REVISED AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY

APRIL 8, 2003

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Proclamation of April 2003 as National Fair Housing Month
2. Proclamation of April 6-12, 2003 as Crime Victims' Rights Week
REVISED 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

REGULAR MEETING - 6:30 P.M.
APRIL 8, 2003

CALL TO ORDER (Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Jim Preston – Moreno Valley’s Light House

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-C) 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 MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION

All items listed under the Consent Calendars, Sections A, B, and C, are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, or Redevelopment Agency 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 – REGULAR MEETING OF MARCH 25, 2003 (Report of: City Clerk)
   Recommendation: Approve as submitted.

A3. RESOLUTION DESIGNATING POSTING PLACES FOR ORDINANCES, CERTAIN RESOLUTIONS AND NOTICES AND AUTHORIZING THE CITY CLERK TO PREPARE SUMMARIES OF ORDINANCES ADOPTED BY THE CITY (Report of: City Clerk)
   Recommendation: Adopt Resolution No. 2003-20, repealing Resolution No. 98-49, designating the public places where posting of all ordinances and such resolutions and notices (including City Council Meeting Agendas) as are required by law shall be posted; authorizing the City Clerk to prepare summaries of all ordinances adopted by the City Council.

Resolution No. 2003-20

A Resolution of the City Council of the City of Moreno Valley, California, Repealing Resolution No. 98-49, and Determining that all Ordinances and Certain Resolutions and Notices Shall be Posted Rather than Published, Designating the Public Places Where Such Posting Shall be Accomplished, and Authorizing the City Clerk to Prepare Summaries of Certain Ordinances Adopted by the City
A4. WARRANT REPORT – FEBRUARY, 2003 (Report of: Director of Finance/City Treasurer)
Recommendation: Adopt Resolution No. 2003-21, approving the Warrant Report, dated February, 2003 in the total amount of $16,785,556.53

Resolution No. 2003-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated February 28, 2003

A5. FINAL MAP 28568 – SINGLE FAMILY RESIDENTIAL PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) – NORTH SIDE OF JOHN F. KENNEDY DRIVE, EAST OF MORENO BEACH DRIVE (RYLAND HOMES OF CALIFORNIA, INC.)
(Report of: Director of Public Works/City Engineer)
Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Final Map 28568; and instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder’s office for recordation.

Recommendation: Approve a 90% reduction to the Faithful Performance Bond for PA99-0024; instruct the City Engineer to prepare a 90% reduction to the Faithful Performance Bond; and adopt Resolution No. 2003-22 authorizing the acceptance of the public right-of-way improvements for PA99-0024 as complete and accepting Nason Street and Brodiaea Avenue into the City Maintained Street System.

Resolution No. 2003-22

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 PA99-0024, and Accepting
Nason Street and Brodiaea Avenue into the City Maintained Street System

A7. APPROVAL OF FINAL MAP 30232, SINGLE FAMILY RESIDENTIAL PROJECT AND ACCEPT AGREEMENT AND BONDS FOR PUBLIC RIGHT OF WAY IMPROVEMENTS – SOUTHEAST CORNER OF CACTUS AVENUE AND JOHN F. KENNEDY DRIVE (RYLAND HOMES OF CALIFORNIA, INC.) (Report of: Director of Public Works/City Engineer)
Recommendation: Approve Final Map 30232, 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. BID AWARD - COUNCIL CHAMBER UPGRADE (BID NO. 02/03-03) (Report of: Assistant City Manager)
Recommendation: Award the purchase of professional video production equipment (Council Chamber Upgrade) to A-VIDD Electronics of Long Beach, CA as being in the best interest of the City and authorize the Finance Director to issue a purchase order to A-VIDD Electronics of Long Beach, CA in the amount of $128,738.02.

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.

Recommendation: Approve as submitted.

B3. REQUEST TO ADVERTISE A NOTICE REQUESTING PROPOSALS – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-4/03 – MAINTENANCE OF STREETSCAPE LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH-EAST (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt the area maps and maintenance specifications, which are on file in the office of the Director of Public Works; acknowledge the previous Environmental Determinations relating to the existing landscape areas as approved per Specific
Plan 193 EIR Certification; and authorize the City Clerk to advertise a Notice Requesting Proposals for Project E-4/03.

B4. AGREEMENT TO ACCEPT LETTER OF CREDIT TO GUARANTEE COMPLETION OF TOWNGATE PARK (Report of: Director of Parks and Recreation)
(Material not available at time of printing; to be provided under separate cover)

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 25, 2003 (Report of: City Clerk)
Recommendation: Approve as submitted.

D. 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.

D1. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT 29860 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM – NORTH OF FIR AVENUE BETWEEN LASSELLE STREET AND MORRISON STREET (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (CSD):

1. Tabulate the mail ballot(s) for the CSD Zone B program;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;

3. Receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and
4. Authorize and impose the CSD Zone B charge.

D2. A PUBLIC HEARING REGARDING AMENDMENT NO. 8 TO SPECIFIC PLAN #193 OF THE MORENO VALLEY RANCH SPECIFIC PLAN (P02-090) IN ORDER TO CHANGE THE LAND USE DESIGNATION FOR PLANNING AREA #33 FROM COMMUNITY FACILITIES (CF) TO MEDIUM LOW RESIDENTIAL (MLR). THE CITY’S OFFICIAL ZONING ATLAS IS ALSO BEING AMENDED TO REFLECT THE CHANGE IN LAND USE. A CONCURRENT APPLICATION, TENTATIVE TRACT MAP NO. 30822 (PA02-0110) PROPOSES TO DEVELOP A 48-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION INCORPORATING THE SITE. PLANNING AREA #33 IS LOCATED EAST OF LASSELLE STREET AND SOUTH OF IRIS AVENUE AT AVENIDA CIRCO (Report of: Director of Community and Economic Development)

Recommendation: That the City Council conduct a public hearing for review of the action taken by the Planning Commission recommending approval of Amendment No. 8 to the Moreno Valley Ranch Specific Plan (P02-090) and an amendment to the City’s Official Zoning Atlas and Tentative Tract Map No. 30822 (PA02-0110), and subsequent to the public hearing:

1. Adopt a Negative Declaration for Amendment No. 8 to the Moreno Valley Ranch Specific Plan (P02-090) and an amendment to the City’s Official Zoning Atlas and Tentative Tract Map No. 30822 (PA02-0110), in that these applications will not result in significant environmental impacts; and

2. Introduce City Council Ordinance No. 626 approving Amendment No. 8 to the Moreno Valley Ranch Specific Plan (P02-090) and an amendment to the City’s Official Zoning Atlas, based on the findings in the Ordinance, and the revised planning area table, the revised specific plan conditions of approval and the amended zoning atlas page as attached to the ordinance as Exhibits 1, 2 and 3; and

Ordinance No. 626

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Amendment No. 8 to the Moreno Valley Ranch Specific Plan (SP #193), to Change the Land Use Designation for Planning Area #33 from Community Facilities to Medium Low Residential and Amending the Official Zoning Atlas in Accordance with Said Specific Plan Amendment
3. Adopt City Council Resolution No. 2003-23 approving Tentative Tract Map No. 30822 (PA02-0110), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit 1.

Resolution No. 2003-23

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA02-0110 or Tentative Tract Map No. 30822 a 48-Lot Single-Family Residential Subdivision Located on the South Side of Iris Avenue and East of Lasselle Street at Avenida Circo within Planning Area #33 of the Moreno Valley Ranch Specific Plan, Subject to Adoption of Amendment No. 8 to the Moreno Valley Ranch Specific Plan

D3. A PUBLIC HEARING TO CONSIDER APPLICATION P03-021, AMENDMENT NO. 9 TO THE MORENO VALLEY RANCH SPECIFIC PLAN (SP 193), THE OFFICIAL ZONING ATLAS IS ALSO BEING AMENDED. THE AMENDMENT WOULD CHANGE THE BOUNDARIES BETWEEN PLANNING AREAS 36 AND 40, INVOLVING THE NORTHWEST CORNER OF IRIS AVENUE AND LASSELLE STREET AND BETWEEN PLANNING AREAS 41 AND 43, INVOLVING THE NORTHEAST CORNER OF IRIS AVENUE AND LASSELLE STREET. PLANNING AREA 36, ZONED COMMERCIAL OR HIGH DENSITY RESIDENTIAL (C OR HR), WOULD INCREASE BY ABOUT 2.2 ACRES AND PLANNING AREA 40, ZONED HIGH DENSITY RESIDENTIAL (HR), WOULD DECREASE BY 2.2 ACRES. PLANNING AREA 43, ZONED HR, WOULD INCREASE BY ABOUT 3.8 ACRES AND PLANNING AREA 41, ZONED C OR HR, WOULD DECREASE BY 3.8 ACRES

(Report of: Director of Community and Economic Development)

Recommendation: That the City Council conduct a public hearing and:

1. Recognize that the proposed amendment to the Moreno Valley Ranch Specific Plan and the City of Moreno Valley Official Zoning Atlas, pursuant to Application P03-021, is within the scope of the Program Environmental Impact Report for the Moreno Valley Ranch Specific Plan pursuant to Section 15168 of the California Environmental Quality Act Guidelines; and

2. Introduce City Council Ordinance No. 627, approving P03-021, a request to amend the Moreno Valley Ranch Specific Plan land use plan and the City of Moreno Valley Official Zoning Atlas by changing the boundaries between certain
zones and planning areas at the northeast and northwest corners of Iris Avenue and Lasselle Street as described in the Ordinance. (roll call required)

Ordinance No. 627

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Ranch Specific Plan (Amendment No. 9) and the Official Zoning Atlas, Involving the Northeast and Northwest Corners of Iris Avenue and Lasselle Street

D4. A PUBLIC HEARING TO REVIEW THE APPLICATIONS BY HOME DEPOT USA, INC. FOR A GENERAL PLAN AMENDMENT (PA03-0002) AND CHANGE OF ZONE (PA03-0001) TO CHANGE THE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL (NC) TO COMMUNITY COMMERCIAL (CC) ON A 12.06 ACRE SITE ON THE NORTHWEST CORNER OF IRIS AVENUE AND PERRIS BOULEVARD (Report of: Director of Community and Economic Development)

Recommendation: Planning Commission recommends that the City Council:

1. Adopt a Negative Declaration for applications PA03-0031 (Change of Zone) and PA03-0002 (General Plan Amendment) pursuant to Section 15070 (a)(2) of the California Environmental Act (CEQA) Guidelines. The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. Approve City Council Resolution No. 2003-24, approving PA03-0002 thereby establishing general plan land use map designations of Community Commercial for a certain property as described in the Resolution; and

Resolution No. 2003-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA03-0002) Involving Approximately 12.06 Acres on the Northwest Corner of Perris Boulevard and Iris Avenue, Thereby Changing the Land Use Map Designation from NC (Neighborhood Commercial) to CC (Community Commercial)

3. Introduce City Council Ordinance No. 628, approving (1) PA03-
0001, a request to change the zoning classifications for a certain property to Community Commercial as described in the Ordinance

Ordinance No. 628

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change from Neighborhood Commercial to Community Commercial on 12.06 Acres on the Northwest Corner of Iris Avenue and Perris Boulevard

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

F. REPORTS

F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACTS 19500 (WEST OF KITCHING STREET AND NORTH OF DRACAEA AVENUE), TRACT 19912 (NORTH OF IRIS AVE. AND WEST OF KITCHING STREET) AND TRACT 20120 (SOUTH SIDE OF JOHN F. KENNEDY AND WINTERGREEN STREET) (Report of: Director of Public Works/City Engineer)

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 proposed CSD Zone D (Parkway Landscape Maintenance) annual charge increases for Tracts 19500, 19912 and 20120.

F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING TENTATIVE TRACT 30318 (AND ALL AFFECTED PHASES) MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE E-3A (INTERNAL WALLS/PARKWAY LANDSCAPE MAINTENANCE) PROGRAMS - EAST OF LASSELLE STREET AND SOUTH OF KRAMERIA AVENUE (Report of: Director of Public Works/City Engineer)

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 proposed inclusion of Tentative Tract 30318 (and all affected phases) into the CSD Zone B (Residential Street Lighting) and Zone E-3A (Internal Walls/Parkway Landscape Maintenance) programs and the annual service charges.


F4. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: Receive and file the Legislative Status Report.

F5. CITY MANAGER’S REPORT (Informational Oral Presentation – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

Recommendation: That the City Council introduce Ordinance No. 625 amending Title 8 of the Moreno Valley Municipal Code by amending Chapters 8.14, 8.22, 8.24, 8.26, 8.28, 8.36, 8.38 adopting the latest editions of the California Building Standards Code, California Code of Regulations, Title 24: incorporating the Uniform Administrative Code, the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, the Uniform Housing Code, the Uniform Code for the Abatement of Dangerous Buildings, the National Electrical Code, and the Uniform Fire Code. (Roll call required)

Ordinance No. 625

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 8 of the City of Moreno Valley Municipal Code by Amending Chapters 8:14, 8:22, 8:24, 8:26, 8:28, 8:36, 8:38, Adopting as Modified, the California Building Standards Code, California Code of Regulations, Title 24: Incorporating the 1997 Uniform Administrative Code, the 1997 Uniform Housing Code, the

ORDINANCES - 2ND READING AND ADOPTION

G2. ORDINANCE NO. CSD 33, AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE ESTABLISHMENT OF ZONE M FOR THE PURPOSE OF FURNISHING MAINTENANCE SERVICES TO IMPROVED ARTERIAL MEDIAN AREAS ASSOCIATED WITH COMMERCIAL/INDUSTRIAL DEVELOPMENTS WITHIN SAID ZONE (RECEIVED FIRST READING AND INTRODUCTION MARCH 25, 2003 ON A 5-0 VOTE) (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt Ordinance No. CSD 33.

Ordinance No. CSD 33

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Establishment of Zone M for the Purpose of Furnishing Maintenance Services to Improved Arterial Median Areas Associated with Commercial/Industrial Developments Within Said Zone

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