

**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.
APRIL 25, 2006**

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 6:32 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Pastor Willie Behrends, Crosswinds Church of Moreno Valley

ROLL CALL

Council:

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

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Robert Gutierrez	City Manager
Betsy Adams	Interim Assistant City Manager
Linda Guillis	Community Development Director
William Di Yorio	Police Chief
Stan Lake	Fire Chief
George Guayante	Interim Public Works Director
Cynthia Pirtle	Director of Library Services
Terry Nielsen	Interim Parks and Recreation Director
Denese Wilson	Human Resources Director
Barry Foster	Economic Development Director
Angela Rushen	Interim Administrative Services Director

Approved by a unanimous vote to add item number G5 to the agenda regarding relocation of the Department of Motor Vehicles as the item came to the knowledge of the Council after the agenda was published. m/Batey, s/West.

AGENDA ORDER

E. PUBLIC HEARINGS

- E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 32625, BALLOTTED ITEMS: NPDES, CSD ZONE B AND CSD ZONE D; AND DELPHINIUM APARTMENTS - APN 484-242-016, BALLOTTED ITEM: CSD ZONE M (Report of: Public Works Department)
Recommendation: That the Mayor and Members of the City of Moreno Valley City Council, after conducting the public hearing:

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

- a) Tabulate the mail ballots for the NPDES maximum regulatory rate for Tentative Tract 32625 (and all the affected phases);

Directed the City Clerk to tabulate the ballots. Motion carried 5-0. m/Batey, s/West.

The City Clerk announced the results as follows:

NPDES – Tentative Tract 32625 – “Yes”

- b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;

Approved by a 5-0 vote. m/White, s/Batey.

- c) Receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and
- d) If approved, authorize and impose the NPDES maximum regulatory rate to Tentative Tract 32625.

Approved by a 5-0 vote. m/White, s/Batey.

Staff recommends that the Members of the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

Directed the Secretary to tabulate the CSD ballots. Motion carried 5-0. m/Batey, s/West.

- a) Tabulate the mail ballots for CSD Zone B (Residential Street Lighting) and Zone D (Parkway Landscape Maintenance) for Tentative Tract 32625 (and all the affected phases) and CSD Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance) for Delphinium Apartments – APN 484-242-016 (and any division thereof);

The Secretary announced the results as follows:

Zone B (Residential Street Lighting) – “Yes”

Zone D (Parkway Landscape Maintenance) – “Yes”

Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance) – “Yes”

- b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

Approved by a 5-0 vote. m/Stewart, s/West.

- c) Receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and
- d) If approved, authorize and impose the applicable CSD Zone B, Zone D and Zone M parcel charges to the participating projects.

Approved by a 5-0 vote. m/West, s/Stewart.

E2. PUBLIC HEARING TO CONSIDER COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) MAIL BALLOT PROCEEDINGS FOR THIRTY TRACTS (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 (the “CSD Board”), after conducting the public hearing:

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

1. Tabulate the mail ballots for the proposed CSD Zone D parcel charges for the thirty tracts;

Directed the Secretary to tabulate the ballots. Motion carried 5-0. m/White, s/Batey.

Item continued to a later time in the Council meeting to give the City Clerk the opportunity to tabulate the ballots.

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessors Parcel Number (APN) listing;
3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet and APN listing; and
4. If approved, authorize and impose the proposed CSD Zone D annual parcel charge for the thirty tracts.

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 Flickinger opened the agenda items for the Consent Calendars for public comments, there being none, public comments were closed.

A. CONSENT CALENDAR - CITY COUNCIL

- A1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.
- A2. APPROVAL OF THE 2006/2007 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)
Recommendation: Approve the County Service Area (CSA) 152 Budget for FY 2006/2007 in the amount of \$467,052; and authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2006/2007.

- A3. TRACT 29732 UTILITY ELECTRICAL INFRASTRUCTURE – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2006-41, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE UTILITY ELECTRICAL INFRASTRUCTURE AS COMPLETE AND ACCEPTING THE UTILITY ELECTRICAL INFRASTRUCTURE INTO THE CITY’S MAINTAINED SYSTEM, SUBDIVIDER - U.S. HOME CORPORATION, CORONA, CA (Report of: Public Works Department)

Recommendation: Adopt Resolution No. 2006-41 authorizing the acceptance of the Utility Electrical Infrastructure for Tract 29732 as complete and accepting the Utility Electrical Infrastructure into the City’s maintained system; and authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

Resolution No. 2006-41

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Utility Electrical Infrastructure as Complete within Tract 29732, and Accepting the Utility Electrical Infrastructure into the City’s Maintained System

- A4. TRACTS 27523-1 AND 27523-2 UTILITY ELECTRICAL INFRASTRUCTURE – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2006-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE UTILITY ELECTRICAL INFRASTRUCTURE AS COMPLETE AND ACCEPTING THE UTILITY ELECTRICAL INFRASTRUCTURE INTO THE CITY’S MAINTAINED SYSTEM, SUBDIVIDER - MORENO VALLEY CACTUS RANCH, LLC, TEMECULA, CA (Report of: Public Works Department)

Recommendation: Adopt Resolution No. 2006-42 authorizing the acceptance of the Utility Electrical Infrastructure for Tracts 27523-1 and 27523-2 as complete and accepting the Utility Electrical Infrastructure into the City’s maintained system; and authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

Resolution No. 2006-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Utility Electrical Infrastructure as Complete within Tract 27523-1 and 27523-2, and Accepting the Utility Electrical Infrastructure into the City's Maintained System

- A5. PARCEL MAP 23244 – PARCEL 15 – EXECUTE A QUITCLAIM OF EASEMENT TRANSFERRING THE CITY'S TITLE INTEREST IN A DRAINAGE EASEMENT TO THE UNDERLYING FEE PROPERTY OWNER, SOUTHWEST OF MORENO BEACH DRIVE AT AUTO MALL DRIVE, DEVELOPER - BROADSTONE AT VALLEY VIEW, LLC, PHOENIX, AZ (Report of: Public Works Department)
Recommendation: Authorize the Mayor to execute the Quitclaim of Easement transferring the City's title interest in the drainage easement recorded on Parcel Map 23244, filed on December 29, 1989, as Instrument No. 456975, in the Official Records of Riverside County, California; and direct the City Clerk to forward the signed Quitclaim of Easement to the County Recorder's Office for recordation.
- A6. RESOLUTION ENDORSING AND SUPPORTING PROPOSITION 81, THE 2006 CALIFORNIA STATE LIBRARY CONSTRUCTION BOND (Report of: Department of Library Services)
Recommendation: Adopt Resolution No. 2006-43 of the City Council of the City of Moreno Valley, California, endorsing and supporting Proposition 81, the 2006 California State Library Construction Bond.

Resolution No. 2006-43

A Resolution of the City Council of the City of Moreno Valley, California, Endorsing and Supporting Proposition 81, the 2006 California State Library Construction Bond

- A7. ORDINANCE 714 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING AND REENACTING CHAPTER 11.12 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE PROCESS OF OFFERING REWARDS, AS AMENDED (RECEIVED FIRST READING ON APRIL 11, 2006 ON A 5-0 VOTE) (Report of: Police Department)
Recommendation: Adopt Ordinance No. 714.

Ordinance No. 714

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing and Reenacting Chapter 11.12 of Title 11 of the City of Moreno Valley Municipal Code Relating to the Process of Offering Rewards

- A8. MINUTES - REGULAR MEETING OF APRIL 11, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A9. REPLACEMENT VEHICLE PURCHASE FOR POLICE DEPARTMENT (Report of: Police Department)
Recommendation: Approve the replacement of one 1992 Police Department Community Services van due to excessive repair costs; approve budget expenditures in the amount of \$21,557 from the Equipment Replacement Reserve Account, 757.99401.6641.645, for the purchase of one 2006 Ford van for the Police Department Community Services Unit; and award the purchase of one 2006 Ford van for the Police Department Community Services Unit and authorize the Finance Director to issue a purchase order to the lowest responsive bidder, Fairview Ford of San Bernardino, CA.
- A10. A RESOLUTION IMPLEMENTING THE PROVISIONS OF CALIFORNIA WELFARE AND INSTITUTIONS CODE §625.5, THEREBY AUTHORIZING THE CITY TO RECOUP THE LAW ENFORCEMENT COSTS OF IDENTIFYING, DETAINING AND TRANSPORTING MINORS WHO VIOLATE CURFEW ORDINANCES (Report of: City Attorney's Office)
Recommendation: Adopt Resolution No. 2006-45, implementing the provisions of California Welfare and Institutions Code §625.5, which authorizes the City to recoup the law enforcement costs of identifying, detaining and transporting minors who violate curfew ordinances.

Resolution No. 2006-45

A Resolution of the City Council of the City of Moreno Valley, California, Implementing the Provisions of California Welfare and Institutions Code §625.5, Authorizing the City to Recoup the Law Enforcement Costs of Identifying, Detaining and Transporting Minors who Violate Curfew Ordinances

- A11. PA02-0120 UTILITY ELECTRICAL INFRASTRUCTURE – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2006-46, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE UTILITY ELECTRICAL INFRASTRUCTURE AS COMPLETE AND ACCEPTING THE UTILITY ELECTRICAL INFRASTRUCTURE INTO THE CITY'S MAINTAINED SYSTEM, SUBDIVIDER – GALENA STREET DEVELOPMENT, LLC,

IRVINE, CA (Report of: Public Works Department)

Recommendation: Adopt Resolution No. 2006-46 authorizing the acceptance of the Utility Electrical Infrastructure for PA02-0120 as complete and accepting the Utility Electrical Infrastructure into the City's maintained system; and authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

Resolution No. 2006-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Utility Electrical Infrastructure as Complete within PA02-0120, and Accepting the Utility Electrical Infrastructure into the City's Maintained System

- A12. PA99-0002 – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NEW LIGHT WAY, SOUTH OF IRIS AVENUE, BETWEEN INDIAN STREET AND EMMA LANE, SUBDIVIDER – NEW LIGHT M.B.C., MORENO VALLEY, CA (Report of: Public Works Department)

Recommendation: Accept the Agreement and Bonds for Public Improvements; authorize the Mayor to execute the Agreement; direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A13. WARRANT REPORT – MARCH 31, 2006 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2006-47, approving the Warrant Report, dated March 2006, in the total amount of \$12,355,195.58.

Resolution No. 2006-47

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated March 31, 2006

- A14. 2006 LEGISLATIVE UPDATE (Report of: Interim Assistant City Manager)
Recommendation: Receive and file the informational report.

- A15. RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE \$71,000 ALLOCATED TO THE CITY (Report of: Community Development

Department)

Recommendation: Approve Resolution No. 2006-48 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the \$71,000 allocated to the City.

Resolution No. 2006-48

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the \$71,000 Allocation

- A16. APPROVAL OF TRACT MAP 31591 – SINGLE FAMILY RESIDENTIAL PROJECT, ACCEPT THE AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTHWEST CORNER OF EUCALYPTUS AVENUE AND MORRISON STREET, SUBDIVIDER – MVGH 2004, LLC, IRVINE, CA (Report of: Public Works Department)

Recommendation: Approve Tract Map 31519, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accept the Agreement and Bonds for Public Improvements; authorize the Mayor to execute the Agreement; direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A17. RESOLUTION 2006-49, RESCINDING AND RESTATING THE PROVISIONS OF RESOLUTION 2001-26 AUTHORIZING APPLICATION FOR ALL AVAILABLE OIL GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD ACT; AND RESOLUTION 2006-50, AUTHORIZING SUPPORT FOR REGIONAL OPPORTUNITY GRANTS AND COMPETITIVE GRANTS OFFERED BY THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD TO APPLICATIONS SUBMITTED BY RIVERSIDE COUNTY WASTE MANAGEMENT DEPARTMENT AND WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (Report of: Public Works Department)

Recommendation: Adopt Resolution 2006-49, rescinding and restating Resolution 2001-26 authorizing the application for all available oil grants under the California Integrated Waste Management Board Act; and adopt Resolution 2006-50, authorizing support for regional opportunity grants and competitive grants offered by the California Integrated Waste Management Board to applications submitted by Riverside County Waste Management Department and Western Riverside Council of Governments.

Resolution No. 2006-49

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding and Restating the Provisions of Resolution No. 2001-26 Authorizing Application for all Available Oil Grants under the California Integrated Waste Management Board Act

Resolution No. 2006-50

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Support to Riverside County Waste Management Department and Western Riverside Council of Governments to Apply for Regional Opportunity and Competitive Oil and Hazardous Waste Grants Offered by the California Integrated Waste Management Board Act

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. ORDINANCE CSD 51 – AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA - AMENDING ORDINANCE NO. CSD-49, ADDING FEES FOR THE USE OF THE CONFERENCE AND RECREATION CENTER DANCE STUDIO, GYMNASIUM, AND CELEBRATION PARK (RECEIVED FIRST READING ON APRIL 11, 2006 ON A 5-0 VOTE) (Report of: Parks and Recreation Department)

Recommendation: Adopt Ordinance No. CSD 51

Ordinance No. CSD 51

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Amending Ordinance No. CSD-49 by Adding Fees for the Use of the Moreno Valley Conference and Recreation Center Gymnasium, Dance Studio and Celebration Park

B3. ACCEPTANCE OF ONE TIME GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Recreation Department)

Recommendation: Authorize the acceptance of one time grant money in the

increased amended amount of \$6,068 for (FY) 2005/2006 from the California Department of Education, Child Development Division, for the purpose of purchasing School Age Resources for the child development program; and adopt Resolution No. CSD 2006-11 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of purchasing School Age Resources for the child development program and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2005/2006.

Resolution No. CSD 2006-11

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, 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 2005/06

- B4. MINUTES - REGULAR MEETING OF APRIL 11, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

- B5. COLLABORATIVE PARTNERSHIP FOR A FENCE IMPROVEMENT PROJECT AT SALAS BASE BALL FIELD, IN SUNNYMEAD PARK (Report of: Parks and Recreation Department)
Recommendation: Appropriate funds in the amount of \$34,450 from funding source 00205 – Parkland Facility Fee, to match funding of \$34,450 from Riverside County Supervisor Marion Ashley, for a grand total of \$68,900 for the Salas Field fence improvement project, located at Sunnymead Park.

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 APRIL 11, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

- C3. REQUIRED PROPERTY TAX REVENUE PAYMENT TO RIVERSIDE COUNTY'S EDUCATIONAL REVENUE AUGMENTATION FUND (ERAF) (Report of: Economic Development Department)
Recommendation: Approve the required shift of Agency property tax revenue to the State of California's Education Revenue Augmentation Fund (ERAF)

for the 2005-2006 fiscal year and direct staff to forward the payment in the amount of \$682,411 to the Riverside County Auditor; and appropriate \$73,046 from RDA Fund Balance to 895.91510.6723.728 to cover the shortfall.

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. MINUTES - REGULAR MEETING OF APRIL 11, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- D3. RESOLUTION ENDORSING AND SUPPORTING PROPOSITION 81 THE 2006 CALIFORNIA STATE LIBRARY CONSTRUCTION BOND (Report of: Department of Library Services)
Recommendation: Adopt Resolution No. BLT 2006-01 of the City Council of the City of Moreno Valley, California, endorsing and supporting Proposition 81, the 2006 California State Library Construction Bond.

Resolution No. BLT 2006-01

A Resolution of the Board of Library Trustees of the City of Moreno Valley, Endorsing and Supporting Proposition 81, the 2006 California State Library Construction Bond

Joint Consent Calendar Items A2 – D3 approved by a 5-0 vote. m/Wests/Batey.

E. PUBLIC HEARINGS

- E3. ADOPTION OF FY 2006-07 FEE RESOLUTION AND FEE SCHEDULE (Report of: Finance Department)
Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the Proposed FY 2006-07 Fee Schedule; and

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

2. Adopt Resolution No. 2006-51, approving the Fee Schedule for FY 2006-07.

Resolution No. 2006-51

A Resolution of the City Council of the City of Moreno Valley, California, Increasing and Establishing Specified Fees for Various Services; Maintaining the Present Level of Certain Fees; Reducing the Level of Certain Fees; and Incorporating Certain Prior Enactments

Approved by a 5-0 vote. m/Batey, s/West.

- E4. A PUBLIC HEARING REGARDING A RESOLUTION RESCINDING AND RE-STATING RESOLUTION NOS. 2005-102 AND 2005-116 REGARDING THE FEE STRUCTURES FOR RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL DEVELOPMENT IMPACT FEES FOR ARTERIAL STREETS (Report of: Public Works Department)
Recommendation: That the City Council:
1. Conduct a public hearing regarding a resolution to rescind and re-state Resolution Nos. 2005-102 and 2005-116 regarding the fee structures for residential, commercial, and industrial impact fees to receive public testimony; and
 2. Upon close of the public hearing, defer consideration of the proposed resolution to May 9, 2006.

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

Approved by a 5-0 vote. m/Batey, s/West.

- E5. RESOLUTION AND ORDINANCE REGARDING THE TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM AMENDMENT (Report of: Public Works Department)
Recommendation: That the City Council:
1. Introduce the proposed Ordinance No. 719 repealing and re-enacting Chapter 3.44 of the City of Moreno Valley Municipal Code authorizing participation in the Western Riverside County Transportation Uniform Mitigation Fee Program; and

Ordinance No. 719

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing and Re-enacting Chapter 3.44 of Title 3 of the City of Moreno Valley Municipal Code, Authorizing Participation in the Western Riverside County Transportation Uniform Mitigation Fee Program

2. Accept public testimony but take no action on Resolution No. 2006-52, authorizing the City of Moreno Valley to implement the policies and procedures established in the Western Riverside County Transportation Uniform Mitigation Program Nexus Study, 2005 Update.

Resolution No. 2006-52

A Resolution of the City Council of the City of Moreno Valley Amending the Transportation Uniform Mitigation Fee (TUMF) Applicable to all Developments in the City of Moreno Valley

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

Approved by a 5-0 vote to introduce Ordinance No. 719. m/Stewart, s/Batey.

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

G. REPORTS

G1. G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

- a.) Report on March Joint Powers Authority by Council Member Stewart

Council Member Stewart stated that Mr. Evans' final report regarding the possible reorganization and improvements to the Authority should be received on Tuesday. Once received, the report will be hand carried to the Board of Supervisors and when the report has been received by all of the Supervisors it will then be released to the media. The report is being done in a way that states recommendations, similar to the format of a staff report. He has asked this be placed on the MJPA agenda for May 17.

G2. INTRODUCE ORDINANCE NO. 716 DESIGNATING SPEED LIMIT

RECERTIFICATION ON VARIOUS STREETS (CONTINUED FROM APRIL 11, 2006) (Report of: Public Works Department)
Recommendation: That the City Council:

1. Receive and file the report; and
2. Introduce Ordinance No. 716, 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 respect thereto. (Roll call required)

Ordinance No. 716

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

Continued to the Council meeting of May 9, 2006.

**RECESS;
RECONVENE**

- G3. ORDINANCE IMPLEMENTING RENTAL HOUSING INSPECTION PROGRAM (CONTINUED FROM APRIL 11, 2006) (Report of: Community Development Department)
Recommendation: Approve the Rental Housing Inspection Program; and introduce Ordinance No. 717 to add Chapter 6.12, Rental Housing Inspection Program to the Moreno Valley Municipal Code.

Ordinance No. 717

An Ordinance of the City Council of the City of Moreno Valley, California, Adding Chapter 6.12 to the City of Moreno Valley Municipal Code Establishing a Rental Housing Inspection Program, Including Inspection Fees

Mayor Flickinger opened the agenda item for public comments. Public comments were received from: Teresa Harness (opposes); John V. Giardinelli (disagrees with the mechanism of the program); Ryan Smith (supports goals but opposes mechanism); John Esquivel (opposes); and Karen Fricke (opposes).

Approved by a unanimous vote to continue to Study Session of June

20, 2006 and to the first Council meeting after Council recess. m/White, s/Batey.

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

Daryl Terrell

1) Teeter Fund distribution to City possibly being used to fund City programs

G4. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

City Manager Gutierrez announced that he learned today that MVTV3 has won four Pegasus Awards – this brings the total amount of awards won by MVTV3 to 21 overall - congratulations to MVTV3 staff!

AGENDA ORDER

E2. PUBLIC HEARING TO CONSIDER COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) MAIL BALLOT PROCEEDINGS FOR THIRTY TRACTS (Report of: Public Works Department) **(CONTINUED FROM EARLIER IN THE MEETING)**

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 (the “CSD Board”), after conducting the public hearing:

The Secretary announced the following tracts passed:

- 12902
- 16768
- 17334
- 19541
- 19862
- 19937
- 20030
- 20120
- 20404
- 20715
- 20718
- 20941
- 21345
- 21737

22277
22371
22882

The Secretary announced the following tracts failed:

15433
18784/20906
19032
19143
19517
19799
19912
20272
21332
21616
22093
22276
23046

5. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessors Parcel Number (APN) listing;

Approved by a 5-0 vote. m/White, s/Batey.

6. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet and APN listing; and
7. If approved, authorize and impose the proposed CSD Zone D annual parcel charge for the thirty tracts.

Approved by a 5-0 vote. m/White, s/Batey.

G5. COUNCIL DISCUSSION REGARDING RELOCATION OF THE DEPARTMENT OF MOTOR VEHICLES

Mayor Flickinger announced that the Department of Motor Vehicles office on Box Springs Road in Riverside is moving to Spruce Street for 18 months and then will go to permanent facility on Sycamore Canyon. The Governor's office put the City in touch with the cabinet level gentleman in charge of the DMV. Also heard from Assemblyman Beniot regarding the issue. The DMV can provide a portable DMV "travel center" which can provide all services except for the driving test. This would be available one day per week and would be staffed with three employees. The Council will work at getting the DMV to

locate a permanent facility in Moreno Valley.

H. LEGISLATIVE ACTIONS

RESOLUTIONS

H1. AB 1020 BICYCLE TRANSPORTATION PLAN (Report of: Public Works Department)
Recommendation: Review the AB Bicycle Transportation Plan; and adopt Resolution No. 2006-44

1. Approving the proposed Bicycle Transportation Plan and certifying that it has been prepared in accordance with Section 891.2 of the Streets and Highway Code;
2. Authorizing the Director of Public Works/City Engineer to seek funding for bikeway projects on the AB 1020 Bicycle Transportation Plan priority list; and
3. Authorizing the Director of Public Works/City Engineer to submit the approved AB 1020 Bicycle Transportation Plan to the appropriate reviewing agencies for approval.

Resolution No. 2006-44

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Certifying the AB 1020 Bicycle Transportation Plan; and Authorizing the Public Works Director/City Engineer to Seek Funding for Bikeway Projects and Submit said Plan to the Appropriate Reviewing Agencies for Approval

Approved by a 5-0 vote. m/Stewart, s/White.

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

Council Member Batey

- 1) Announced the Air Show will be here this weekend and there may be some traffic issues
- 2) Thanked Public Works and Economic Development staff for working with Supervisor Ashley's office for helping to bring a new business to town by January 2007 – also thanked City Manager
- 3) Wished his wife a "Happy Birthday"
- 4) May 1 – Immigration protest will start at Community Park at 10:00 am – would like to see some control on negative traffic impact and trash being tossed

Mayor Pro Tem White

- 1) Suggested moving up items to earlier on the agenda to allow involved staff members to leave in a timely manner

Council Member Stewart

- 1) Stated one of the Thunderbirds pilots is a female – this is a first
- 2) Kudos to the Police Department for arrest today of two burglary suspects – shows the need to have sufficient units in the City
- 3) Would like the Noise Ordinance enforced by the Police Department

Council Member West

- 1) Questions from constituents and colleagues regarding the bottleneck at the 60/215 West Interchange – had a meeting with Riverside County Transportation Commission Executive Director and staff – the bridge that is being reconstructed over the railroad tracts has caused the traffic lanes to merge down to one which is causing the congestion – this will be approximately until the fall of 2007 – would like the RCTC reps to make a presentation and answer questions at a future Study Session to advise the public of the situation

Mayor Flickinger – no comments

CLOSED SESSION

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

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:05 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:

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

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