

**MINUTES
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
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 P.M.
JANUARY 27, 2004**

CALL TO ORDER - The 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 was called to order at 6:51 p.m. by Mayor West in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Councilmember Flickinger

INVOCATION - Pastor Mark Avila, Calvary Chapel of Moreno Valley

ROLL CALL

Council:

Frank West	Mayor
Richard A. Stewart	Mayor Pro Tem
William H. Batey, II	Councilmember
Bonnie Flickinger	Councilmember
Charles R. White	Councilmember

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Gene Rogers	City Manager
Barry McClellan	Assistant City Manager
Linda Guillis	Community and Economic Development Director
William Di Yorio	Police Chief
Abdul Amad	Fire Marshal
Trent Pulliam	Public Works Director/City Engineer
George Price	Parks and Recreation Director

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

Mayor West opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

Councilmember Batey made a motion, seconded by Councilmember White to approve the Consent Calendars in their entireties, except for Items A8 and A11, B7, C4 and D2 – (Minutes of 1/13/04) which were pulled for separate discussion/action. Motion carried. Roll call vote.

A. CONSENT CALENDAR - CITY COUNCIL

- A1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.
- A2. WARRANT REPORT – DECEMBER, 2003
Adopted Resolution No. 2004-08, approving the Warrant Report, dated December 2003 in the total amount of \$10,256,857.63.

Resolution 2004-08

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
Approved Resolution 2004-09, directing Transportation Engineering Division to establish all-way stop controls at the intersection of Lasselle Street and Gentian Avenue; directed 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-appropriated a 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 authorized 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
Adopted 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 Ratified Contract Change Order No. 1; accepted 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; directed 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; authorized 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 accepted 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. 03-1256532
Awarded 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; authorized the Mayor to execute a contract with C-18, Inc.; and authorized 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 Ratified Contract Change Order Nos. 1 and 2 (Final); accepted 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; directed 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; authorized 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 accepted the improvements into the City's maintained road system.

- A9. MINUTES – SPECIAL MEETING OF DECEMBER 16, 2003
Approved as submitted.
- A10. MINUTES – SPECIAL CEREMONIAL MEETING OF JANUARY 6, 2004
Approved as submitted.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.
- B2. RECOMMEND ACCEPTANCE OF SHADOW MOUNTAIN PARK AND PHASE 1 IMPROVEMENTS (TRACT 23553).
Accepted 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
Adopted the area map and maintenance specifications, which are on file in the office of the Director of Public Works; and authorized the City Clerk to advertise a Notice Requesting Proposals for Project E-3/04.
- B4. ACCEPTANCE OF ONE-TIME GRANT FUNDING - CHILD CARE GRANT
Authorized 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 adopted 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
Approved as submitted.
- B6. MINUTES – SPECIAL CEREMONIAL MEETING OF JANUARY 6, 2004
Approved as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.
- C2. MINUTES – SPECIAL MEETING OF DECEMBER 16, 2003
Approved as submitted.
- C3. MINUTES – SPECIAL CEREMONIAL MEETING OF JANUARY 6, 2004
Approved as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.

AGENDA ORDER

- G1. MORENO VALLEY UNIFIED SCHOOL DISTRICT FUTURE SCHOOL FACILITIES – PowerPoint Presentation
Mayor West opened the agenda item for public comments. Public comments

were received from Ray Hosman; Priscilla Banks; Louise Palomarez and Ron Visser.

G7. INTRODUCTION OF CSD ORDINANCE NO. CSD 44 ADDING FEES FOR SENIOR PROGRAMS AND SERVICES AT THE MORENO VALLEY SENIOR COMMUNITY CENTER

President West opened the agenda item for public comments. Public comments were received from Dorothy Stringer (opposes); Joyce Frey (opposes); Pete Bleckert (opposes); and Michael Lanitis (opposes).

Boardmember White made a motion, seconded by Vice-President Stewart to pull and table the item and for the Senior Center to continue as in the past for the remainder of the fiscal year and be studied further by staff and brought back to the Council at the appropriate time. Motion carried 5-0. Roll call vote.

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"

Mayor West opened the agenda item for public comments. Public comments were received from Ray Hosman (opposes); Pete Bleckert (opposes); and Lisa Conyers (supports).

Councilmember White made a motion, seconded by Councilmember Batey to adopt Resolution No. 2004-11. Motion carried 5-0. Roll call vote.

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"

Mayor West opened the agenda item for public comments. Public comments were received from Ray Hosman (opposed); Pete Bleckert (opposed) Lisa Conyers (supports) and Dr. Richard Tworek (supports).

Councilmember White made a motion, seconded by Councilmember Flickinger to adopt Resolution No. 2004-12. Motion carried 5-0. Roll call vote.

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"

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

Oral Presentations were made by:

Margie Breitzkreuz, Chair – Citizens' Advisory Committee on Recreational Trails

Harnethia Mansell, Chair - Cultural Preservation Advisory Committee

Thomas Heinz, Vice Chair – Ecological Preservation Advisory Committee

Duncan Dieterly, Chair – Library Advisory Board

Ron Crothers, Vice-Chair – Parks and Recreation Advisory Committee

Michael Geller, Chair – Planning Commission

Redevelopment Manager Slagerman informed the City Council that Pastor Larry Orr, Chair of the Project Area Committee had to leave to attend another meeting but would be willing to make his presentation at a future Council meeting.

Barb Cain, Vice-Chair – Senior Citizens Advisory Committee

Delane Townsend, Vice-Chair – Traffic Safety Advisory Committee

President West opened the agenda item for public comments; there being none, public comments were closed.

Councilmember Batey made a motion, seconded by Mayor Pro Tem Stewart to bring to a future Study Session the issue of designating the Committees as Commissions and to include an update from Community of Promise in 2005. Motion carried unanimously.

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL ARE AS FOLLOWS:

Priscilla Banks – Address matter of record

- 1) Recreation center
- 2) Redevelopment Agency money

Gerald Budlong – 24821 Metrick Drive

- 1) EPAC member
- 2) Supports Wal-Mart project
- 3) Supports Municipal Utility

Marcia Amino – 10363 Crestbrook Drive

- 1) Utility initiative measure
- 2) Corona not selling power to City

Ray Hosman – Address matter of record

- 1) School Bond measure
- 2) RDA money

Joseph Lorenzana – 28834 Big Pine Way

- 1) Utility Measure

Pete Bleckert – Address matter of record

- 1) School Bond Measure
- 2) Equestrian trails
- 3) Fees for lights
- 4) Advisory committees

Daryl Terrell – Address matter of record

- 1) Vacant Festival building – possible site for new library

Louise Palomarez – Address matter of record

- 1) Advocate & activist for children
- 2) City Council & staff salaries
- 3) Senior Citizens
- 4) Low income individuals

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Mayor Pro Tem Stewart

- 1) Has received several phone calls regarding new businesses on Day Street – businesses on East side of street are in Moreno Valley - asked the Public Works Director to give an update on status of traffic signal improvements at the 60 freeway – he stated the design contract has been awarded and should be completed by Thanksgiving
- 2) Stated Corona will not be selling electricity to the City
- 3) City's utility could prove to be quite profitable
- 4) BRAC will be coming down the road after the November election – March Joint Powers Authority recently voted to assist Moreno Valley to keep MARB off the closure list – contact him for information

- 5) Invited citizens concerned about the growth process to contact the City for information on upcoming meetings
- 6) Feels Senior Center issue was a good lesson of democracy in action

Council Member Flickinger

- 1) Thanked Advisory Committee chairpersons for their presentations
- 2) Stated the Measure A School Bond will have a positive impact on traffic safety issues around schools
- 3) Verified that low-income seniors are entitled to an exemption to the Utility User's Tax
- 4) Stated Council salaries are below what is allowed by the State – invited the public to follow along with a Council Member to observe how many hours they work
- 5) SCE doesn't want to lose profits from the City – SCE is backing the Utility Measure Initiative – letter sent by proponents of measure is full of incorrect information – asked residents to call her for clarification of information
- 6) Press Enterprise article on January 19, 2004, stated that the City Ordinance prohibiting parking on street sweeping day allowed for tickets to be issued after the street sweeper had gone by – this is not true – once the street sweeper has finished sweeping the street tickets are not issued
- 7) City has cutting-edge GIS (Geographic Information Systems) Department – congratulated the department on international recognition received in ESRI publication
- 8) February 7, 2004 is the Friends of the Library book sale

Council Member White

- 1) Stated there are signs posted regarding street sweeping hours
- 2) Challenged the citizens that call the City Council "crooks" to prove these allegations – citizens should be trying to improve the City not destroy it

Council Member Batey – no comments

Mayor West –no comments

**RECESS;
RECONVENE**

ADJOURNMENT TO MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION ANNUAL MEETING

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

CALL TO ORDER

ROLL CALL

Frank West	President
Richard A. Stewart	Vice-President
William H. Batey, II	Boardmember
Bonnie Flickinger	Boardmember
Charles R. White	Boardmember

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

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

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

CALL TO ORDER

ROLL CALL

Frank West	Chairman
Richard A. Stewart	Vice-Chairman
William H. Batey, II	Boardmember
Bonnie Flickinger	Boardmember
Charles R. White	Boardmember

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

ADJOURNED THE ANNUAL MEETING OF THE MORENO VALLEY PUBLIC FINANCING AUTHORITY

RECONVENED THE 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

President West opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Vice-President Stewart made a motion, seconded by Boardmember Batey to direct the Secretary to tabulate the ballots .Motion carried 5-0. Roll call vote.
The Secretary announced the results as follows:

Tentative Tracts 29732, 30316, 30318 and 30321 – “Yes”

Vice-President Stewart made a motion, seconded by Boardmember Batey to verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing; receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and authorize and impose the applicable CSD charges and the NPDES regulatory rate for Tentative Tracts 29732, 30316, 30318 and 30321 (and all affected phases). Motion carried 5-0. Roll call vote.

- 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)

Mayor West opened the public testimony portion of the public hearing. Public testimony was received from Steve Glusker, Managing Partner of F.W. Rialto.

Councilmember Flickinger made a motion, seconded by Councilmember Batey to include the PowerPoint slides into the record. Motion carried 5-0. Roll call vote.

Mayor Pro Tem Stewart made a motion, seconded by Councilmember White to 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. Motion carried 5-0. Roll call vote.

Councilmember Batey made a motion, seconded by Councilmember White to 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. Motion carried 5-0. Roll call vote.

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

A8. REQUEST AUTHORIZATION TO ADVERTISE FOR PURCHASE AND INSTALLATION OF REPLACEMENT CARPET AT CITY HALL

Councilmember Flickinger made a motion, seconded by Councilmember Batey to continue the item to the Council meeting of February 10, 2004. Motion carried unanimously.

A11. MINUTES – REGULAR MEETING OF JANUARY 13, 2004 (B7; C4 and D2)

Councilmember Flickinger made a motion, seconded by Councilmember Batey to continue the item to the Council meeting of February 10, 2004. Motion carried unanimously.

G. REPORTS

- 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)

President West opened the agenda item for public comments; there being none, public comments were closed.

Boardmember White made a motion, seconded by Vice-President Stewart to receive and file. Motion carried unanimously.

Mayor Pro Tem Stewart made a motion, seconded by Councilmember Batey to continue the Council meeting past 11:00 P.M. Motion carried unanimously.

- G4. APPOINTMENTS TO THE ECOLOGICAL PROTECTION ADVISORY COMMITTEE, TRAFFIC SAFETY ADVISORY COMMITTEE AND PARKS AND RECREATION ADVISORY COMMITTEE

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Mayor Pro Tem Stewart made a motion, seconded by Councilmember Batey to appoint Laura Arciniega to the Ecological Protection Advisory Committee for a term expiring 6/30/06; appoint Dennis Houser to the Traffic Safety Advisory Committee for a term expiring 6/30/05; appoint Rosemary Pinto to the Parks and Recreation Advisory Committee for a term expiring 6/30/04; appoint Alan Mader to the Parks and Recreation Advisory Committee for a term expiring 6/30/05; appoint Bruce Hoffman to the Parks and Recreation Advisory Committee for a term expiring 6/30/06; and appoint Elena Arciniega to the Parks and Recreation Advisory Committee as the teenage member with a term to expire 1/27/07 or until high school graduation, whichever comes first. Motion carried 5-0. Roll call vote.

- G5. AN AMENDMENT OF THE PERMITTED USES TABLE CONTAINED IN SUBSECTION 9.20.020 OF THE MORENO VALLEY MUNICIPAL CODE

Mayor West opened the agenda item for public comments; there being none,

public comments were closed.

Mayor Pro Tem Stewart made a motion, seconded by Councilmember Batey to 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. Motion carried 5-0. Roll call vote.

Mayor Pro Tem Stewart made a motion, seconded by Councilmember Batey to introduce Ordinance No. 655, thereby amending the Permitted Uses Table contained in Subsection 9.20.020 of the Moreno Valley Municipal Code. Motion carried 5-0. Roll call vote.

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

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Mayor Pro Tem Stewart made a motion, seconded by Councilmember White to introduce Ordinance No. 656. Motion carried 5-0. Roll call vote.

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

- G8. STATE AND FEDERAL LEGISLATIVE ADVOCACY PRIORITIES

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Councilmember Batey made a motion, seconded by Mayor Pro Tem Stewart to continue the item to the Council meeting of February 10, 2004. Motion carried unanimously.

G9. LEGISLATIVE UPDATE

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Councilmember Batey made a motion, seconded by Mayor Pro Tem Stewart to continue the item to the Council meeting of February 10, 2004. Motion carried unanimously.

G10. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

Councilmember Batey made a motion, seconded by Mayor Pro Tem Stewart to continue the item to the Council meeting of February 10, 2004. Motion carried unanimously.

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)

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 646. Motion carried 5-0. Roll call vote.

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)

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 647. Motion carried 5-0. Roll call vote.

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)

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 648. Motion carried 5-0. Roll call vote.

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)

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Councilmember Flickinger made a motion, seconded by Councilmember White to adopt Ordinance No. 653. Motion carried 5-0. Roll call vote.

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)

Mayor West opened the agenda item for public comments. Public comments were received from Larry McGee (representing La Pacifica Apartments).

Mayor Pro Tem Stewart made a motion, seconded by Councilmember Flickinger to adopt Ordinance No. 654. Motion carried 5-0. Roll call vote.

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)

Mayor West opened the agenda item for public comments; there being none, public comments were closed.

Mayor Pro Tem Stewart made a motion, seconded by Councilmember Flickinger to adopt Ordinance No. 635. Motion carried 5-0. Roll call vote.

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)

President West opened the agenda item for public comments; there being none, public comments were closed.

Boardmember Flickinger made a motion, seconded by Boardmember White to adopt Ordinance No. CSD 42. Motion carried 5-0. Roll call vote.

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

Councilmember Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adjourn the meeting to Closed Session at 11:28 p.m. Motion carried unanimously.

CLOSED SESSION

REPORT OF ACTION FROM CLOSED SESSION BY CITY ATTORNEY, IF ANY - NONE

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 12:20 p.m. by unanimous informal consent.

Submitted by:

Alice Reed, City Clerk
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

Frank West, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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