

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

**AUGUST 24, 2004**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS - 6:00 p.m.**

1. Employee of the Quarter – Debi Caskey
2. Officer of the Quarter - Vance Stolte
3. Firefighter of the Quarter – Mike Arizaga
4. National Award of Merit - Exterior Beautification Program – Hildegarde Street  
Isa Rojas  
Glenn Waggoner
5. Proclamation Recognizing National Immunization Awareness Month

**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.  
AUGUST 24, 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 Robert Mink, Discovery Christian 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-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 – JULY 31, 2004 (Report of: Finance Department)  
Recommendation: Adopt Resolution No. 2004-60, approving the Warrant Report, dated July 31, 2004 in the total amount of \$9,143,129.42.  

Resolution No. 2004-60

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated July 31, 2004
  
- A3. MINUTES – REGULAR MEETING OF JULY 13, 2004 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
  
- A4. MINUTES – SPECIAL MEETING OF JULY 6, 2004 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
  
- A5. MEMORANDUM OF UNDERSTANDING (MOU) WITH COUNTY OF RIVERSIDE REGARDING RECEIPT OF FINES FROM EMERGENCY MEDICAL SERVICE PROVIDER (CONTINUED FROM JUNE 22, 2004) (Report of: Assistant City Manager)  
Recommendation: Approve the MOU with the County of Riverside regarding receipt of fines from the emergency medical service provider.

- A6. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2004 (Report of: Finance Department)

Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.

- A7. REQUEST FOR STREET NAME CHANGES – ADOPT RESOLUTION NO. 2004-61, A RESOLUTION OF THE CITY COUNCIL CHANGING THE STREET NAME OF NEWHOPE STREET TO VETERANS WAY, BETWEEN CACTUS AVENUE AND ALESSANDRO BOULEVARD AND ADOPT RESOLUTION NO. 2004-62, A RESOLUTION OF THE CITY COUNCIL CHANGING THE STREET NAME OF BUSINESS CENTER DRIVE TO NEWHOPE DRIVE, BETWEEN ELSWORTH STREET AND NEWHOPE STREET (Report of: Public Works Department)

Recommendation: Adopt Resolution No. 2004-61, and thereby change the street name of Newhope Street to Veterans Way, between Cactus Avenue and Alessandro Boulevard; adopt Resolution No. 2004-62, and thereby change the street name of Business Center Drive to Newhope Drive, between Elsworth Street and Newhope Street; and direct the City Clerk to certify said resolutions and transmit a copy of the resolutions to the Riverside County Assessor's office, Chief of Police, Fire Chief, City Building Official, and the United States Postmaster at Moreno Valley, California.

Resolution No. 2004-61

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Newhope Street to Veterans Way, Between Cactus Avenue and Alessandro Boulevard

Resolution No. 2004-62

A Resolution of the City Council of the City of Moreno Valley, California, Changing the Name of Business Center Drive to Newhope Drive, Between Elsworth Street and Newhope Street

- A8. APPOINTMENT OF COUNCIL MEMBER BONNIE FLICKINGER AS THE CITY'S VOTING DELEGATE AND CITY MANAGER GENE ROGERS AS THE CITY'S ALTERNATE VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2004 ANNUAL CONFERENCE BUSINESS MEETING TO BE HELD SUNDAY, SEPTEMBER 19, 2004 (Oral Presentation only – No written material provided)

Recommendation: Appointment of Council Member Bonnie Flickinger as the City's voting delegate and City Manager Gene Rogers as the City's alternate voting delegate to the League of California Cities 2004 Annual Conference Business Meeting to be held Sunday, September 19, 2004.

A9. EXTENSION OF PLANNING COMMISSION TERMS (Report of: City Clerk's Department)

Recommendation: Extend the four Planning Commission terms that expire on January 1, 2005, to such time as new appointments are made.

A10. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AT COTTONWOOD AVENUE AND MORENO BEACH DRIVE, PROJECT NO. 02-12566922 (Report of: Public Works Department)

Recommendation: Accept the work as complete for the traffic signal at Cottonwood Avenue and Moreno Beach Drive, constructed by Macadee Electrical Construction, 14771 Cherry Circle, Chino Hills, California 91709; direct the City Clerk to record the Notice of Completion within ten (10) calendar 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 Macadee Electrical Construction 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.

A11. AGREEMENT FOR STREET LIGHTING SERVICE MORENO VALLEY UTILITIES SYSTEMS SCHEDULE SL – STREET LIGHTING SERVICE (Report of: Public Works Department)

Recommendation: Review and approve the Agreement for Street Lighting Service, Moreno Valley Utilities System, SL – Street Lighting Service (the "Agreement"), between the City of Moreno Valley and the Moreno Valley Community Services District (CSD) for the purpose of funding City owned and operated arterial and residential streetlights through a portion of revenues collected through CSD Zones B (Residential) and C (Arterial) parcel charges.

A12. APPROVE DESIGN COOPERATIVE AGREEMENT WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE ROUTE 60/NASON INTERCHANGE IMPROVEMENT PROJECT, PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation: Approve the Design Cooperative Agreement with Caltrans for the design phase of the Route 60/Nason

Interchange Improvement Project and authorize the Mayor to execute the Design Cooperative Agreement with Caltrans.

- A13. MAIL BALLOT PROCEEDINGS FOR TRACTS 27593, 29920 AND 31319 (AND ALL THEIR AFFECTED PHASES) FOR: 1) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE AND 2) INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND APPROVAL OF THE ANNUAL CHARGE.  
MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31431 (AND ALL AFFECTED PHASES) FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE (Report of: Public Works Department)  
Recommendation: Accept public comments regarding the mail ballot proceedings for Tentative Tracts 27593, 29920, 31319, and 31431 (and all their affected phases) for approval of the National Pollutant Discharge Elimination System (NPDES) regulatory rate schedule.
- A14. FOLLOW-UP REPORT – INSTALLATION OF 4-WAY STOP SIGNS AT MORENO VALLEY BEACH DRIVE/CACTUS AVENUE INTERSECTION (Report of: Public Works Department)  
Recommendation: Approve the installed 4-way stop signs at the intersection of Moreno Beach Drive/Cactus Avenue as an interim traffic control measure prior to the installation of the traffic signal.
- A15. APPROVAL OF PARCEL MAP 32469 - SOUTHEAST CORNER OF LASSELLE STREET AND IRIS AVENUE - SUBDIVIDER - EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)  
Recommendation: Approve Parcel Map 32469; authorize the City Clerk to sign the map, and transmit said map to the County Recorder's Office for recordation.
- A16. APPROVAL OF RESOLUTION NO. 2004-63, SUMMARY VACATION OF PORTIONS OF THE EQUESTRIAN TRAIL WITHIN FINAL MAP 30300-2 AND PARCEL MAP 22701 - SOUTH SIDE OF KRAMERIA AVENUE, EAST OF LASSELLE STREET - SUBDIVIDER – MVR-MORENO VALLEY, LP, CARLSBAD, CA 92008 (Report of: Public Works Department)  
Recommendation: Adopt Resolution No. 2004-63, summarily vacating portions of the equestrian trail within Final Map 30300-2 and Parcel Map 22701; and direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County

Recorder's Office for recordation.

Resolution No. 2004-63

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Portions of the Equestrian Trail within Final Map 30300-2 and Parcel Map 22701

- A17. RATIFICATION OF AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON – GRAHAM STREET INTERCONNECTION FACILITY (Report of: Public Works Department)  
Recommendation: Ratify the following agreements between Southern California Edison and the City of Moreno Valley for the Graham Street Interconnection Facility: Graham Street Wholesale Distribution Load Interconnection Facilities Agreement and Service Agreement for Wholesale Distribution Service – Graham Street
- A18. AUTHORIZATION OF CREDIT BID AT SHERIFF'S FORECLOSURE SALE FOR THREE (3) DELINQUENT PROPERTIES LOCATED WITHIN ASSESSMENT DISTRICT 87-4 (CENTERPOINTE) (Report of: Public Works Department)  
Recommendation: Adopt Resolution No. 2004-64 to approve the purchase of certain Centerpointe properties via credit bid to facilitate economic development.

Resolution No. 2004-64

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Purchase of Certain Centerpointe Properties via Credit Bid to Facilitate Economic Development

- A19. APPROVAL OF RESOLUTION NO. 2004-65, SUMMARY VACATION OF PORTIONS OF GLOBE STREET AND OLEANDER AVENUE PUBLIC RIGHT-OF-WAY - EAST OF PERRIS BOULEVARD, NORTH OF THE OLEANDER CHANNEL (Report of: Public Works Department)  
Recommendation: Adopt Resolution No. 2004-65, summarily vacating portions of Globe Street and Oleander Avenue public right-of-way located east of Perris Boulevard, north of the Oleander Channel; and direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

Resolution No. 2004-65

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

California, Ordering the Summary Vacation of Portions of Globe Street and Oleander Avenue Public Right-of-Way

A20. MARCH JOINT POWERS AGREEMENT AMENDMENT #8 (CONTINUED FROM JULY 13, 2004) (Report of: Community and Economic Development Department)

Recommendation: Approve the following proposed amendments to the Joint Powers Agreement between the Cities of Moreno Valley, Perris and Riverside and the County of Riverside relating to the use and reuse of March Air Force Base:

- a) to require only the vote of five members for the transaction of business, rather than six, as currently required;
- b) to grant March Joint Powers Authority (MJPA) the power to issue bonds;
- c) to grant MJPA the power to tax; and
- d) to grant MJPA the power to exercise eminent domain predicated on the opinion issued by the MJPA General Counsel, that the City reserves it's right to veto actions of eminent domain within or contiguous to its boundaries, as stated in Section 12 of the MJPA Agreement.

A21. MARCH JOINT POWERS AGREEMENT AMENDMENT #9 (Report of: Community and Economic Development Department)

Recommendation: Approve Amendment #9 to the Joint Powers Agreement between the Cities of Moreno Valley, Perris and Riverside and the County of Riverside relating to the use and reuse of March Air Force Base to enable the Joint Powers Authority to perform the land use review for the expansion of Air Force Village West.

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

Recommendation: Approve as submitted.



- B3. MINUTES – SPECIAL MEETING OF JULY 6, 2004 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- B4. APPROVE RESOLUTIONS AND FILING OF GRANT APPLICATIONS FOR PROPOSITION 40 GRANT FUNDING (Report of: Parks and Recreation Department)  
Recommendation:
1. Approve the filing of an application for local assistance funds in the amount of \$644,000 to be funded from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002;
  2. Adopt Resolution No. CSD 2004-19 to certify the approval of the governing board to enter into this transaction with the California Department of Parks and Recreation for the purpose of applying for grant funding from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2003/2004, 2004/2005, and 2005/2006.

Resolution No. CSD 2004-19

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 for the City of Moreno Valley Parks and Recreation Department to Apply for Grant Funds for the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004, 2004/2005 and 2005/2006

3. Approve the filing of an application for local assistance funds in the amount of \$396,430 to be funded from the Roberti-Z'Berg-Harris Open Space and Recreation Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.
4. Adopt Resolution No. CSD 2004-20 to certify the approval of the governing board to enter into this transaction with the California Department of Parks and Recreation for the purpose of applying

for grant funding from the Roberti-Z'Berg-Harris Urban Open Space and Recreation Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2003/2004, 2004/2005, and 2005/2006.

Resolution No. CSD 2004-20

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 for the City of Moreno Valley Parks and Recreation Department to Apply for Grant Funds for the Roberti-Z'Berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and to Authorize Designated Personnel to Sign Contract Documents for FY 2003/2004, 2004/2005 and 2005/2006

- B5. AGREEMENT FOR STREET LIGHTING SERVICE MORENO VALLEY UTILITIES SYSTEMS SCHEDULE SL – STREET LIGHTING SERVICE (Report of: Public Works Department)  
Recommendation: Review and approve the Agreement for Street Lighting Service, Moreno Valley Utilities System, SL – Street Lighting Service (the “Agreement”), between the City of Moreno Valley and the Moreno Valley Community Services District (CSD) for the purpose of funding City owned and operated arterial and residential streetlights through a portion of revenues collected through CSD Zones B (Residential) and C (Arterial) parcel charges.
- B6. MAIL BALLOT PROCEEDINGS FOR TRACTS 27593, 29920 AND 31319 (AND ALL THEIR AFFECTED PHASES) FOR: 1) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE AND 2) INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND APPROVAL OF THE ANNUAL CHARGE.  
MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31431 (AND ALL AFFECTED PHASES) FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE (Report of: Public Works Department)  
Recommendation: Accept public comments regarding the mail ballot proceedings for Tentative Tracts 27593, 29920 and 31319 (and all their affected phases) for inclusion into CSD Zone B

(Residential Street Lighting) and approval of the annual charge.

- B7. TRACT 30233-1 – APPROVE GRANT OF EASEMENT TO VERIZON WITHIN LOT ‘A’ – EQUESTRIAN TRAIL AND FIRE ACCESS ROAD - SOUTHEAST CORNER OF JOHN F. KENNEDY DRIVE AND CHAMPIONSHIP DRIVE (Report of: Public Works Department)

Recommendation: Approve the Easement Deed granting to Verizon an easement within Lot ‘A’ – Equestrian Trail and Fire Access Road of Tract 30233-1; authorize the President to execute the Easement Deed; and direct the City Clerk to forward the signed Easement Deed to Verizon for their acceptance of the easement and recordation.

- B8. APPROVE OFFER OF DEDICATION TO THE CITY OF MORENO VALLEY FOR TRAFFIC SIGNAL OPERATION AND MAINTENANCE - NORTHEAST CORNER OF JOHN F. KENNEDY DRIVE AND CHAMPIONSHIP DRIVE (Report of: Public Works Department)

Recommendation: Approve the Offer of Dedication dedicating to the City of Moreno Valley an easement and right of way at the northeast corner of John F. Kennedy Drive and Championship Drive for traffic signal operation and maintenance; authorize the President to execute the Offer of Dedication; and direct the City Clerk to forward the signed Offer of Dedication to the County Recorder’s Office for recordation.

**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 JULY 13, 2004 (Report of: City Clerk)

Recommendation: Approve as submitted.

- C3. MINUTES – SPECIAL MEETING OF JULY 6, 2004 (Report of: City Clerk)

Recommendation: Approve as submitted

- C4. AUTHORIZATION OF AGREEMENT FOR PURCHASE AND THE CONVEYANCE OF TITLE TO ASSESSOR’S PARCEL NUMBER 481-084-016 AT THE SOUTHWEST CORNER OF SHEILA STREET AND FILAREE AVENUE (Report of: Community and

Economic Development Department)

Recommendation: Authorize the Chairman to execute the agreement of Purchase and Sale of the above-described parcel; authorize the Chairman to execute escrow instructions and other documents as may be necessary to convey title to the parcel described above; appropriate funds from the Shelia Street program shown as account number 894.91310.6833 not to exceed \$430,000 and authorize the Finance Director to wire transfer funds necessary to escrow to complete conveyance of title to the parcel described above; and authorize the acceptance of title to the above-described parcel in accordance with the Agreement and direct the City Clerk to certify to the acceptance and place said certification in escrow for recordation with the original grant deed when the escrow is complete.

- C5. MORENO VALLEY RECREATION AND CONFERENCE CENTER – APPROVE OFFER OF DEDICATION FOR EASEMENT AND RIGHT OF WAY FOR PUBLIC UTILITY PURPOSES - SOUTH SIDE OF ALESSANDRO BOULEVARD, 200' WEST OF FREDERICK STREET (Report of: Public Works Department)

Recommendation: Approve the Offer of Dedication dedicating an easement and right of way for public utility purposes for property located on the Moreno Valley Recreation and Conference Center site; authorize the Chairman to execute the Offer of Dedication; and direct the City Clerk to forward the signed Offer of Dedication to the County Recorder's Office for recordation.

**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 JULY 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 TENTATIVE TRACTS 30708 AND 30924 (AND ALL THE AFFECTED PHASES) INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING); AND APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE (Report of: Public Works Department)

Recommendation: That the City Council and the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballots for Tentative Tracts 30708 and 30924 for each described service;
2. Verify and accept the results of the mail ballot proceedings 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 applicable CSD charge and the NPDES regulatory rate for Tentative Tracts 30708 and 30924 (and all affected phases)

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

**G. REPORTS**

**G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES**

- a. Report on March Joint Powers Authority (MJPA) by Mayor Pro Tem Stewart

**G2. WOODEN FENCE REPLACEMENT/DEMONSTRATION PROJECT (Report of: Community and Economic Development Department)**

Recommendation: That the Board of Directors of the Community Redevelopment Agency:

1. Authorize the implementation of the Fence Replacement/Demonstration Project;
2. Approve program documents as provided in Exhibits C through E; and

3. Authorize the City Manager, in the capacity of the Executive Director of the Redevelopment Agency, to execute related program documents as required once the program is in full operation.
- G3. APPOINTMENTS TO THE ACCESSIBILITY APPEALS BOARD, RECREATIONAL TRAILS BOARD AND SENIOR CITIZENS BOARD (Report of: City Clerk's Department)  
 Recommendation: That the City Council, after reviewing the ballots provided by the City Clerk:
1. Appoint James Edward White to the Accessibility Appeals Board as a Physically Challenged Representative for a term expiring June 30, 2007;
  2. Appoint two members to the Recreational Trails Board for terms expiring June 30, 2007;
  3. Appoint two members to the Senior Citizens' Board for a term expiring June 30, 2006 and for a term expiring June 30, 2007; or
  4. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.
- G4. RESOLUTION DEDICATING SURPLUS UTILITIES REVENUES TO POLICE AND FIRE (Report of: City Manager)  
 Recommendation: Staff recommends approval of the resolution that would dedicate surplus utilities revenues, when they are available, to Police and Fire. This policy is consistent with Council's priority to provide enhanced funds for fire and police services.

Resolution No. 2004-66

A Resolution of the City Council of the City of Moreno Valley, California, Committing and Dedicating Any and All Excess Revenues from the City's Electric Utility to Fire and Police Services for the City of Moreno Valley

- G5. 20<sup>th</sup> BIRTHDAY CELEBRATION PLANS (Report of: Administrative Services Department)  
 Recommendation: That the City Council receive and file the report on the preliminary plans for the City of Moreno Valley's 20<sup>th</sup> Birthday Celebration.
- G6. LEGISLATIVE UPDATE (Report of: Assistant City Manager)  
 Recommendation: That the City Council receive and file the report.

- G7. 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. 664 ORDINANCE REGULATING SALES AND SPECIAL EVENTS IN PARKING LOTS, (AMENDING SECTION 9.02.150 AND 9.08.120 WITH RESPECT TO TEMPORARY USES AND OUTDOOR SALES OF MERCHANDISE (RECEIVED FIRST READING AND INTRODUCTION ON JULY 13, 2004 ON A 5-0 VOTE) (Report of: City Attorney's Department)  
Recommendation: Adopt Ordinance No. 664.

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 Temporary Uses and Outdoor Sales of Merchandise

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
- 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**