

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

JANUARY 27, 2004

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. American Heart Association Proclamation – “National Wear Red Day for Women”
2. Platinum Lung Award Presentation by Bob Peterson, Riverside County Health Department and Patrick Kudell, American Lung Association
3. Healthcare Resources – HOPE Project – Presentation by Shirley Bien, Director of Public Relations
4. Recognition of Valley View High School Crimson Regiment Marching Band and Color Guard, Sweepstakes Winners at the 2004 Sugar Bowl/Bowl Games of America Band Competition in New Orleans, Louisiana
5. Employee of the Fourth Quarter, 2003 – Mark Gross, Associate Planner
6. Officer of the Fourth Quarter, 2003 – Officer Conrad Cease
7. 2003 Officer of the Year – Officer Don Plata

**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
THE BOARD OF LIBRARY TRUSTEES
MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION
MORENO VALLEY PUBLIC FINANCING AUTHORITY
REGULAR MEETING - 6:30 P.M.
JANUARY 27, 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 Mark Avila, Calvary Chapel of Moreno Valley

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. WARRANT REPORT – DECEMBER, 2003 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2004-08, approving the Warrant Report, dated December 2003 in the total amount of \$10,256,857.63.

Resolution 2004-08

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated December 31, 2003.

- A3. ESTABLISH ALL-WAY STOP CONTROLS AT THE INTERSECTION OF LASSELLE STREET AND GENTIAN AVENUE AND AUTHORIZATION TO PROCEED WITH TRAFFIC SIGNAL DESIGN OF THE INTERSECTION (Report of: Public Works Department)
Recommendation: Approve Resolution 2004-09, directing Transportation Engineering Division to establish all-way stop controls at the intersection of Lasselle Street and Gentian Avenue; direct staff to include the intersection of Lasselle Street and Gentian Avenue as a candidate location for the City's signal prioritization program for fiscal year 2003/2004; re-appropriate portion of the funds from the Perris Boulevard/Red Maple Lane traffic signal project (account No. 125.82923), to design a traffic signal for Lasselle Street and Gentian Avenue intersection; and authorize the

Finance Director to establish an account number for Lasselle Street and Gentian Avenue intersection.

Resolution No. 2004-09

A Resolution of the City Council of the City of Moreno Valley, Establishing Stop Controls for North and South Bound Traffic on Lasselle Street at Gentian Avenue.

- A4. RESOLUTION NO. 2004-10 ADOPT AND APPROVE THE CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT'S LANDSCAPE DESIGN GUIDELINES (Report of: Public Works Department)
Recommendation: Adopt Resolution No. 2004-10 adopting the City of Moreno Valley Public Works Department's Landscape Design Guidelines document, which is on file in the office of the City Engineer.

Resolution No. 2004-10

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the City of Moreno Valley Public Works Department Landscape Design Guidelines.

- A5. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AT IRIS AVENUE AND INDIAN STREET, PROJECT NO. 01-12566721-2 (Report of: Public Works Department)
Recommendation: Ratify Contract Change Order No. 1; accept the work as complete for the traffic signal at Iris Avenue and Indian Street, constructed by DBX, Inc., 42066 Avenida Alvarado, Suite "C", Temecula, California 92590; direct the City Clerk to record the Notice of Completion within ten (10) calendar 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 DBX, 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.
- A6. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE FISCAL YEAR 2002/2003 BTA PROJECT, CLASS II AND CLASS III BIKEWAYS, PROJECT NO. 03-12565320 (Report of: Public Works Department)
Recommendation: Award the construction contract for the Fiscal Year 2002/2203 Bicycle Transportation Account (BTA), Class II &

III for the Base Bid and Additive Bid Items "A" and "B" to C-18, Inc., P.O. Box 3360, Beaumont, California 92223; authorize the Mayor to execute a contract with C-18, Inc.; and authorize the issuance of a Purchase Order for C-18, Inc., in the amount of \$103,831 (the bid amount plus 10% contingency) when the contract has been signed by all parties.

- A7. NOTICE OF COMPLETION FOR FISCAL YEAR 2002-2003 ANNUAL PAVEMENT RESURFACING PROGRAM. PROJECT NO. 01-12556330 (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 Annual Pavement Resurfacing Program, constructed by Silvia Construction, Inc., 9007 Center Avenue, Rancho Cucamonga, California 91730-5311; 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 Silvia Construction, Inc., thirty-five calendar (35) 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.
- A8. REQUEST AUTHORIZATION TO ADVERTISE FOR PURCHASE AND INSTALLATION OF REPLACEMENT CARPET AT CITY HALL (Report of: Parks and Recreation Department)
Recommendation: Authorize staff to prepare the bid documents for the purchase and installation of replacement carpet at City Hall; and authorize the City Clerk to advertise the project for bids.
- A9. MINUTES – SPECIAL MEETING OF DECEMBER 16, 2003 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A10. MINUTES – SPECIAL CEREMONIAL MEETING OF JANUARY 6, 2004 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A11. MINUTES – REGULAR MEETING OF JANUARY 13, 2004 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

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. RECOMMEND ACCEPTANCE OF SHADOW MOUNTAIN PARK AND PHASE 1 IMPROVEMENTS (TRACT 23553). (Report of: Parks and Recreation Department)
Recommendation: Accept Shadow Mountain Park and its Phase 1 Improvements as completed by Empire Homes Tract 23553.
- B3. REQUEST TO ADVERTISE A NOTICE REQUESTING PROPOSALS – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/04 – MAINTENANCE OF STREETScape LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH – WEST (Report of: Public Works Department)
Recommendation: Adopt the area map and maintenance specifications, which are on file in the office of the Director of Public Works; and authorize the City Clerk to advertise a Notice Requesting Proposals for Project E-3/04.
- B4. 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 \$2,328 from the California Department of Education, Child Development Division. These grant monies are for the purpose of purchasing instructional materials and supplies for the child development program for FY 2003/2004; and adopt Resolution No. CSD 2004-01 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of purchasing instructional materials and supplies for the child care development program and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2003/2004.

Resolution No. CSD 2004-01

A Resolution of the City Council of the City of Moreno Valley, California, Acting in Its Capacity as the Board of Directors of the Moreno Valley Community Services District Certifying the Approval of the Governing Board to Enter Into a Transaction With the California Department of Education for the Purpose of Purchasing Instructional Materials and Supplies for the Child Care and Development Program and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/04.

- B5. MINUTES – SPECIAL MEETING OF DECEMBER 16, 2003
(Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- B6. MINUTES – SPECIAL CEREMONIAL MEETING OF JANUARY 6,
2004 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- B7. MINUTES – REGULAR MEETING OF JANUARY 13, 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 – SPECIAL MEETING OF DECEMBER 16, 2003
(Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- C3. MINUTES – SPECIAL CEREMONIAL MEETING OF JANUARY 6,
2004 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- C4. MINUTES – REGULAR MEETING OF JANUARY 13, 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 JANUARY 13, 2004 (Report
of: City Clerk’s Department)
Recommendation: Approve as submitted.

ADJOURNMENT TO MORENO VALLEY PUBLIC FACILITIES FINANCING
CORPORATION ANNUAL MEETING

ANNUAL/REGULAR MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)

CALL TO ORDER

ROLL CALL

There are no reports or issues before the Corporation to be addressed

ADJOURN ANNUAL MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION TO ANNUAL MEETING OF THE MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)

ANNUAL/REGULAR MEETING OF THE MORENO VALLEY PUBLIC FINANCING AUTHORITY (MVPFA)

CALL TO ORDER

ROLL CALL

There are no reports or issues before the Authority to be addressed

ADJOURN ANNUAL MEETING OF THE MORENO VALLEY PUBLIC FINANCING AUTHORITY

RECONVENE JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, AND THE BOARD OF LIBRARY TRUSTEES

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 PROCEEDINGS FOR:

- TENTATIVE TRACT 29732 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) AND APPROVAL OF THE ANNUAL CHARGE; AND 2) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE

SCHEDULE; AND

- TENTATIVE TRACTS 30316 AND 30318 (AND ALL AFFECTED PHASES) FOR APPROVAL OF THE NPDES REGULATORY RATE SCHEDULE; AND
- TENTATIVE TRACT 30321 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO CSD ZONES B AND E-3A (INTERNAL WALLS/PARKWAY LANDSCAPE MAINTENANCE) AND APPROVAL OF THE ANNUAL CHARGES; AND 2) APPROVAL OF THE 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 Tracts 29732, 30316, 30318 and 30321 for each described service;
2. Verify and accept the results of the mail ballot proceedings 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. If approved, authorize and impose the applicable CSD charges and the NPDES regulatory rate for Tentative Tracts 29732, 30316, 30318 and 30321 (and all affected phases).

E2. EXTENSION OF INTERIM URGENCY ORDINANCE NO. 652 PROHIBITING THE ESTABLISHMENT OF INDOOR SWAP MEETS/MINI-MALLS PENDING ADOPTION OF A PERMANENT ORDINANCE (PUBLIC HEARING) (Report of: City Attorney's Department)

Recommendation: That the City Council:

1. Recognize that the interim urgency ordinance prohibiting indoor swap meets qualifies as an exemption under Section 15061 of the CEQA Guidelines in that there is no possibility that this activity may have the potential for causing a significant impact on the environment; and
2. Adopt Ordinance No. 657, thereby approving an urgency ordinance prohibiting the establishment of indoor swap meets/mini-malls pending the completion of a study and adoption of permanent ordinances, policies and standards pursuant to Section 65858 of the California Government Code

Ordinance No. 657

An Ordinance of the City Council of the City of Moreno Valley, California, Extending Interim Urgency Ordinance 652, Prohibiting the Establishment of Indoor Swap Meets/Mini-Malls Pending the Completion of a Study and Adoption of Permanent Ordinances, Policies and Standards Pursuant to Section 65858 of the California Government Code

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

G. REPORTS

G1. MORENO VALLEY UNIFIED SCHOOL DISTRICT FUTURE SCHOOL FACILITIES – PowerPoint Presentation

G2. PUBLIC MEETING TO PROVIDE COMMENT ON THE REINSTATEMENT OF COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AT THE STANDARD LEVEL FOR TRACT NO. 20718 (AND ALL AFFECTED PHASES) (Report of: Public Works Department)

Recommendation: That the Mayor and City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD), hold a Public Meeting to accept comments regarding the reinstatement of Zone D (Parkway Landscape Maintenance) services from reduced to standard level for Tract No. 20718 (and all affected phases). If approved, the CSD shall provide Zone D services at the standard level and levy an associated annual charge to fund the cost of maintenance and program administration.

G3. ADVISORY COMMITTEE ANNUAL UPDATES (No written material provided - Oral Presentation Only)

G4. APPOINTMENTS TO THE ECOLOGICAL PROTECTION ADVISORY COMMITTEE, TRAFFIC SAFETY ADVISORY COMMITTEE AND PARKS AND RECREATION ADVISORY COMMITTEE (Report of: City Clerk's Department)

Recommendation: That the City Council, after reviewing the ballots provided by the City Clerk:

1. Appoint Laura Arciniega to the Ecological Protection Advisory Committee for a term expiring June 30, 2006;

2. Appoint one member to the Traffic Safety Advisory Committee for a term expiring June 30, 2005;
 3. Appoint one member to the Parks and Recreation Advisory Committee for a term expiring June 30, 2004, one member for a term expiring June 30, 2005, and one member for a term expiring June 30, 2006;
 4. Appoint Elena Arciniega to the Parks and Recreation Advisory Committee as a teenage member for a term expiring January 27, 2007, or until high school graduation, whichever comes first;
or
 5. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.
- G5. AN AMENDMENT OF THE PERMITTED USES TABLE CONTAINED IN SUBSECTION 9.20.020 OF THE MORENO VALLEY MUNICIPAL CODE (Report of: Community and Economic Development Department)
Recommendation: That the City Council:
1. Determine that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines because the proposed ordinance does not have the potential to cause a significant effect on the environment; and
 2. Introduce Ordinance No. 655, thereby amending the Permitted Uses Table contained in Subsection 9.20.020 of the Moreno Valley Municipal Code

Ordinance No. 655

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Permitted Uses Table Contained in Subsection 9.02.020 of the Moreno Valley Municipal Code

- G6. ORDINANCE FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE COLLECTION FOR NEW RESIDENTIAL DEVELOPMENTS (Report of: Public Works Department)
Recommendation: That the City Council introduce Ordinance No. 656, amending Title 3 of the City of Moreno Valley Municipal Code by adding Chapter 3.50 relating to the establishment and collection

of the National Pollutant Discharge Elimination System (NPDES) regulatory rate for new residential developments based on the approved NPDES rate schedule and authorization of subsequent rate adjustments by resolution.

Ordinance No. 656

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Adding Chapter 3.50 Relating to the Establishment and Collection of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential Developments Based on the Approved NPDES Rate Schedule and Authorization of Subsequent Rate Adjustments by Resolution

- G7. INTRODUCTION OF CSD ORDINANCE ADDING FEES FOR SENIOR PROGRAMS AND SERVICES AT THE MORENO VALLEY SENIOR COMMUNITY CENTER (Report of: Parks and Recreation Department)

Recommendation: That the City Council, acting in the capacity as Board of Directors of the Moreno Valley Community Services District, introduce Ordinance No. CSD 44, amending Ordinance No. CSD 43, adding fees for senior programs and services at the Moreno Valley Senior Community Center. (Roll call required)

Ordinance No. CSD 44

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Amending Ordinance No. CSD 43, Adding New Fees for Senior Programs and Services at the Moreno Valley Senior Community Center

- G8. STATE AND FEDERAL LEGISLATIVE ADVOCACY PRIORITIES (Report of: Administrative Services Department)

Recommendation: That the City Council approve the State/Federal Legislative Advocacy Priorities Policy.

- G9. LEGISLATIVE UPDATE (Report of: Administrative Services Department)

Recommendation: That the City Council receive and file the report.

- G10. 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. 646, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA03-0049, A ZONE CHANGE FOR ASSESSOR'S PARCEL NUMBERS 477-220-048 AND 049 FROM OFFICE TO R5 FOR 17.58-NET ACRES LOCATED AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND MORRISON STREET (RECEIVED FIRST READING AND REINTRODUCTION JANUARY 13, 2004 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. 646.

Ordinance No. 646

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA03-0049, A Zone Change for Assessor's Parcel Numbers 477-220-048 and 049 from Office to R5 for 17.58-Net Acres Located at the Northeast Corner of Alessandro Boulevard and Morrison Street

- H2. ORDINANCE NO. 647, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING ORDINANCE NO. 263, SPECIFIC PLAN 215 (SP215) FOR 80.04 ACRES LOCATED ON THE SOUTHWEST CORNER OF CACTUS AVENUE AND OLIVER STREET (RECEIVED FIRST READING AND REINTRODUCTION JANUARY 13, 2004 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. 647.

Ordinance No. 647

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Ordinance No. 263, Specific Plan 215 (SP215) for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

- H3. ORDINANCE NO. 648, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A ZONE CHANGE (PA03-0090), FROM SP215 ZONING TO RESIDENTIAL 5 FOR 80.04 ACRES LOCATED ON THE SOUTHWEST CORNER OF CACTUS AVENUE AND OLIVER

STREET (RECEIVED FIRST READING AND REINTRODUCTION JANUARY 13, 2004 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. 648.

Ordinance No. 648

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA03-0090), from SP215 Zoning to Residential 5 for 80.04 Acres Located on the Southwest Corner of Cactus Avenue and Oliver Street

- H4. ORDINANCE NO. 653, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, THAT EMPOWERS THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ADOPT, ENFORCE AND AMEND MORENO VALLEY UTILITIES' UNDERGROUND ELECTRICAL SERVICE REQUIREMENTS, RESIDENTIAL DISTRIBUTION DESIGN PROCEDURES, UNDERGROUND CONSTRUCTION STANDARDS, AND SAFETY AND HEALTH PROCEDURES (RECEIVED FIRST READING AND INTRODUCTION JANUARY 13, 2004 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Public Works Department)
Recommendation: Adopt Ordinance No. 653.

Ordinance No. 653

An Ordinance of the City Council of the City of Moreno Valley, California, that Empowers the Public Works Director/City Engineer to Adopt, Enforce and Amend Moreno Valley Utilities' Underground Electrical Service Requirements, Residential Distribution Design Procedures, Underground Construction Standards, and Safety and Health Procedures

- H5. ORDINANCE NO. 654, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AMENDING TITLE 3 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, BY ADDING A NEW CHAPTER 3.48, ESTABLISHING A LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING THE PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (RECEIVED FIRST READING AND INTRODUCTION JANUARY 13, 2004 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. 654.

Ordinance No. 654

An Ordinance of the City Council of the City of Moreno Valley Amending Title 3 of the City of Moreno Valley Municipal Code, by Adding a New Chapter 3.48, Establishing a Local Development Mitigation Fee for Funding the Preservation of Natural Ecosystems in Accordance With the Western Riverside County Multiple Species Habitat Conservation Plan

- H6. ORDINANCE NO. 635, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING AND REENACTING CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE USE OF PARKS AND RECREATION FACILITIES (RECEIVED FIRST READING AND INTRODUCTION JANUARY 13, 2004 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Parks and Recreation Department)
Recommendation: Adopt Ordinance No. 635.

Ordinance No. 635

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing and Reenacting Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code Relating to the Use of Parks and Recreation Facilities

- H7. ORDINANCE NO. CSD 42, AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE USE OF PARKS AND RECREATION FACILITIES AND RESCINDING CERTAIN PRIOR ENACTMENTS (RECEIVED FIRST READING AND INTRODUCTION JANUARY 13, 2004 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Parks and Recreation Department)
Recommendation: Adopt Ordinance No. CSD 42

Ordinance No. CSD 42

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Use of Parks and Recreation Facilities and Rescinding Certain Prior Enactments

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS

- H8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE MORENO VALLEY UNIFIED SCHOOL DISTRICT'S GENERAL OBLIGATION BOND MEASURE "A" (Report of: City Manager)
Recommendation: That the City Council adopt Resolution No. 2004-11

Resolution No. 2004-11

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Moreno Valley Unified School District's General Obligation Bond Measure "A"

- H9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING RIVERSIDE COMMUNITY COLLEGE DISTRICT'S GENERAL OBLIGATION BOND MEASURE "C" (Report of: City Manager)
Recommendation: That the City Council adopt Resolution No. 2004-12

Resolution No. 2004-12

A Resolution of the City Council of the City of Moreno Valley, California, Supporting Riverside Community College District's General Obligation Bond Measure "C"

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, COMMUNITY REDEVELOPMENT AGENCY, OR THE BOARD OF LIBRARY TRUSTEES

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(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
 - a) Case: *Leaders in Community Alternatives, Inc. v. City of Moreno Valley, et. al*
Court: United States District Court, Central District of California
Case No.: EDCV-02-1207 VAP SGLx
 - b) Case: *Leaders in Community Alternatives, Inc. v. City of Moreno Valley*
Court: Riverside Superior Court
Case No. RIC 399376
- 2) SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: -2-
- 3) 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