

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

APRIL 27, 2004

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Proclamation Recognizing Teen Pregnancy Prevention Month - May 2004
2. Officer of the Quarter, Officer Bill Mooney
3. Firefighter of the Quarter, Captain Greg Burtt – Fire Station 48
4. Proclamation Recognizing Mental Health Month - May 2004
5. Recognition of the 7th Grade Moreno Valley National Junior Basketball All Star Team State Champions
6. Employee of the Quarter – Joe Lara
7. Proclamation Recognizing Financial Literacy Month
8. National Day of Prayer – May 6, 2004

**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 AND THE BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING - 6:30 P.M.
APRIL 27, 2004**

CALL TO ORDER (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 and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Derek Harris – Power in Praise Christian Ministries

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-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

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees 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. WARRANT REPORT (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2004-29, approving the Warrant Report, dated March 31, 2004 in the total amount of \$11,726,162.50.

Resolution No. 2004-29

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated March 31, 2004

A3. MINUTES – REGULAR MEETING OF APRIL 13, 2004 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

A4. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE POSTAL AVENUE AND BACK WAY SIDEWALK IMPROVEMENTS, PROJECT NO. 03-14668423 (Report of: Public Works Department)
Recommendation: Award the construction contract for the Postal Avenue and Back Way Sidewalk Improvements, Project No. 03-14668423, to Sol Construction, Inc., 19497 Hebron Court, Riverside, California 92508, the lowest responsible bidder; authorize the Mayor to execute a contract with Sol Construction, Inc.; and authorize the issuance of a Purchase Order for Sol Construction, Inc., in the amount of \$145,817.00 (the bid amount

plus 15% contingency) when the contract has been signed by all parties (Account No. 146.68423).

- A5. ADOPT RESOLUTION NO. 2004-30, DESIGNATING CITY CONSULTANTS, HDL COMPANIES AND MBIA MUNISERVICES AS AUTHORIZED CITY REPRESENTATIVES TO EXAMINE SALES AND USE TAX RECORDS (Report of: Finance Department)

Recommendation: Adopt Resolution No. 2004-30, authorizing city consultants, Hdl Companies and MBIA MuniServices, as the authorized city representatives to examine sales and use tax records.

Resolution No. 2004-30

A Resolution of the City Council of the City of Moreno Valley, Designating City Consultants as Authorized City Representatives to Examine Sales and Use Tax Records

- A6. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE FISCAL YEAR 2003-2004 ANNUAL SLURRY SEAL PROGRAM – PROJECT NO. 03-12584830 (Report of: Public Works Department)

Recommendation: Adopt the plans and specifications for the Fiscal Year 2003-2004 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.

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 APRIL 13, 2004 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

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 APRIL 13, 2004 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

- C3. CONSUMER LOAN PROGRAM REVISIONS (Report of: Community and Economic Development Department)
Recommendation: Approve an increase of the maximum sales price allowable for the Homebuyer Assistance Program (HAP) Loan from \$175,000 to 95% of the maximum allowable FHA single-family mortgage limit (currently \$244,150) making the Moreno Valley maximum sales price \$231,000; approve an increase in the maximum Homebuyer Assistance Program (HAP) Loan from \$20,000 (within Focused Neighborhood) and \$10,000 (outside the Focused Neighborhoods) to 20% of the sales price throughout the City; and approve an increase in the Homeowners Improvement Loan Program (HILP) from \$15,000 to \$40,000 and increase the allowable Loan to Value percentage from 90% to 100%.

- C4. SUNNYMEAD BOULEVARD IMPROVEMENTS: INTERVIEW PANEL FOR DESIGN CONSULTANT (Report of: Community and Economic Development Department)
Recommendation: Appoint two Board members to participate on the interview panel for the selection of the design consultant for the Sunnymead Boulevard street improvements project.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

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

- D2. MINUTES – REGULAR MEETING OF APRIL 13, 2004 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

- E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR TRACTS 19529 (SOUTH OF EUCALYPTUS AVENUE AND WEST OF GRAHAM STREET) AND 20072 (NORTH OF IRONWOOD AVENUE AND WEST OF MATHEWS ROAD) – COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) PROGRAM (Report of: Public Works Director)

Recommendation: That the Mayor and Members of 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), after conducting the public hearing:

1. Tabulate the mail ballots for the proposed CSD Zone D annual charges for Tracts 19529 and 20072;
2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and attached Assessor Parcel Number (APN) listing;
3. Receive and file with the City Clerk's Office the accepted Official Tally Sheet and attached APN listing; and
4. If approved, authorize and impose the proposed Zone D annual charges.

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

G. REPORTS

- G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation – not for Council action)
- G2. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE ENERGY COALITION (Report of: Assistant City Manager)

Recommendation: That the City Council:

1. Adopt Resolution No. 2004-31 authorizing the City to enter into a Memorandum of Understanding with the Energy Coalition, a California Non-Profit Corporation

Resolution No. 2004-31

A Resolution of the City Council of the City of Moreno Valley Authorizing the City to Enter into a Memorandum of Understanding with the Energy Coalition, A California

2. Approve the Memorandum of Understanding with the Energy Coalition to enter into the Community Energy Partnership project; and
3. Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City.

G3. ORDINANCE REGULATING SALES AND SPECIAL EVENTS IN PARKING LOTS (Report of: City Attorney's Department)

Recommendation: The City Attorney recommends that:

1. The City Council review Ordinance No. 664 regulating sales and special events in parking lots and take public comments regarding it.
2. The City Council, at its discretion, either:
 - a. Provide additional direction to staff and the City Attorney concerning the ordinance, or
 - b. Introduce Ordinance No. 664, "An Ordinance of the City Council of The City of Moreno Valley, California, Amending Sections 9.02.150 and 9.08.120 with Respect to Outdoor Sales of Merchandise and Adding Section 9.02.155 to the City of Moreno Valley Municipal Code Regulating Sales and Similar Events in Parking Lots."

Ordinance No. 664

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sections 9.02.150 and 9.08.120 with Respect to Outdoor Sales of Merchandise and Adding Section 9.02.155 to the City of Moreno Valley Municipal Code Regulating Sales and Similar Events in Parking Lots

G4. LEGISLATIVE UPDATE (Report of: Assistant City Manager)

Recommendation: That the City Council receive and file the report.

- G5. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. RDA 06, AN ORDINANCE OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE MORENO VALLEY REDEVELOPMENT PROJECT PURSUANT TO HEALTH AND SAFETY CODE SECTION 33333.2 (C). (RECEIVED FIRST READING AND INTRODUCTION APRIL 13, 2004 ON A 4-1 VOTE, COUNCIL MEMBER WHITE OPPOSING) (Report of: Community and Economic Development Department)
Recommendation: Adopt Ordinance No. RDA 06.

Ordinance No. RDA 06

An Ordinance of the Community Redevelopment Agency of the City of Moreno Valley, California, Amending the Redevelopment Plan for the Moreno Valley Redevelopment Project Pursuant to Health and Safety Code Section 33333.2 (c)

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 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: APN 297-210-026
14114 Business Park Drive.
City Negotiator: Barry McClellan

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-

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

ADJOURNMENT