTE) (Report of: Finance Department)
Recommendation: Adopt Ordinance No. 669.

Ordinance No. 669

An Ordinance of the City Council of the City of Moreno Valley,
California, Amending section 2.04.050 of Chapter 2.04 of Title 2 of
the City of Moreno Valley Municipal Code, Relating to
Compensation and Reimbursement for Council Members

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-
- 3) SECTION 54956.8 – REAL ESTATE NEGOTIATIONS

- a) City Negotiator: Trent Pulliam

<u>Assessor's Parcel No.</u>	<u>Owner's Name</u>
291-191-023	Miller Trust
291-192-007	Miller Trust

- b) City Negotiator: Trent Pulliam

<u>Assessor's Parcel No:</u>	<u>Owner's Name</u>
482-383-005	Southwest Bank
482-671-010	Dink Properties, Inc.
486-672-022	Sunnymead Joint Venture
296-162-012	Regional Properties, Inc.
296-212-034	Regional Properties, Inc.

296-212-064
296-223-001

Regional Properties, Inc.
Regional Properties, Inc.

**REPORT OF ACTION FROM CLOSED SESSION BY CITY ATTORNEY, IF
ANY**

ADJOURNMENT