

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

JULY 8, 2003

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Chelbana Award
2. Employee of the Quarter – Nina Giangreco
3. Firefighter of the Quarter – Captain Ray Martinez
4. Officer of the Quarter – Kent Werges, Investigator
5. July 4th Parade Award Presentations
6. Moreno Valley Youth Federation - Australia 2003 USA Tour
7. Introduction of the World Wide Webster, New Mascot for the Library

**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.
JULY 8, 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 Najuma Smith, A.K. Quinn AME Church

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, AND THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION

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 – REGULAR MEETING OF JUNE 10, 2003 (Report of: City Clerk)
Recommendation: Approve as submitted.

- A3. PA 99-0006 – REDUCE FAITHFUL PERFORMANCE BOND BY 90% AND ADOPT RESOLUTION NO. 2003-52, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF PUBLIC RIGHT OF WAY IMPROVEMENTS AS COMPLETE AND ACCEPTING PERRIS BLVD. AND ALESSANDRO BLVD. INTO THE CITY MAINTAINED STREET SYSTEM, SOUTHEAST CORNER OF PERRIS BOULEVARD AND ALESSANDRO BOULEVARD (SIMAC CONSTRUCTION, INC.) (Report of: Director of Public Works/City Engineer)
Recommendation: Approve a 90% reduction to the Faithful Performance Bond for PA99-0006; authorize the City Engineer to reduce the Faithful Performance Bond by 90%; and adopt Resolution No. 2003-52 authorizing the acceptance of the public right-of-way improvements for PA99-0006 as complete and accepting Perris Boulevard and Alessandro Boulevard into the City Maintained Street System.

Resolution No. 2003-52

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way

Improvements as Complete Within PA99-0006, and Accepting Perris Boulevard and Alessandro Boulevard into the City Maintained Street System

- A4. NOTICE OF COMPLETION AND ACCEPTANCE OF THE ALESSANDRO BLVD. ENTRYWAY IMPROVEMENTS FROM DAY ST. TO THE OLD I-215, PROJECT NO. 98-92777 (Report of: Director of Public Works/City Engineer)
Recommendation: Ratify Contract Change Order Nos. 1,2,3 and 4 (Final); accept the work as complete for the Alessandro Boulevard Entryway Improvements from Day Street to Old I215, constructed by Laird Construction Co. Inc., 9460 Lucas Ranch Road, Rancho Cucamonga, California 91730-5797; 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 Laird Construction Co., 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. NOTICE OF COMPLETION AND ACCEPTANCE OF THE FISCAL YEAR 2001/2002 SLURRY SEAL PROGRAM, PROJECT NO. 01-12584830 (Report of: Director of Public Works/City Engineer)
Recommendation: Ratify Contract Change Order Nos. 1 and 2 (Final); accept the work as complete for the Fiscal Year 2001/2002 Annual Slurry Seal Program, constructed by Roy Allen Slurry Seal, Inc., 11922 Bloomfield Avenue, Santa Fe Springs, California, 90670; 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 Roy Allen Slurry Seal, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and accept the improvements into the City's maintained road system.
- A6. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE FISCAL YEAR 2002/2003 ANNUAL SLURRY SEAL PROGRAM, PROJECT NO. 02-12584830 (Report of: Director of Public Works/City Engineer)
Recommendation: Adopt the plans and specifications for the Fiscal Year 2002/2003 Annual Slurry Seal Program on file in the office of the City Engineer and authorize the City Clerk to advertise the project for construction bids.

- A7. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE TRAFFIC SIGNAL AT COTTONWOOD AVE. AND MORENO BEACH DRIVE, PROJECT NO. 02-12566922 (Report of: Director of Public Works/City Engineer)
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.
- A8. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL AT HEACOCK STREET AND PARKLAND AVENUE, PROJECT NO. 02-12566822 (Report of: Director of Public Works/City Engineer)
Recommendation: Award the construction contract for the Traffic Signal at Heacock Street and Parkland Avenue to New West Signal, 14055 Foothill Boulevard, Fontana, California 92335, the lowest responsible; authorize the Mayor to execute a contract with New West Signal; and authorize the issuance of a Purchase Order for New West Signal in the amount of \$113,039.30 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 125.66822).
- A9. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR TRAFFIC SIGNAL AT ALESSANDRO BOULEVARD AND MORENO BEACH DRIVE, PROJECT NO. 02-13768121 (Report of: Director of Public Works/City Engineer)
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.
- A10. FINAL MAP 29504 – EXECUTE A QUITCLAIM DEED TRANSFERRING THE CITY’S TITLE INTEREST IN A DRAINAGE EASEMENT TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, EAST SIDE OF LASSELLE STREET, NORTH OF FIR AVENUE (TRACT 29504, LLC) (Report of: Director of Public Works/City Engineer)
Recommendation: Authorize the Mayor to execute the Quitclaim Deed transferring the City’s title interest in the 20-foot wide drainage easement dedicated to the public over Lots 15 through 17 and 46 through 49 of Final Map 29504, recorded in Book 332, Pages 67-71, in the Official Records of Riverside County, California; and direct the City Clerk to forward the signed Quitclaim Deed to the Riverside County Flood Control and Water Conservation District.

- A11. FINAL MAP 23388 – REDUCE FAITHFUL PERFORMANCE BOND BY 90% AND ADOPT RESOLUTION NO. 2003-54, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE PUBLIC RIGHT OF WAY IMPROVEMENTS AS COMPLETE AND ACCEPTING STEPHENSON ST. INTO THE CITY MAINTAINED STREET SYSTEM (KB HOME GREATER LOS ANGELES, INC) (Report of: Director of Public Works/City Engineer)

Recommendation: Approve a 90% reduction to the Faithful Performance Bond for Final Map 23388; authorize the City Engineer to reduce the Faithful Performance Bond by 90%; and adopt Resolution No. 2003-54 authorizing the acceptance of the public right-of-way improvements for Final Map 23388 as complete and accepting Stephenson Street into the City Maintained Street System.

Resolution No. 2003-54

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 23388, and Accepting Stephenson Street into the City Maintained Street System

- A12. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR STREET IMPROVEMENTS ON ELSWORTH FROM SHERMAN AVENUE TO BAY AVENUE AND SHERMAN AVENUE FROM FARRAGUT AVENUE TO ELSWORTH STREET, PROJECT NO. 02-145688622; AND REQUEST ADOPTION OF RESOLUTION NO. 2003-53 (Report of: Director of Public Works/City Engineer)

Recommendation: Adopt the plans and specifications on file in the office of the City Engineer; authorize the City Clerk to advertise the project for construction bids; and adopt Resolution No. 2003-53, accepting the dedication for public use purposes Lot "B" (also shown as Elsworth Street) as dedicated on the Halverson Tract and direct the City Clerk to certify the acceptance of dedication as described within the resolution and tract.

Resolution No. 2003- 53

A Resolution of the City Council of the City of Moreno Valley, California, Accepting Offer of Dedication for Public Street and Utility Purposes and Accepting as Part of the City Maintained Street System

- A13. RE-DESIGNATION OF THE RIVERSIDE COUNTY RECYCLING MARKET DEVELOPMENT ZONE (Report of: Director of Community and Economic Development)
Recommendation: Adopt Resolution No. 2003-56 requesting the re-designation of Riverside County, including the City of Moreno Valley, as a Recycling Market Development Zone.

Resolution No. 2003-56

A Resolution of the City Council of the City of Moreno Valley, California, Supporting Re-Designation of the Riverside County Recycling Market Development Zone

- A14. PALM DESERT DEVELOPMENT COMPANY (PDDC) COTTONWOOD PLACE PHASE III FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Director of Community and Economic Development)
Recommendation: That the City Council approve gap financing up to \$750,000 HOME funds for Palm Desert Development Company for Cottonwood Place Phase III contingent upon the following condition that any reductions in the actual costs versus the estimated costs must be used to reduce Agency assistance on a dollar per dollar basis and that the City Council adopt Resolution 2003-57, A Resolution of the City of Moreno Valley regarding assistance to the Cottonwood Place Phase III housing development proposed by Palm Desert Development Company.

Resolution No. 2003-57

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Cottonwood Place Phase III Housing Development and Affirming its Intention to Provide Assistance to Heacock Cottonwood III, LP, a Subsidiary of the Palm Desert Development Company

- A15. PURCHASE OF THERMAL IMAGING CAMERAS FOR EMERGENCY SERVICES AGENCY FINES (CONTINUED FROM JUNE 24, 2003) (Report of: Interim Fire Chief)
Recommendation: Consider the purchase of the Thermal Imaging Camera from Emergency Services Agency Fines as part of the budget process.
- A16. EMPLOYEES ASSOCIATION MOU (Report of: City Manager)
(Material not available at time of printing; to be provided under separate cover)

- A17. CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY ADVISORY COMMITTEE (Report of: City Clerk)

Recommendation: Confirm the appointment of Cynthia Ward to the Traffic Safety Advisory Committee as the Val Verde Parent-Teacher Council representative for a term expiring June 30, 2006.

- A18. APPOINTMENT OF CITY MANAGER GENE ROGERS AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2003 ANNUAL CONFERENCE BUSINESS MEETING TO BE HELD WEDNESDAY, SEPTEMBER 10, 2003 - (No written material provided)

Recommendation: Appoint City Manager Gene Rogers as the City's voting delegate to the League of California Cities 2003 Annual Conference Business Meeting to be held on Wednesday, September 10, 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 – REGULAR MEETING OF JUNE 10, 2003 (Report of: City Clerk)

Recommendation: Approve as submitted.

- B3. EXTENSION OF CONTRACT – PROJECT NO D-SG1/01 – MAINTENANCE OF STANDARD STREETScape LANDSCAPING AND IRRIGATION (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the Amendment to the Contract Agreement for MVCSD Project D-SG1/01 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Excel Landscape, Inc., of Corona, California; and authorize the Purchasing Manager to issue open purchase orders to Excel Landscape, Inc. in the amounts of:

a.) TWO HUNDRED FOUR THOUSAND NINE HUNDRED EIGHTY-EIGHT DOLLARS AND 44/100 (\$204,988.44) for twelve months of base maintenance service, and;

b.) TWENTY-FOUR THOUSAND NINE HUNDRED THIRTY-ONE DOLLARS AND 05/100 (\$24,931.05) for anticipated Additional

Work per Section 3., paragraph d. of the amended agreement.

- B4. ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Director of Parks and Recreation)
Recommendation: Authorize the acceptance of grant monies in the amount of \$619,635 for fiscal year 2003/2004 from the California Department of Education, Child Development Division, for the purpose of providing school age childcare and development services and adopt Resolution No. CSD 2003-21 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2003/2004.

Resolution No. CSD 2003-21

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 Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004

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 – REGULAR MEETING OF JUNE 10, 2003 (Report of: City Clerk)
Recommendation: Approve as submitted.
- C3. PALM DESERT DEVELOPMENT COMPANY (PDDC) COTTONWOOD PLACE PHASE III FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Director of Community and Economic Development)
Recommendation: That the Redevelopment Agency Board approve gap financing up to \$750,000 Redevelopment Agency Housing Set aside for Palm Desert Development Company for Cottonwood Place Phase III contingent upon the following condition that any

reductions in the actual costs versus the estimated costs must be used to reduce Agency assistance on a dollar per dollar basis and that the Redevelopment Agency Board adopt Resolution RDA 2003-02, A Resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Cottonwood Place Phase III housing development proposed by Palm Desert Development Company.

Resolution No. RDA 2003-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Cottonwood Place Phase II Housing Development and Affirming its Intention to Provide Assistance to Heacock Cottonwood II, LP, a Subsidiary of the Palm Desert Development Company

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 FOR INCLUSION OF TENTATIVE TRACT 22709 (AND ALL AFFECTED PHASES) INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE E-8 (EASTGATE RANCH)-HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE PROGRAMS (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballot(s) for the CSD Zones B and E-8 programs;
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 CSD Zones B and E-8

charges.

D2. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT 30822 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM – SOUTH OF SANTA ROSA DRIVE, WEST OF MESA VERDE DRIVE AND NORTHEAST OF AVENIDA DE CALMA (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballot(s) for the CSD Zone B program;
2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing; and
3. Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
4. Authorize and impose the CSD Zone B charge.

D3. PUBLIC HEARINGS ON FORMATION PROCEEDINGS FOR COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) FOR NEW RESIDENTIAL DEVELOPMENTS AND ON FUTURE ANNEXATION PROCEEDINGS FOR THE DISTRICT (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council, acting in the capacity of President and Members of the Board of Directors of the City of Moreno Valley Community Services District:

1. After conducting the public hearing on the proposed formation of Community Facilities District No. 1 and the authorization to levy a special tax:
 - a. Adopt Resolution No. CSD 2003-23; A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Forming and Establishing Community Facilities District No. 1 and Authorizing the Submittal of the Levy of Special Taxes to the Qualified Electors thereof;

Resolution No. CSD 2003-23

A Resolution of the Board of Directors of the Moreno

Valley Community Services District of the City of Moreno Valley, California, Forming and Establishing Community Facilities District No. 1 and Authorizing the Submittal of the Levy of Special Taxes to the Qualified Electors Thereof

- b. Authorize staff to conduct the special election; and
- c. Adopt Resolution No. CSD 2003-24; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Declaring the Results of a Special Election in Community Facilities District No. 1.

Resolution No. CSD 2003-24

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Declaring the Results of a Special Election in Community Facilities District No. 1

- 2. If both measures receive the favorable 2/3's vote:

- a. Introduce and Adopt Ordinance No. CSD-40; an Urgency Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Levy of a Special Tax Within Community Facilities District No. 1 (Roll call required); and

Ordinance No. CSD 40

An Urgency Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Levy of a Special Tax Within Community Facilities District No. 1

- b. Introduce Ordinance No. CSD-41; an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Levy of a Special Tax Within Community Facilities District No. 1 (Roll call required)

Ordinance No. CSD 41

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California Authorizing the Levy of a Special Tax Within Community Facilities District No. 1

- 3. If the Urgency Ordinance is adopted by 4/5th of the Board:

- a. Adopt Resolution No. CSD 2003-25; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Determining the Amount of Special Taxes to be Levied Within Community Facilities District No. 1 for Fiscal Year 2003/2004.

Resolution No. CSD 2003-25

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Determining the Amount of Special Taxes to be Levied Within Community Facilities District No. 1 for Fiscal Year 2003/04

- 4. After conducting the public hearing on the proposed future annexation of territory to Community Facilities District No. 1:
 - a. Adopt Resolution No. CSD 2003-26; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, acting as the Legislative Body of Community Facilities District No. 1 Authorizing the Annexation of Territory in the Future to Community Facilities District No. 1.

Resolution No. CSD 2003-26

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 1 Authorizing the Annexation of Territory in the Future to Community Facilities District No. 1

- D4. PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS (“GANN”) LIMIT FOR THE CITY OF MORENO VALLEY FOR FY 2003-04 (Report of: Director of Finance/City Treasurer)
Recommendation: That the City Council adopt Resolution No. 2003-55, establishing an appropriations limit for the City of Moreno Valley for FY 2003-04, upon conducting a Public Hearing.

Resolution No. 2003-55

A Resolution of the City Council of the City of Moreno Valley, California, Establishing an Appropriations Limit for Fiscal Year 2003/04 and Taking Other Actions in Relation Hereto

- D5. PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS (“GANN”) LIMIT FOR THE

COMMUNITY SERVICES DISTRICT FOR FY 2003-04 (Report of: Director of Finance/City Treasurer)

Recommendation: That the City Council, acting in its capacity as the governing body of the Community Services District, adopt Resolution No. CSD 2003-22, establishing an appropriations limit for the Community Services District for FY 2003-04, upon conducting a Public Hearing.

Resolution No. CSD 2003-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Establishing an Appropriations Limit for Fiscal Year 2003/04 and Taking Other Actions in Relation Thereto

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

F. REPORTS

F1. PUBLIC MEETING TO PROVIDE COMMENT REGARDING ACCEPTANCE OF ONE EXISTING RESIDENTIAL STREETLIGHT ON WALNUT COURT INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Director of Public Works/City Engineer)

Recommendation: That the Mayor and City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley CSD, accept public comment regarding the proposed inclusion of an existing residential streetlight on Walnut Court into the CSD Zone B (Residential Street Lighting) program and the associated charge to fund the program costs for ongoing electrical energy, maintenance and administration services.

F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE) COMMERCIAL DEVELOPMENT ON THE EAST SIDE OF PERRIS BOULEVARD BETWEEN RED MAPLE LANE AND KRAMERIA AVENUE, ASSESSOR PARCEL NUMBERS 312-020-002, -003 AND 004 (A PORTION OF) (Report of: Director of Public Works/City Engineer)

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 inclusion of the Commercial Development into the CSD Zone M (Commercial/Industrial Improved Median Maintenance).

F3. ADOPTION OF FY 2003/2004 PROPOSED BUDGET AND RELATED ITEMS (Report of: Director of Finance/City Treasurer)
Recommendation: That the City Council:

1. Adopt Resolution of 2003-62, approving the Operating and Capital Budgets for the City of Moreno Valley for FY 2003-04, including all applicable adjustments and corrections pursuant to the Schedule of Budget Adjustments;

Resolution No. 2003-62

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2003/04

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2003-27, approving the Operating and Capital Budgets for the Community Services District of the City of Moreno Valley for FY 2003-04, including all applicable adjustments and corrections pursuant to the Schedule of Budget Adjustments;

Resolution No. CSD 2003-27

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2003/04

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, Adopt Resolution No. RDA 2003-03, approving the Operating and Capital Budgets for the Community Redevelopment Agency of the City of Moreno Valley for FY 2003-04, including all applicable adjustments;

Resolution No. RDA 2003-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2003/04

4. Acting in its capacity as President and Board of Directors of the Community Services District, approve the repayment of up to

\$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the President of the Board of Directors, and the delivery of the executed note to the Treasurer of the City;

5. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the Chairperson and Agency Members, and the delivery of said executed note to the Treasurer of the City;
6. Approve the FY 2003-04 Staffing Plan and Position Control Roster, which reflect the personnel allocations consistent with the adoption of the FY 2003-04 Budget.

F4. APPROVAL OF THE 2003 REVISED TEN-YEAR CAPITAL PLAN
(Report of: Director of Public Works/City Engineer)
Recommendation That the City Council:

1. Approve and adopt the 2003 Revised Ten-Year Capital Plan contingent upon FY 2003/2004 Budget revisions; and
2. By motion, make the following findings by reference to the 2003 Revised Ten-Year Capital Plan in accordance with the Mitigation Fee Act, that portion of each development impact fee fund remaining unexpended:
 - a. The purpose, to which each fee is to be put, has been fully identified.
 - b. A reasonable relationship between the fee and the purpose for which it is charged has been fully demonstrated.
 - c. All sources and amounts of funding anticipated to complete financing incomplete improvements as described in the Act have been adequately identified for those funds if used to finance public facilities, the

facilities have been identified in the plan and in other public documents which identify the public facilities for which the fee is charged.

- d. The approximate dates on which the funding, as determined by how a reasonable relationship between each fee's use and the type of development project on which each fee is imposed, is expected to be deposited into the appropriate fund, and/or expended for its defined purposes, have been designated.

F5. INTRODUCTION AND APPROVAL OF VARIOUS DOCUMENTS REQUIRED FOR THE PHASED IMPLEMENTATION OF THE CITY OF MORENO VALLEY MUNICIPAL ELECTRICAL UTILITY DISTRIBUTION SYSTEM (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council:

- 1) Approve Resolution No. 2003-58 establishing Rules, Fees, and Charges for the Moreno Valley Municipal Electrical Distribution System; and

Resolution No. 2003-58

A Resolution of the City Council of the City of Moreno Valley, California, Approving the City of Moreno Valley Rules, Fees and Charges for the Moreno Valley Municipal Utility Electrical Distribution System

- 2) Approve Resolution No. 2003-59 establishing a Standard Line Extension Agreement to facilitate installation of electrical distribution infrastructure; and

Resolution No. 2003-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Agreement for Extension of Electric Distribution Line (Rule 15) as Part of the Moreno Valley Municipal Utility Electrical Distribution System

- 3) Adopt Resolution No. 2003-60 authorizing the City Engineer to execute Electrical Distribution Line Extension Agreements; and

Resolution No. 2003-60

A Resolution of the City Council of the City of Moreno Valley,

California, Authorizing the City Engineer to Execute, on Behalf of the City Council, Agreement for Extension of Electric Distribution Line (Rule 15) as Part of the Moreno Valley Municipal Utility Electrical Distribution System

- 4) Introduce Ordinance No. 634 amending Title 3 of the City of Moreno Valley Municipal Code by Adding Chapter 3.46, Relating to Municipal Utility and Dedication Requirements (Roll call required).

Ordinance No. 634

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley

- F6. RESOLUTION SUPPORTING AREA CODE CHANGE (Report of: Assistant City Manager)
Recommendation: That the City Council approve Resolution No. 2003-61, establishing a position of support for authorization by the California Public Utilities Commission (CPUC) to add a new telephone area code in the geographic region currently served by the 909 area code.

Resolution No. 2003-61

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Addition of a New Telephone Area Code for Riverside and San Bernardino Counties

- F7. MARCH JOINT POWERS AUTHORITY LEASE PROPOSAL (NO WRITTEN MATERIAL ON THIS ITEM) (Report of: City Manager)
- F8. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: That the City Council receive, file and ratify the Legislative Status Report.
- F9. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

G. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- G1. ORDINANCE NO. CSD-38, AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING ORDINANCE NO. CSD-32, ESTABLISHING FEES FOR THE USE OF THE MORENO VALLEY TOWNGATE COMMUNITY CENTER (RECEIVED FIRST READING AND INTRODUCTION JUNE 24, 2003 ON A 4-0-1 VOTE, STEWART ABSENT) (Report of: Director of Parks and Recreation)
Recommendation: Adopt Ordinance No. CSD-38

Ordinance No. CSD-38

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Amending Ordinance No. CSD-32, Establishing Fees for the Use of the Moreno Valley Towngate Community Center

- G2. ORDINANCE NO. 632, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING ORDINANCE NOS. 210 AND 467, THEREBY AMENDING THE OFFICIAL ZONING ATLAS OF SAID CITY, CHANGING ZONES FROM SP 203 – BUSINESS PARK, GENERAL INDUSTRIAL, OFFICE PARK AND COMMERCIAL TO THE ZONING DESIGNATIONS UNDER THE MUNICIPAL CODE OF BUSINESS PARK, OFFICE AND COMMUNITY COMMERCIAL (RECEIVED FIRST READING AND INTRODUCTION JUNE 24, 2003 ON A 5-0 VOTE) (Report of: Community and Economic Development Director)
Recommendation: Adopt Ordinance No. 632

Ordinance No. 632

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Ordinance Nos. 210 and 467, Thereby Amending the Official Zoning Atlas of Said City, Changing Zones from SP203 – Business Park, General Industrial, Office Park, and Commercial to the Zoning Designations Under the Municipal Code of Business Park, Office, and Community Commercial

- G3. ORDINANCE NO. 633, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, MODIFYING THE PERMITTED USES TABLE TO ALLOW CONTRACTOR'S YARD WITH OFFICE WITHIN THE PERMITTED USES TABLE OF THE MUNICIPAL CODE, AND ESTABLISHING DEFINITIONS OF BOTH CONTRACTOR'S YARD AND CONTRACTOR'S YARD WITH OFFICE (RECEIVED FIRST READING AND

INTRODUCTION JUNE 24, 2003 ON A 5-0 VOTE) (Report of:
Director of Community and Economic Development)
Recommendation: Adopt Ordinance No. 633.

Ordinance No. 633

An Ordinance of the City Council of the City of Moreno Valley,
California, Modifying the Permitted Uses Table to Allow
Contractor's Yard with Office Within the Permitted Uses Table of
the Municipal Code, and Establishing Definitions of Both
Contractor's Yard and Contractor's Yard with Office

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(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
 - a) Case: *Efrain Garcia v. City of Moreno Valley*
Court: United States District Court
Case No.: EDCV 99-0310 RT (VAPx)
 - b) Case: *City of Moreno Valley v. Karen Smith Schuler, Marvin Schuler*
Court: Riverside Superior Court
Case No.: RIC 378953
- 2) SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: -2-
- 3) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Number of Cases: -2-
- 4) SECTION 54957.6 – LABOR NEGOTIATIONS
 - a) Agency Representative: Gene Rogers

Employee Organization: MVCEA

- b) Agency Representative: Gene Rogers
Employee Organization: MVMA

REPORT OF ACTION FROM CLOSED SESSION BY CITY ATTORNEY, IF ANY

ADJOURNMENT