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 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member White

INVOCATION - Pastor David Richardson, Jr., Imani Praise Fellowship

ROLL CALL

Council:
Richard A. Stewart Mayor
Bonnie Flickinger Mayor Pro Tem
Charles R. White Council Member
Frank West Council Member
Absent: William H. Batey, II Council Member

Staff:
Alice Reed City Clerk
Steve Chapman Finance Director/City Treasurer
Robert Herrick City Attorney
Gene Rogers City Manager
Betsy Adams Interim Assistant City Manager
Linda Guillis Community Development Director
William Di Yorio Police Chief
Stan Lake Fire Chief
Trent Pulliam Public Works Director/City Engineer
Karen Reams Recreation Operations Superintendent
George Guayante Interim Economic Development Director
Angela Rushen Interim Administrative Services Director
Denese Wilson Human Resources Manager
Mayor Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR - CITY COUNCIL

  A1. ORDINANCES - FIRST READING BY TITLE ONLY
      Waived reading of all Ordinance Introductions and read by title only.

  A2. APPROVAL OF THE 2005/2006 FISCAL YEAR STORM WATER
      PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA)
      152 (Report of: Public Works Department)
      Recommendation: Approve the County Service Area (CSA) 152 Budget for
      FY 2005/2006 in the amount of $445,392; and authorize the levy of CSA 152
      Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2005/2006.

  A3. REQUEST TO REMOVE THE CROSSWALK ON CACTUS AVENUE AT
      REDWING DRIVE (Report of: Public Works Department)
      Recommendation: Instruct Transportation Engineering Division to remove the
      crosswalk on Cactus Avenue at Redwing Drive on May 12, 2005.

  A4. RESOLUTION REPEALING RESOLUTION NO. 96-40, AND DESIGNATING
      AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE
      APPLICATIONS AND DOCUMENTS FOR PURPOSES OF OBTAINING
      DISASTER RELATED FINANCIAL ASSISTANCE (Report of: Interim
      Assistant City Manager)
      96-40, and designating and authorizing certain city officials to execute
      applications and documents for purposes of obtaining financial assistance
      under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford
      Disaster Relief and Emergency Act of 1988.

      Resolution No. 2005-30

      A Resolution of the City Council of the City of Moreno Valley, California,
      Repealing Resolution No. 96-40, and Designating and Authorizing Certain
      City Officials to Execute Applications and Documents for Purposes of
      Obtaining Financial Assistance under Section 404 of Public Law 93-288, as
Amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988

A5. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR IRONWOOD AVENUE IMPROVEMENTS FROM PIGEON PASS ROAD TO GRAHAM STREET, PROJECT NO. 05-12567423 (Report of: Public Works Department)
Recommendation: Award the Agreement for Professional Consultant Services to Lim & Nascimento Engineering Corporation, 1887 Business Center Drive, Suite 6, San Bernardino, California 92408 to provide design services for the Ironwood Avenue Improvements; authorize the Mayor to execute the Agreement for Professional Consultant Services with Lim & Nascimento Engineering Corporation; and authorize the issuance of a Purchase Order to Lim & Nascimento Engineering Corporation, in the amount of $131,261.00 (the proposal amount plus 10% contingency) when the Agreement has been signed by all parties (Account No. 125.67423.7200).

Recommendation: Approve the granting of a portion of Lot ‘A’ of Tract 30318 to Beazer Homes Holding Corporation; authorize the Mayor to execute the Grant Deed; and direct the City Clerk to forward the signed Grant Deed to Fidelity National Title Company for processing and forwarding to the County Recorder’s office for recordation.

A7. ACCEPTANCE OF GRANT MONIES FROM THE 2005 STATE HOMELAND SECURITY GRANT (Report of: Interim Assistant City Manager)
Recommendation: Authorize the acceptance of grant monies in the amount of $198,291.24 for fiscal year 2005/2006 from the State Homeland Security Grant for the purpose of preparedness.

A8. APPROVAL OF PARCEL MAP 31475 – SUBDIVIDE 2.02 ACRES INTO 2 RESIDENTIAL LOTS - MATHEWS ROAD, SOUTH OF KALMIA AVENUE AND EAST OF PERRIS BOULEVARD - SUBdivider – TIMOTHY CANFIELD - 28915 CAMPBELL AVE., MORENO VALLEY, CA 92555 (Report of: Public Works Department)
Recommendation: Waive Special Conditions LD 7 and LD 8 (Required Road Improvements); and approve Parcel Map 31475, authorize the City Clerk to sign the map, and transmit said map to the County Recorder’s Office for recordation.
A9. APPROVAL OF FINAL MAP 27593 – SINGLE-FAMILY RESIDENTIAL PROJECT, AND ACCEPT BONDS & AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - NORTHEAST CORNER OF FIR AVENUE AND MORRISON STREET, SUBDIVIDER - MVGH 2004, LLC, 2 PARK PLAZA, SUITE G, IRVINE, CA 92614 (Report of: Public Works Department) Recommendation: Approve Final Map 27593, 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.


Resolution No. 2005-31

A Resolution of the City Council of the City of Moreno Valley Establishing Stop Controls for West and East Bound Traffic on Cactus Avenue at Oliver Street


Ordinance No. 684

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code with Respect to Indoor Malls

A13. AUTHORIZATION TO CONDUCT A FULL STREET CLOSURE ON A PORTION OF FIR AVENUE FROM APRIL 18, 2005 TO JUNE 24, 2005 - SUBDIVIDER: GRANITE HOMES, 2 PARK PLAZA, SUITE 700, IRVINE, CA 92614 (Report of: Public Works Department) Recommendation: Authorize the following full street closure in conjunction
with the construction of Tract 27593: Fir Avenue, from Morrison Street to 1000 feet east of Morrison Street, beginning Monday, April 18, 2005 to Friday, June 24, 2005.


A15. APPROVAL OF MICROSOFT ENTERPRISE LICENSE AGREEMENT ONE YEAR RENEWAL WITH COMPUCOM SYSTEMS, INC. (Report of: Interim Administrative Services Director) Recommendation: Renew Microsoft Licensing maintenance and licenses on the County of Riverside’s Microsoft Enterprise Agreement. Staff recommends CompuCom Systems, Inc. a Microsoft Large Account Reseller for one year renewal as being in the best interest of the City.

A16. AUTHORIZATION TO APPROVE EXECUTIVE SEARCH CONTRACT WITH CPS EXECUTIVE SEARCH (Report of: Human Resources Director) Recommendation: Authorize the Mayor to sign a contract with CPS Executive Search to conduct a recruitment for the new City Manager for the City of Moreno Valley subject to the review and approval of the City Attorney.

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. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE INSTALLATION OF STREET TREE LANDSCAPING FOR TRACTS 13576, 19080, 19081 AND ALL AFFECTED PHASES, PROJECT NO. 121-85620-7200-04 (Report of: Public Works Department) Recommendation: Adopt the plans and specifications on file in the office of the City Engineer; and authorize the City Clerk to advertise the project for construction bids.

B3. PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR: 1) TRACT 13585 – NORTH OF BAY AVENUE AND WEST OF LASSELLE STREET, 2) TRACT 19852 - NORTH OF COTTONWOOD AVENUE AND
WEST OF MORRISON LANE, 3) TRACT 20032 - SOUTH OF COTTONWOOD AVENUE AND EAST OF INDIAN STREET, 4) TRACT 21806 – NORTH OF MARIPOSA AVENUE AND EAST OF PERRIS BOULEVARD, AND 5) TRACT 24721 - WEST OF SHUBERT STREET BETWEEN EUCALYPTUS AVENUE AND DRACAEA AVENUE (Report of: Public Works Department)
Recommendation: Accept public comments regarding mail ballot proceeding for the proposed increase in the CSD Zone D annual charges for Tracts 13585, 19852, 20032, 21806, and 24721.

B4. MINUTES - REGULAR MEETING OF MARCH 22, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve 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 - REGULAR MEETING OF MARCH 22, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve 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 on

D2. MINUTES - REGULAR MEETING OF MARCH 22, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

Joint Consent Calendar items A2 – D2 approved by a 4-0-1 vote. m/White, s/West, Council Member Batey absent.

AGENDA ORDER
E1. REBALLOT PROCEEDING FOR TENTATIVE TRACTS 31212 AND 31327 (AND ALL AFFECTED PHASES) FOR INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE E-14 (MAHOGANY FIELDS) AND APPROVAL OF THE CSD ANNUAL CHARGE. TENTATIVE TRACT 31212 IS LOCATED ON THE EAST SIDE OF MORRISON STREET BETWEEN COTTONWOOD AVENUE AND BAY AVENUE. TENTATIVE TRACT 31327 IS LOCATED ON THE EAST SIDE OF MORRISON STREET BETWEEN BAY AVENUE AND ALESSANDRO BOULEVARD (Report of: Public Works Department)

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

Recommendation: That the Mayor and members of the Moreno Valley City Council, acting as President and members of 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 31212 and 31327 (and all the affected phases) for the described service;

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. If approved, authorize and impose the applicable CSD Zone E-14 charges.

**Directed the City Clerk to tabulate the ballots. m/White, s/Flickinger, 4-0-1, Council Member Batey absent.**

The Secretary announced the results as follows:

Tract 31212 – “Yes”; Tract 31327 – “Yes”
E2. A PUBLIC HEARING FOR AN APPEAL OF THE PLANNING COMMISSION’S DISAPPROVAL OF APPLICATION NOS. PA04-0173 AND PA04-0174. APPLICATION PA04-0173 IS AN AMENDMENT TO THE MORENO VALLEY MUNICIPAL CODE TO ALLOW VEHICLE SALES BUSINESSES ON A MINIMUM OF 0.75 ACRES AND LESS THAN 2.5 ACRES WITH A CONDITIONAL USE PERMIT IN THE COMMUNITY COMMERCIAL ZONE. PA04-0174 IS A CONDITIONAL USE PERMIT TO ESTABLISH A VEHICLE SALES BUSINESS ON APPROXIMATELY 0.89 ACRES AT 21115 BOX SPRINGS ROAD. (CONTINUED FROM MARCH 22, 2005) (Report of: Community Development Department)

Mark Raleigh, General Manager and representative of Rock “N” Roll Motors, spoke on behalf of the project.

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Bob Chiordi (supports).

Recommendation: That the City Council conduct a public hearing and take one of the following three actions:

1. Sustain the appeal in part by approving the Municipal Code Amendment with modifications and referring the Conditional Use Permit to the Planning Commission by taking the following actions:

   Recognize that Application No. PA04-0173 is exempt from the California Environmental Quality Act in accordance with Section 15061 of the CEQA Guidelines; and introduce Ordinance No. 685, thereby approving Municipal Code Amendment Application No. PA04-0173, with changes to allow either one or two vehicle dealerships on 2.5 acres, based on the findings contained in the proposed ordinance; and refer Conditional Use Permit Application No. PA04-0174, to the Planning Commission with direction to add conditions of approval requiring the parcel in question to be merged with the parcel to the west containing an existing RV dealership without placing conditions on the RV dealership and prohibiting vehicle repair within the new dealership. Staff supports this modification to the original recommendation.
Ordinance No. 685 (Adopted)

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 9.09.060 of Title 9 of the City of Moreno Valley Municipal Code Regarding Vehicle Dealerships and Rental Agencies

or

2. Uphold the Planning Commission’s disapproval by taking the following actions:

Uphold the Planning Commission’s disapproval of Application Nos. PA04-0173 and PA04-0174 based on the findings contained in the Planning Commission Resolution 2005-5; and direct staff to prepare a City Council resolution upholding the Planning Commission’s disapproval of Application Nos. PA04-0173 and PA04-0174.

or

3. Approve the project by taking the following actions:

Recognize that Application Nos. PA04-0173 and PA04-0174 are exempt from the California Environmental Quality Act in accordance with Sections 15061 and 15301 of the CEQA Guidelines; and Introduce Ordinance No. 685, thereby approving Application No. PA04-0173, an amendment to Title 9 of the Municipal Code regarding vehicle sales businesses, based on the findings contained in the ordinance; and approve Resolution No. 2005-29, thereby approving Conditional Use Permit Application No. PA04-0174, based on the findings contained in the resolution; and subject to the conditions of approval attached to the resolution.

This action would be consistent with the original staff recommendation to the Planning Commission.

Ordinance No. 685

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code to Allow Vehicle Sales Businesses Encompassing a Minimum of 0.75 Acres and Less Than 2.5 Acres with a Conditional Use Permit in the Community Commercial District and Subject to Specified Development Requirements

9 MINUTES
APRIL 12, 2005
Resolution No. 2005-29

A Resolution of the City Council of the City of Moreno Valley Approving Application PA04-0174, a Conditional Use Permit to Establish a Vehicle Sales Business Located at 21115 Box Springs Road on Approximately 0.89 Acres

Approved by a 4-0-1 vote to approve as amended. m/Flickinger, s/White, Council Member Batey absent. Amended language to read: Recognize that Application No. PA04-0173 is exempt from the California Environmental Quality Act in accordance with Section 15061 of the CEQA Guidelines; and introduce Ordinance No. 685, thereby approving Municipal Code Amendment Application No. PA04-0173, with changes to allow either one or two vehicle dealerships on 2.5 acres, based on the findings contained in the proposed ordinance; and refer Conditional Use Permit Application No. PA04-0174, to the Planning Commission with direction to add conditions of approval requiring the parcel in question to be merged with the parcel to the west containing an existing RV dealership without placing conditions on the RV dealership and require the Planning Commission to prohibit vehicle repair within the new dealership.

ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - NONE

G. REPORTS

G2. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report on March Joint Powers Authority by Mayor Stewart

Mayor Stewart gave an update on the DHL facility located at March Air Reserve Base.

Fire Chief Lake announced that the Riverside County Board of Supervisors voted 4-1 this morning to adopt a resolution to keep the California Department of Forestry aircraft at Hemet-Ryan Airport.

G3. RESOLUTION 2005-32 TO AMEND FEE RESOLUTION 2004-55 TO INCREASE PENALTIES FOR STREET SWEEPING PARKING VIOLATIONS

(Report of: Community Development Department)
Mayor Stewart opened the agenda item for public comment. Public comment was received from John Hayes (supports).

Recommendation: Approve Resolution 2005-32 to amend Resolution 2004-55 (Fee Resolution Schedule) to increase street sweeping parking violation fines from $25 to $35 per violation.

Resolution No. 2005-32

A Resolution of the City Council of the City of Moreno Valley, California, Amending Resolution No. 2004-55 to Increase Penalties for Street Sweeping Parking Violations

Resolution No. 2005-32 adopted by a 4-0-1 vote, with staff to come back at the Study Session of October 18, 2005 with statistics on the impact of the increase. m/Flickinger, s/White, Council Member Batey absent.

G4. DISCUSSION AND RECOMMENDATIONS FOR MODIFICATION OF THE EXISTING BUSINESS PARK STANDARDS (Report of: Community Development Department)

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

Recommendation: That the City Council direct staff to prepare a Municipal Code Amendment that would include the following:

A. Modify the existing Business Park standards to limit more intense warehousing and industrial uses within the Business Park designation that would not be appropriate adjacent to residential and other sensitive uses; and

B. Establish a new “Light Industrial” zone in the Municipal Code and zoning atlas that would apply to areas that are currently designated Business Park, but are appropriate for larger warehousing and industrial projects.

Approved by a 4-0-1 vote as amended, with staff to come back with a rough draft incorporating the changes into the Municipal Code. m/Flickinger, s/West, Council Member Batey absent.
G5. LEGISLATIVE UPDATE (Report of: Interim Assistant City Manager)
Recommendation: That the City Council receive and file the informational report.

Mayor Stewart opened the agenda item for public comments. Public comments were received from Daryl Terrell.

Approved by a 4-0-1 vote. m/White, s/West, Council Member Batey absent.

G6. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

The City Manager gave a brief report on the March Joint Powers Authority Technical Advisory Committee Revenue Sharing Agreement.

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

H1. ORDINANCE REPEALING PROVISIONS RELATING TO CAMPAIGN DISCLOSURE (Report of: City Clerk’s Department)

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

Recommendation: Introduce Ordinance No. 686, repealing Ordinance No. 232 and Ordinance No. 391, which established provisions relating to campaign disclosure. (Roll call required)

Ordinance No. 686

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Ordinance No. 232 and Ordinance No. 391, which Established Provisions Relating to Campaign Disclosure

Approved by a 4-0-1 vote. m/White, s/Flickinger, Council Member Batey absent.

ORDINANCES - 2ND READING AND ADOPTION - NONE

12 MINUTES
APRIL 12, 2005
ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS – NONE

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

Daryl Terrell
1) Our destiny
2) Better America
3) Moreno Valley is a world class city

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

Council Member White
1) Recommended to fellow Council Members he would like to address the reduction of the 2.5 to 1.5 minimum lot size for used car lots to a future Study Session (not supported by other Council Members)
2) Stated public comments should be on specific subject on the agenda under the jurisdiction of the City Council

Mayor Pro Tem Flickinger
1) Commented on Legislative trip to Sacramento – very positive experience

Council Member West
1) Congratulated the girls varsity basketball team from Canyon Springs High School

Mayor Stewart
1) He and three other Council Members attended the Legislative Dinner with City’s lobbyist Gonzalves in Sacramento – very worthwhile trip

There being no further business to conduct, the meeting was adjourned to Closed Session at 8:50 p.m. by unanimous informal consent.

CLOSED SESSION

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

ADJOURNMENT
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:

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

mea