



AGENDA
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

June 9, 2009

REGULAR MEETING – 6:30 P.M.

City Council Closed Session

First Tuesday of each month – 6:00 p.m.

City Council Study Sessions

Third Tuesday of each month – 6:00 p.m.

City Council Meetings

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor Pro Tem
Jesse L. Molina, Council Member

Richard A. Stewart, Mayor

Robin N. Hastings, Council Member
William H. Batey II, Council Member

**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 PM
JUNE 9, 2009**

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, 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 John Milhouse, Calvary Chapel of Moreno Valley

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.)

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 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.

JOINT CONSENT CALENDARS (SECTIONS A-D)

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 or discussion will be heard after public hearing items.

A CONSENT CALENDAR - CITY COUNCIL

A .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A .2 MINUTES - REGULAR MEETING OF MAY 26, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A .3 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:

Review and approve the annual Agreements for Services with the three local Chambers of Commerce – The Moreno Valley Chamber of Commerce, the Moreno Valley Hispanic Chamber of Commerce and the Moreno Valley Black Chamber of Commerce.

A .4 APPROVE AND ADOPT RESOLUTION NO. 2009-50 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2009-50 Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Interchange Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2009-50

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State

Route 60/Nason Street Interchange Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

- A .5 ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, Project No. 06-12566625.

- A .6 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4- MAINTENANCE FOR FISCAL YEAR 2009/10 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4–Maintenance approve and adopt Resolution No. 2009-52 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of Community Facilities District No. 4-Maintenance (“CFD No. 4-M”) as set forth in the Annual Special Tax Report.

Resolution No. 2009-52

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 4-Maintenance

A .7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2009/10 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

Resolution No. 2009-53 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Annual Special Tax Report; and

Resolution No. 2009-53

A Resolution of the City Council of the City of Moreno Valley, California, Accepting And Approving the Annual Special Tax Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 5

2. Resolution No. 2009-54 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

Resolution No. 2009-54

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A .8 FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH NORRIS REPKE, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional

Consultant Services” with Norris Repke, Inc. (Norris Repke), 400 North Tustin Ave., Suite 230, Santa Ana, CA 92705, to provide Professional Consultant Services and increase the agreement amount by the “not to exceed” fee of \$295,000;

2. Authorize the City Manager to execute said “First Amendment to Agreement for Professional Consultant Services” with Norris Repke; and
3. Authorize a Change Order to the Purchase Order to Norris Repke in the amount of \$295,000 when “First Amendment to Agreement for Professional Consultant Services” has been signed by all parties. (Account No. 501.82725).

A .9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) (“CFD No. 3”), approve and adopt Resolution No. 2009-55 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2009/10, on file in the office of the City Treasurer.

Resolution No. 2009-55

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A .10 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) (“CFD No. 87-1”) approve and adopt the

following:

Resolution No. 2009-56 to accept and approve the Special Tax Report for fiscal year (FY) 2009/10 regarding CFD No. 87-1; and

Resolution No. 2009-56

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 87-1 (Towngate)

2. Resolution No. 2009-57 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

Resolution No. 2009-57

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

- A .11 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

Resolution No. 2009-58 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2009/10 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2009-58

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 87-1

(Towngate) Improvement Area No. 1

2. Resolution No. 2009-59 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2009-59

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 For Community Facilities District No. 5

- A .12 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL IMPROVEMENTS COTTONWOOD AVENUE AT PATTILYNN DRIVE INTERSECTION PROJECT NO. 09-12566628 (Report of: Public Works Department)

Recommendation:

1. Grant R&M Electrical Contracting's request for relief of a bid proposal due to a mistake made in filling out the bid;
2. Award the construction contract for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection to Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519, the lowest responsible bidder;
3. Authorize the City Manager to execute a contract with Pouk & Steinle, Inc.;
4. Authorize the issuance of a Purchase Order to Pouk & Steinle, Inc. in the amount of \$168,245 (bid amount \$146,300 plus 15% contingency of \$21,945) when the contract has been signed by all parties;
5. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Pouk & Steinle, Inc. up to but not to exceed the Purchase Order

contingency of \$21,945; and

6. Authorize the Public Works Director/City Engineer to incrementally accept completed portions of work and pay retainage based on the acceptance of said work in accordance with Public Contract Code, Section 7107.

**A .13 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES
(Report of: City Clerk's Department)**

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of May 20 – June 2, 2009.

**A .14 SECOND AMENDMENT TO CITY ATTORNEY'S EMPLOYMENT
AGREEMENT (Report of: Human Resources)**

Recommendation:

Staff recommends that the City Council approve the Second Amendment to the Employment Agreement with the City Attorney.

B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

**B .2 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 -
MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION
- MORENO VALLEY RANCH-EAST (Report of: Public Works
Department)**

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;
2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and
3. Authorize the Purchasing Manager, on July 1, 2009, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

a.) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS (\$192,223.20) for twelve months of base maintenance service, and;

b.) THIRTEEN THOUSAND SEVEN HUNDRED FIFTEEN AND 00/100 DOLLARS (\$13,715.00) for anticipated Additional Work per Section 5. of the Extension Agreement.

B .3 EXTENSION OF CONTRACT - PROJECT NO. D-SG1-E/07 - MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCS D Project D-SG1-E/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCS D Board to execute said Amendment with TruGreen LandCare of Riverside, California, and;

3. Authorize the Purchasing Manager, on July 1, 2009, to issue open purchase orders to TruGreen LandCare in the amounts of:

a.) ONE HUNDRED THIRTY-THREE THOUSAND TWO HUNDRED SIXTY AND 96/100 DOLLARS (\$133,260.96) for twelve months of base maintenance service; and

b.) FOURTEEN THOUSAND FOUR HUNDRED FIVE AND 00/100 DOLLARS (\$14,405.00) for anticipated Additional Work per Section 5. of the Extension Agreement.

B .4 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2009/10 (Report of Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD

2009-15 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 1.

Resolution No. CSD 2009-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2009/10 Regarding Community Facilities District No. 1

- B .5 RECOMMENDATION TO APPROVE CONTRACT MOWING OF PARKS AND EASEMENTS 2009-2010 OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 PARKS AND EASEMENTS TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve Contract Mowing of Parks and Easements 2009-2010, of Community Services District ("CSD") Zone A and Community Facilities District ("CFD") #1 parks and easements to DLS Landscape, Inc., Redlands, CA, in the total amount of \$148,680.00 (\$122,760.00 for CSD Zone A and \$25,920.00 for CFD #1);
2. Authorize the Mayor to execute the Contract Mowing of Parks and Easements 2009-2010, with the above-mentioned contractor in a form and substance acceptable to the City Attorney; and
3. Authorize the Financial & Administrative Services Director to issue a purchase order upon execution of the Contract Mowing of Parks and Easements 2009-2010 to the above-mentioned contractor not to exceed \$148,680.00. Funds are available in CSD Zone A account 161.76310.6261 and CFD #1 account 184.18410.6261.

- B .6 MINUTES - REGULAR MEETING OF MAY 26, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

C CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C .2 MINUTES - REGULAR MEETING OF MAY 26, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

D CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D .2 MINUTES - REGULAR MEETING OF MAY 26, 2009 (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.

E .1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR NINE TRACTS (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing:

Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 17334, 18512/21322, 18784/20906, 18930, 19852, 20715, 21616, 22277, and 31284;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor's 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 increase in the CSD Zone D annual charge for Tracts 17334, 18512/21322, 18784/20906, 18930, 19852, 20715, 21616, 22277, and 31284.

E .2 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING FOR A PROPOSED INCREASE IN THE CSD ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR ZONE E-3 (MORENO VALLEY RANCH-WEST) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing:

Direct the City Clerk ("CSD Board Secretary") to tabulate the CSD Zone E ballots received and report the results at the conclusion of the tallying, or at the next regular meeting of the CSD Board in accordance with adopted policies and procedures for mail ballot proceedings; and
2. After receiving the report of the CSD Board Secretary:
 - a. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;
 - b. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
 - c. If approved, authorize and impose the CSD Zone E charge for Zone E-3 (Moreno Valley Ranch-West).

E .3 PUBLIC HEARING REGARDING A MAIL BALLOT PROCEEDING FOR A PROPOSED CHARGE INCREASE FOR THE COMMUNITY

SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING)
PROGRAM (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacities as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), after conducting the public hearing to accept public comment:

Direct the City Clerk (the "CSD Board Secretary") to tabulate the CSD Zone B (Residential Street Lighting) ballots received and report the results at the conclusion of the tallying, or at the next regular meeting of the CSD Board in accordance with adopted policies and procedures for mail ballot proceedings; and

2. After receiving the report of the CSD Board Secretary:
 - a. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet, and APN listing;
 - b. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
 - c. If approved, authorize and impose the CSD Zone B charge.

E .4 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2009/10 (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing to approve and; Adopt Resolution No. CSD 2009-05 (Zone A);

Resolution No. CSD 2009-05 (Zone A)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2009/2010

2. Adopt Resolution No. CSD 2009-06 (Zone B);

Resolution No. CSD 2009-06 (Zone B)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2009/2010

3. Adopt Resolution No. CSD 2009-07 (Zone C);

Resolution No. CSD 2009-07 (Zone C)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2009/2010

4. Adopt Resolution No. CSD 2009-08 (Zone D);

Resolution No. CSD 2009-08 (Zone D)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2009/2010

5. Adopt Resolution No. CSD 2009-09 (Zone E);

Resolution No. CSD 2009-09 (Zone E)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2009/2010

6. Adopt Resolution No. CSD 2009-10 (Zone E1A);

Resolution No. CSD 2009-10 (Zone E-1A)

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2009/2010

7. Adopt Resolution No. CSD 2009-11 (Zone E-3A);

Resolution No. CSD 2009-11 (Zone E-3A)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2009/2010

8. Adopt Resolution No. CSD 2009-12 (Zone E-4A);

Resolution No. CSD 2009-12 (Zone E-4A)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2009/2010

9. Adopt Resolution No. CSD 2009-13 (Zone M);

Resolution No. CSD 2009-13 (Zone M)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/ Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2009/2010

10. Adopt Resolution No. CSD 2009-14 (Zone S);

Resolution No. CSD 2009-14 (Zone S)

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2009/2010

- E .5 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2009/2010 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and
2. Adopt Resolution No. 2009-51

Resolution No. 2009-51

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll.

F ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G REPORTS

- G .1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES
- a) Report by Council Member Robin N. Hastings on Western Riverside Council of Governments (WRCOG) and Riverside County Habitat Conservation Agency (RCHCA)
- G .2 EMWD WATER EFFICIENCY PRESENTATION (POWERPOINT)
- G .3 PUBLIC MEETING REGARDING A MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT MAP 32711 BALLOTING FOR NPDES AND CSD ZONE B (Report of: Public Works Department)

Recommendation: That the City Council:

1. Accept public comments regarding the mail ballot proceeding for Tentative Tract Map (TTM) 32711 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum residential regulatory rate; and
2. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for TTM 32711 for inclusion into and approval of the annual parcel charge for CSD Zone B (Residential Street Lighting).

- G .4 PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2009-10
(Report of: Financial & Administrative Services)

Recommendation:

Receive and file the Proposed Operating Budget for Fiscal Year 2009-10.

- G .5 DISCUSSION REGARDING BROADCASTING OF JUNE 16, 2009
REGULAR STUDY SESSION (ORAL DISCUSSION)

- G .6 CITY MANAGER'S REPORT (Informational Oral Presentation - not
for Council action)

H LEGISLATIVE ACTIONS

- H .1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE
- H .2 ORDINANCES - 2ND READING AND ADOPTION - NONE
- H .3 ORDINANCES - URGENCY ORDINANCES - NONE
- H .4 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**

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

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 City Manager's 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: *ENCO Utility Services v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC478023

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: Robert G. Gutierrez
Employee Organization: MVCEA
- b) Agency Representative: Robert G. Gutierrez
Employee Organization: MVMA

- c) Agency Representative: Robert G. Gutierrez
Employee Organization: Moreno Valley Confidential
Management Employees

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

ADJOURNMENT