

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY

SEPTEMBER 23, 2003

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Presentation of the New MVTV-3 Production Vehicle to the Council
2. Presentation of the City-County Communications and Marketing Association's (3CMA) Award for MVTV-3's "9/11: Moreno Valley Reflects"
3. Automobile Association of America (AAA) - Auto Theft Recovery (10851) Awards
 - Deputy Charles Guillen (3rd pin)
 - Deputy Mike Hatfield (2nd pin)
 - Deputy Kevin Lamb (1st pin)
 - Deputy William Mooney (5th, 6th and 7th pins)
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4. Proclamation – Society of Military Widows
5. Habitat for Humanity – Presentation of Plaque to the City Council in Appreciation for Clover Avenue Home

**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.
SEPTEMBER 23, 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 Tamrat Seyom, Bahai Faith

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, MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION AND THE MORENO VALLEY PUBLIC FINANCING AUTHORITY

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 – SPECIAL MEETING OF SEPTEMBER 2, 2003
(Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- A3. MINUTES – REGULAR MEETING OF SEPTEMBER 9, 2003
(Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- A4. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AT COLLEGE PARK FIRE STATION NO. 91, PROJECT NO. 02-4372540 (II) (Report of: Public Works Department)
Recommendation: Accept the work as complete for the traffic signal at College Park Fire Station No. 91, constructed by Pete & Sons Construction, Inc., 16510 Hoffa Lane, Riverside, California 92504; 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 Pete & Sons Construction, 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.

- A5. RECOMMEND ACCEPTANCE OF VISTA LOMAS PARK (PA-46)
(Report of: Parks and Recreation Department)
Recommendation: Accept Vista Lomas Park (PA-46) and its amenities as completed by Forecast Homes Tract 30286.
- A6. MORENO VALLEY PUBLIC FINANCING AUTHORITY – ANNUAL REPORT AND RESOLUTION SETTING THE DATE, HOUR AND PLACE FOR HOLDING OF REGULAR MEETINGS (Report of: City Clerk’s Department)
Recommendation: That the City Council in its capacity as Chairperson and Members of the Moreno Valley Public Financing Authority (the Authority) accept the Annual Report of the Authority and adopt Resolution No. MVPFA 2003-01, setting the date, hour and place for the holding of regular meetings.

Resolution No. MVPFA 2003-01

A Resolution of the Moreno Valley Public Financing Authority
Setting the Date, Hour and Place for the Holding of Regular Meetings

- A7. FINAL MAP 25956 – AGREEMENT FOR PUBLIC IMPROVEMENTS TO REPLACE EXPIRED AGREEMENT FOR PUBLIC IMPROVEMENTS, SOUTH OF FIR AVENUE AND WEST OF KITCHING STREET (AFFORDABLE CALIFORNIA ESTATES) (Report of: Public Works Department)
Recommendation: Approve the Agreement for Public Improvements to replace expired Agreement for Public Improvements for Final Map 25956; 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. FUND TRANSFER REQUEST FOR EDUCATIONAL ACCESS TELEVISION (Report of: Administrative Services Department)
Recommendation: Approve a one-time transfer allocation of \$57,250.05 from the City’s Public/Educational/Government (PEG) Access Special Fund to the Riverside Community College District for the purchase of audio and video equipment for the operation of educational access programming for KRCC – Channel 25.
- A9. APPROVE CONTINUING APPROPRIATIONS FOR FY 2003-04 BUDGET AND FINAL BUDGET ADJUSTMENTS/CORRECTIONS (Report of: Finance Department)
Recommendation: Approve the continuing appropriations for FY 2003-04 as presented on Attachments “A” through “E” and the budget adjustments/corrections as presented on Attachment “F”.

- A10. WARRANT REPORT – AUGUST, 2003 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2003-73, approving the Warrant Report, dated August, 2003 in the total amount of \$13,215,125.04.

Resolution No. 2003-73

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

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- B2. MINUTES – SPECIAL MEETING OF SEPTEMBER 2, 2003
(Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- B3. MINUTES – REGULAR MEETING OF SEPTEMBER 9, 2003
(Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- B4. RECOMMEND ACCEPTANCE OF VISTA LOMAS PARK (PA-46)
(Report of: Parks and Recreation Department)
Recommendation: Accept Vista Lomas Park (PA-46) and its amenities as completed by Forecast Homes Tract 30286.

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 SEPTEMBER 2, 2003
(Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- C3. MINUTES – REGULAR MEETING OF SEPTEMBER 9, 2003
(Report of: City Clerk's Department)
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 TO CONSIDER APPLICATION NOS. P02-109, P02-110 AND P02-111, INVOLVING THE SOUTHEAST CORNER OF JOHN F. KENNEDY DRIVE AND CHAMPIONSHIP DRIVE, P02-109 IS A REVISION OF TENTATIVE TRACT 30233, A SUBDIVISION OF APPROXIMATELY 23.8 ACRES INTO 92 SINGLE-FAMILY RESIDENTIAL LOTS. P02-110 IS AN AMENDMENT TO THE MORENO VALLEY RANCH SPECIFIC PLAN AND THE OFFICIAL ZONING ATLAS THAT WOULD CHANGE THE ZONING FOR PLANNING AREA 74 (PA 74) FROM PARK TO MEDIUM LOW DENSITY RESIDENTIAL. P02-111, IS AN AMENDMENT TO THE MORENO VALLEY RANCH SECOND AMENDED DEVELOPMENT AGREEMENT TO ALLOW PAYMENT OF PARK FEES IN LIEU OF DEDICATION OF PA 74 (Report of: Community and Economic Development Department)
Recommendation: That the City Council conduct a public hearing and:

1. Adopt a Negative Declaration for Application Nos. P02-109, P02-110 and P02-111; and
2. Introduce City Council Ordinance No. 638, based on the findings contained in the Ordinance, thereby, approving: (1) Moreno Valley Ranch Specific Plan Amendment No. 11; (2) an amendment to the Official Zoning Atlas; and (3) Amendment to the Moreno Valley Ranch Second Amended Development Agreement between the City of Moreno Valley and KB Home of Greater Los Angeles, Inc. (roll call required).

Ordinance No. 638

An Ordinance of the City Council of the City of Moreno Valley, California, (1) Amending the Moreno Valley Specific Plan (Amendment No. 11) and the Official Zoning Atlas by Changing the Zoning Designation for Planning Area 74 from Park to Medium Low Density Residential; and (2) Amending the Moreno Valley Ranch Second Amendment Development Agreement to Allow Payment of Fees In-Lieu of Dedication of Planning Area

74 (Involving Planning Areas 69 and 74, Located at the Southeast Corner of Championship Drive and Iris Avenue)

3. Adopt City Council Resolution No. 2003-72 approving Tentative Tract Map No. 30233 (P02-109), based on the findings in the Resolution and subject to the conditions of approval attached to the Resolution.

Resolution No 2003-72

A Resolution of the City Council of the City of Moreno Valley Approving P02-109, A Revision of Tentative Tract 30322, A Subdivision of Approximately 23.8 Acres Into 92 Single Family Lots (Involving Planning Areas 69 and 74, Located at the Southeast Corner of Championship Drive and Iris Avenue, Within the Moreno Valley Ranch Specific Plan)

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

F. REPORTS

- F1. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – TENTATIVE TRACT 11848 - WEST SIDE OF GRAHAM STREET, BETWEEN SUNNYMEADOWS DRIVE AND OLD VALLEY DRIVE (Report of: Public Works Department)

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 parkway landscape maintenance upgrade for Tract 11848 to Full Service Level, the corresponding increase in the Zone D annual service charge and the one-time County charge adjustment.

- F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 27523 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONES B (RESIDENTIAL STREET LIGHTING) AND D (PARKWAY LANDSCAPE MAINTENANCE); 2) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE (Report of: Public Works Department)

Recommendation: That the City Council and the Board of Directors

of the Moreno Valley Community Services District (CSD), accept public comments regarding the mail ballot proceedings for Tentative Tract 27523 (and all affected phases) for: 1) Inclusion into CSD Zone B (Residential Street Lighting), CSD Zone D (Parkway Landscape Maintenance) and approval of the CSD parcel charges; 2) Approval of the NPDES regulatory rate schedule.

- F3. 5-YEAR PLAN - CEDD PART 1- (POWER POINT PRESENTATION) (Report of: Community and Economic Development Department)
- F4. LEGISLATIVE UPDATE (Report of: Administrative Services Department)
Recommendation: That the City Council receive, file and ratify the Legislative Status Report.
- F5. ORAL UPDATE ON PROGRESS OF IMPLEMENTATION OF MUNICIPAL ELECTRIC UTILITY (Report of City Manager's Department)
- F6. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- G1. INTRODUCTION OF ORDINANCE NO. 636, DESIGNATING SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS (CONTINUED FROM SEPTEMBER 9, 2003) (Report of: Public Works Department)
Recommendation: That the City Council:
 - 1. Receive and file this report; and
 - 2. Introduce Ordinance No. 636, amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code designating prima facie speed limits on certain streets (as listed on the ordinance) and directing the City Engineer to take certain action with respect thereto. (Roll call required)

Ordinance No. 636

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter

12.20 of the City of Moreno Valley Municipal Code Relating
to a Prima Facie Speed Limit for Certain Streets

ORDINANCES - 2ND READING AND ADOPTION - NONE

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