

**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 13, 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 6:30 p.m. by Mayor West in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Dr. R. Dale Lacquement, Faith Southern Baptist Church

ROLL CALL

Council:

Frank West	Mayor
Richard A. Stewart	Mayor Pro Tem
Bonnie Flickinger	Council Member
Charles R. White	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
Barry McClellan	Assistant City Manager
Linda Guillis	Community and Economic Development Director
William Di Yorio	Police Chief
Stan Lake	Fire Chief
Trent Pulliam	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services
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.

Pete Bleckert – Address matter of record – (Item A5)

1) Lighting at Equestrian Arena

Council Member White made a motion, seconded by Council Member Flickinger to approve the Consent Calendars in their entirety. Motion carried 4-0-1, Council Member Batey absent. 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. MINUTES – REGULAR MEETING OF NOVEMBER 25, 2003
Approved as submitted.
- A3. 2002-03 REPORT ON DEVELOPMENT IMPACT FEES
Approved and accepted the Annual Report on Development Impact Fees in compliance with California Government Code Section 66066; and approved the finding that staff has demonstrated a continuing need to hold unexpended development impact fees.
- A4. RESOLUTION RELATED TO EMPLOYER PAID MEMBER CONTRIBUTIONS
Adopted Resolution No. 2004-01, noticing its intention to commence paying and reporting the value of employer paid member contributions (EPMC); authorized the Mayor and City Clerk to execute the resolution for the city to commence paying the EPMC benefit to all career status City of Moreno Valley employees effective July 1, 2005; and directed the City Clerk to forward to the California Public Employees' retirement System (PERS) the original resolution or certified copy of the resolution for paying and reporting the value of EPMC.

Resolution No. 2004-01

A Resolution of the City Council of the City of Moreno Valley, California,
Authorizing Employer Paid Member Contributions

- A5. RECOMMENDATION TO ACCEPT PROJECT AS COMPLETE, PROJECT NO. 03-001, MORENO VALLEY EQUESTRIAN CENTER ARENA LIGHTING SYSTEM
Accepted the work for subject project constructed by FEC Electric Inc., of Redlands California; directed the City Clerk to record the Notice of Completion within ten days at the office of the County Recorder as required by Section 3093 of the California Civil Code; and authorized the Finance Director to release a total of \$8,113.98 in retention funds from the Moreno Valley Equestrian Center Arena Lighting System project to FEC Electric, Inc. thirty-five days (35) calendar days after the date of recordation of the Notice of Completion.
- A6. APPROVAL OF FINAL MAP 31050 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT & BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - SOUTHEAST CORNER OF SADDLEBROOK LANE AND THE EXTENSION OF LURIN AVENUE (Subdivider - WL Homes LLC dba John Laing Homes).
Approved Final Map 31050; authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accepted the bonds and Agreement for Public Improvements; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.
- A7. WARRANT REPORT – NOVEMBER, 2003
Adopted Resolution No. 2004-02, approving the Warrant Report, dated November, 2003 in the total amount of \$8,219,353.02.

Resolution No. 2004-02

A Resolution of the City Council of the City of Moreno Valley, California,
Approving the Warrant Report dated November 30, 2003

- A8. SETTLEMENT OF LOCKHEED V. RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY (RCHCA)
Approved the Settlement Agreement and General Release in the above referenced litigation.

- A9. APPROVAL OF COOPERATIVE AGREEMENT FOR LINE V-2 OF THE PERRIS VALLEY MASTER DRAINAGE PLAN, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND BEAZER HOMES HOLDING CORP. – EAST OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA (BEAZER HOMES HOLDINGS CORP.)

Approved the cooperative agreement between the Riverside County Flood Control and Water Conservation District, City of Moreno Valley, and Beazer Homes Holdings Corp. for Perris Valley Master Drainage Plan Line V-2; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the Riverside County Flood Control and Water Conservation District.

- A10. RESOLUTIONS REGARDING UPDATED PROJECT BUDGET, LOCAL FUNDING COMMITMENT, SUPPLEMENTAL FUNDS, AND PUBLIC LIBRARY OPERATION FOR PROPOSED LIBRARY EXPANSION PROJECT

Adopted Resolution No. 2004-03, certifying updated project budget, local funding commitment, supplemental funds, and public library operation for proposed Library Expansion Project.

Resolution No. 2004-03

A Resolution of the City Council of the City of Moreno Valley, California, Certifying Updated Project Budget Local Funding Commitment, Supplemental Funds, and Public Library Operation for Proposed Library Expansion Project

- A11. COPS AND CLERGY NETWORK

Adopted Proposed Resolution No. 2004-04, to support the Cops and Clergy Network (CCN), and direct the Chief of Police to encourage officers to participate in CCN activities.

Resolution No. 2004-04

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Cops and Clergy Network

- A12. MODIFICATION TO CONDITIONS OF APPROVAL FOR TRACTS 22709

AND 22709-1 TO PERMIT THE ISSUANCE OF ADDITIONAL BUILDING PERMITS

Approved the modification of the Conditions of Approval and allowed Western Pacific Housing to obtain 215 additional building permits for Tracts 22709 and 22709-1 prior to constructing the park in exchange for an additional \$500,000 in amenities on the park proposed for this project; an increase in the bonds from \$1.9 million to \$2.4 million; and strict adherence to a schedule that would result in the park completion by December 2004.

A13. MINUTES – REGULAR MEETING OF DECEMBER 9, 2003
Approved as submitted

A14. MINUTES – SPECIAL MEETING OF DECEMBER 9, 2003
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. MINUTES – REGULAR MEETING OF NOVEMBER 25, 2003
Approved as submitted.

B3. RECOMMENDATION TO ACCEPT PROJECT AS COMPLETE, PROJECT NO. 03-001, MORENO VALLEY EQUESTRIAN CENTER ARENA LIGHTING SYSTEM
Accepted the work for subject project constructed by FEC Electric Inc., of Redlands California; directed the City Clerk to record the Notice of Completion within ten days at the office of the County Recorder as required by Section 3093 of the California Civil Code; and authorized the Finance Director to release a total of \$8,113.98 in retention funds from the Moreno Valley Equestrian Center Arena Lighting System project to FEC Electric, Inc. thirty-five days (35) calendar days after the date of recordation of the Notice of Completion.

B4. FINAL MAPS 22709 AND 22709-1 APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN MORENO VALLEY COMMUNITY SERVICES DISTRICT AND PROMONTORY PARK MV OWNERS ASSOCIATION
Approved the Maintenance Agreement by and between the CSD and Promontory Park MV Owners Association; authorized the Mayor in his capacity as President of the CSD to execute the Maintenance Agreement; authorized the City Attorney to act on behalf of the CSD to work with

Promontory Park MV Owners Association to: draft a mutually acceptable Trust Agreement that incorporates the terms of the agreement, and draft modifications or amendments to either the Maintenance Agreement and Trust Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreements; authorized the City Manager to act on behalf of the CSD to: assign a trustee to the Trust, execute the Trust Agreement, and execute any amendments to either the Maintenance Agreement or Trust Agreement as prepared by the City Attorney; and authorized the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation

B5. MODIFICATION TO CONDITIONS OF APPROVAL FOR TRACTS 22709 AND 22709-1 TO PERMIT THE ISSUANCE OF ADDITIONAL BUILDING PERMITS

Approved the modification of the Conditions of Approval and allow Western Pacific Housing to obtain 215 additional building permits for Tracts 22709 and 22709-1 prior to constructing the park in exchange for an additional \$500,000 in amenities on the park proposed for this project; an increase in the bonds from \$1.9 million to \$2.4 million; and strict adherence to a schedule that would result in the park completion by December 2004.

B6. MINUTES – REGULAR MEETING OF DECEMBER 9, 2003
Approved as submitted

B7. MINUTES – SPECIAL MEETING OF DECEMBER 9, 2003
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 – REGULAR MEETING OF NOVEMBER 25, 2003
Approved as submitted

C3. MINUTES – REGULAR MEETING OF DECEMBER 9, 2003
Approved as submitted

C4. MINUTES – SPECIAL MEETING OF DECEMBER 9, 2003
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.
- D2. RESOLUTIONS REGARDING UPDATED PROJECT BUDGET, LOCAL FUNDING COMMITMENT, SUPPLEMENTAL FUNDS, AND PUBLIC LIBRARY OPERATION FOR PROPOSED LIBRARY EXPANSION PROJECT
Adopted Resolution No. BLT 2004-01, endorsing the City Council's certification of the updated project budget, local funding commitment, supplemental funds, and public library operation for proposed Library Expansion Project.
- Resolution No. BLT 2004-01
- A Resolution of the Board of Library Trustees of the City of Moreno Valley, Endorsing the City Council's Certification of the Updated Project Budget, Local Funding Commitment, Supplemental Funds and Public Library Operation for Proposed Library Expansion Project
- D3. MINUTES – REGULAR MEETING OF DECEMBER 9, 2003 Approved as submitted.

E. PUBLIC HEARINGS

AGENDA ORDER

- E3. REVIEW AND APPROVAL OF THE CITY'S ADOPTION OF THE MULTI-HABITAT CONSERVATION PLAN (MSHCP) (REPORT) ADOPTION OF MITIGATION FEE PERTAINING TO MSHCP (PUBLIC HEARING)

Mayor West opened the public testimony portion of the public hearing. Public testimony was received from Frans Bigelow.

Richard Lashbrook, Director of the Transportation Land Management Agency made a presentation on the item.

Supervisor Marion Ashley spoke on the item.

Council Member Flickinger made a motion, seconded by Council Member White to adopt Resolution No. 2004-06. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

Resolution No. 2004-06

A Resolution of the City Council of the City of Moreno Valley, California Making Responsible Agency Findings Pursuant to the California Environmental Quality Act for the Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan and Approving the Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan, and Implementing Agreement, Adopting Environmental Findings Pursuant to the California Environmental Quality Act, and Adopting a Statement of Overriding Considerations

Council Member Flickinger made a motion, seconded by Council Member White to adopt Resolution No. 2004-07. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

Resolution No. 2004-07

A Resolution of the City Council of the City of Moreno Valley to Establish Procedures and Requirements for Implementation of the Western Riverside County Multiple Species Habitat Conservation Plan

Council Member Flickinger made a motion, seconded by Council Member White to approve the Joint Exercise of Powers Agreement creating the Western Riverside County Regional Conservation Authority. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

Council Member Flickinger made a motion, seconded by Council Member White to introduce Ordinance No.654. Motion carried 4-0-1, Council Member Batey absent. 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

Council Member Flickinger made a motion, seconded by Council Member White to authorize the Mayor to execute 25 signed copies of the Agreement; and direct the City Clerk to forward said executed copies to the Western

Riverside Council of Governments. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

- E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31438 (AND ALL AFFECTED PHASES) FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – NORTH SIDE OF LAWLESS ROAD AND EAST TO PIGEON PASS ROAD

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

Council Member White made a motion, seconded by Council Member Flickinger directing the City Clerk to tabulate the ballots. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

The City Clerk announced the results as follows:

Tract 31438 – “Yes”

Council Member White made a motion, seconded by Mayor Pro tem Stewart to verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

Council Member White made a motion, seconded by Mayor Pro Tem Stewart to receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing and authorize and impose the applicable NPDES annual regulatory rate. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

- E2. CDBG AND HOME PROGRAM OBJECTIVES AND POLICIES FOR PROGRAM YEAR 2004/05

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

Council Member White made a motion, seconded by Council Member Flickinger to approve CDBG & HOME Program Objectives and Policies for the 2004-2005 Program Year, as amended, with changes to the staff report to reflect the following changes to the fiscal impact portion of the staff report: FY 2004-05 CDBG: \$2,082,000 and HOME \$693,000. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

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

G. REPORTS

- G1. PUBLIC MEETING 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;
 - 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 agenda item for public comments; there being none, public comments were closed.

Board Member White made a motion, seconded by President West to receive and file. Motion carried unanimously, Council Member Batey absent.

- G2. RECOMMENDATIONS FOR REDUCTIONS TO ZONE A PARKS AND RECREATION BUDGET AND REPORT ON MANAGEMENT AUDIT OF THE PARKS AND RECREATION DEPARTMENT

President West opened the agenda item for public comments, which were received from Thomas R. Sterrett and Priscilla Banks.

Board Member White made a motion, seconded by Vice President Stewart to accept the citizens' ad hoc budget committee and staff's recommendation regarding budget reductions and to receive and file the management audit of the Parks and Recreation department, with the exception of Teen Night, which will come back to the Council with more options at a future date, and the headline act, which will go on as planned for July 2004 but will be evaluated for July 2005 to consider sponsorship for the act or possibly not being contracted. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

G3. REQUEST FOR CO-SPONSORSHIP AND WAIVER OF FEES FOR THE BLACK HISTORY CELEBRATION FESTIVITIES ON SATURDAY, FEBRUARY 14, 2004

President West opened the agenda item for public comments, which were received from Juanita Barnes, Daryl Terrell, Linda Wright and William Barr.

Board Member Flickinger made a motion, seconded by Board Member White to take no action to approve the request from the Multicultural Civic Association (MCA) to co-sponsor and waive fees for the Black History Celebration. Motion failed 2-2-1, President West and Vice President Stewart opposing. Council Member Batey absent. Roll call vote.

**RECESS:
RECONVENE**

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

Daryl Terrell – Address matter of record

- 1) Tackling challenges together
- 2) Community reaching out to neighbors

Ray Hosman – Address matter of record

- 1) Commended Council, Parks & Recreation Department and Ad Hoc Committee for their work on Zone A budget
- 2) City-owned property
- 3) Cost of Mayor's reception
- 4) Cuts and proposed spending
- 5) Teen Night and lunches for seniors
- 6) Moreno Valley golf course and Poorman's Reservoir

Priscilla Banks – Address matter of record

- 1) RDA funds to build recreation center
- 2) Blight on Sunnymead Boulevard

Pete Bleckert – Address matter of record

- 1) RDA money for community center
- 2) Water problem in Edgemont area
- 3) City's spending
- 4) New utility

G4. 2004 COUNCIL COMMITTEE PARTICIPATION APPOINTMENTS

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 Council Member Flickinger to approve appointments to the various committees as recommended in the 2004 Council Committee Participation list submitted by Mayor West. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

G5. INTRODUCTION OF ORDINANCE NO. 635 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; AND INTRODUCTION OF CSD ORDINANCE NO. 42 APPROVING THE USE OF PARKS AND RECREATION FACILITIES AND RESCINDING CERTAIN PRIOR ENACTMENTS (CONTINUED FROM DECEMBER 9, 2003)

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 Council Member Flickinger to introduce Ordinance No. 635, 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. Motion carried 4-0-1, Council Member Batey absent. 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

Vice President Stewart made a motion, seconded by Board Member Flickinger to introduce CSD Ordinance No. 42, as amended, relating to the use of parks and recreation facilities and rescinding certain prior enactments. Motion carried 4-0-1, Board Member Batey absent. 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

- G6. ORDINANCE TO EMPOWER THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ADOPT, ENFORCE AND AMEND MORENO VALLEY UTILITIES' UNDERGROUND ELECTRICAL SERVICE REQUIREMENTS, RESIDENTIAL DISTRIBUTION PROCEDURES, UNDERGROUND CONSTRUCTION STANDARDS, AND SAFETY AND HEALTH PROCEDURES

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 Council Member White to introduce Ordinance No. 653, 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. The manuals are on file in the Public Works Department, Enterprise Services Administration Division. Motion carried 4-0-1, Council Member Batey absent. 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

- G7. RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF ELECTRICAL RATES FOR MORENO VALLEY UTILITIES

Mayor West opened the agenda items for public comments, which were received from Pete Bleckert.

Council Member Flickinger made a motion, seconded by Council Member White to approve Resolution No. 2004-05 establishing the Electric Rates for Moreno Valley Utilities. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

Resolution No. 2004-05

A Resolution of the City Council of the City of Moreno Valley, California,
Establishing the Electric Rates for Moreno Valley Utilities

G8. BRIEFING ON GOVERNOR'S PROPOSED BUDGET AND ITS EFFECT ON
LOCAL REVENUES

Mayor West opened the agenda item for public comments, which were received from Pete Bleckert, Ray Hosman, and Daryl Terrell

No Council action required.

G9. LEGISLATIVE UPDATE

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

No Council action required.

G10. CITY MANAGER'S REPORT (Informational Oral Presentation – not for
Council action) – None given

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

H1. **REINTRODUCTION** OF 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

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 Council Member Flickinger to reintroduce Ordinance No. 646, 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. Motion carried 4-0-1, Council Member Batey absent. 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. **REINTRODUCTION** OF 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

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 Council Member Flickinger to reintroduce Ordinance No. 647, as revised, repealing Ordinance No. 263, Specific Plan 215 (SP215) for 80.04 acres located on the southwest corner of Cactus Avenue and Oliver Street. Motion carried 4-0-1, Council Member Batey absent. 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. **REINTRODUCTION** OF 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

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 Council Member Flickinger to reintroduce Ordinance No. 648, 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. Motion carried 4-0-1, Council Member Batey absent. 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

ORDINANCES - 2ND READING AND ADOPTION

- H4. ORDINANCE NO. 649, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING P03-129, OR AMENDMENT NO. 1 TO CACTUS CORRIDOR SPECIFIC PLAN (SP #214) TO REDUCE THE SIDE YARD SETBACK FOR A SINGLE-FAMILY RESIDENTIAL ZONE, AND TO REVISE THE DESIGN GUIDELINES TO ADDRESS CHANGES IN FENCE/WALL CRITERIA, LANDSCAPE CRITERIA, AND ARCHITECTURAL DESIGNS FOR SINGLE-FAMILY RESIDENCES (RECEIVED FIRST READING AND INTRODUCTION DECEMBER 9, 2003 ON A 5-0 VOTE)

Council Member Flickinger made a motion, seconded by Mayor West to adopt Ordinance No. 649. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

Ordinance No. 649

An Ordinance of the City Council of the City of Moreno Valley, California, approving P03-129, or Amendment No. 1 to Cactus Corridor Specific Plan (SP #214) to reduce the side yard setback for a single-family residential zone, and to revise the Design Guidelines to address changes in fence/wall criteria, landscape criteria, and architectural designs for single-family residences

- H5. ORDINANCE NO. 650, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, THAT PROVIDES FOR THE ESTABLISHMENT AND ADJUSTMENT OF ELECTRICAL RATES AND TARIFFS BY RESOLUTION FOR MORENO VALLEY UTILITIES (RECEIVED FIRST READING AND INTRODUCTION DECEMBER 9, 2003 ON A 5-0 VOTE)

Mayor West made a motion, seconded by Council Member Flickinger to Adopt Ordinance No. 650. Motion carried 4-0-1, Council Member Batey absent. Roll call vote.

Ordinance No. 650

An Ordinance of the City Council of the City of Moreno Valley, California,
That Provides for the Establishment and Adjustment of Electrical Rates and
Tariffs by Resolution for Moreno Valley Utilities

ORDINANCES – URGENCY ORDINANCES - NONE

RESOLUTIONS – NONE

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

Council Member Flickinger

- 1) Edgemont Water District is an independent entity and not subject to city rules. Moreno Valley has no responsibility for that entity
- 2) Announced that Moreno Valley had the least number of fatal and injury collisions
- 3) Congratulated the Moreno Valley Police Department, the Riverside Police Department, and the Riverside Sheriff's Department for their efforts in locating a missing 87-year old Alzheimer's patient
- 4) Moreno Valley Community Band members performed for fire victims who were left homeless or who were temporarily in shelters
- 5) Friends of the Library Used Book Sale will be held at the Moreno Valley Library on Saturday, February 7, 2004 from 10:00 a.m. to 3:00 p.m., with prices beginning at 25 cents per book.

Mayor Pro Tem Stewart

- 1) Asked for status of traffic signal at Highway 60 and Day Street
- 2) Announced opening of Wendy's on Day Street – sign appears to be too small
- 3) Mall sign is dark – Linda Guillis will check on status
- 4) Height of Riverside shopping center – Moreno Valley can't control, but joint access signage program in place

Mayor West

- 1) Length of Council meetings – will work or meet with staff in effort to streamline meetings

Council Member White – No comments

CLOSED SESSION - NONE

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

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned 10:24 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

mea