

**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.
OCTOBER 25, 2005**

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 – Dr. Adrienne Reeves, Baha’is Faith 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.) 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. MINUTES - REGULAR MEETING OF OCTOBER 11, 2005 (Report of: City Clerk)
Recommendation: Approve as submitted.
- A3. WARRANT REPORT – SEPTEMBER 30, 2005 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2005-93, approving the Warrant Report, dated September 2005, in the total amount of \$6,034,806.06.

Resolution No. 2005-93

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated September 30, 2005

- A4. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR: PANDA EXPRESS RESTAURANT - APN 291-110-041, EAST SIDE OF DAY STREET, NORTH OF GATEWAY DR FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE AND MIMI'S CAFÉ - APN 291-110-042, EAST SIDE OF DAY STREET, SOUTH OF CAMPUS PARKWAY 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 Panda Express Restaurant – APN 291-110-041 (and any division thereof) and Mimi’s Café – APN 291-110-042 (and any division thereof) for approval of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate Schedule.

- A5. CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS), GRANT FUNDING OPPORTUNITY (Report of: Police Department)
Recommendation: Approve the application to apply for the OTS Grant in the amount of \$64,998.80, entitled 2006, “Click it or Ticket” campaign. This will allow the MVPD to provide directed enforcement during the statewide campaign. This campaign will coincide with the Memorial Day Holiday period next year and will be related to seatbelt and child safety seat usage.

- A6. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR IRIS AVENUE/INDIAN AVENUE 12 KV ELECTRICAL DISTRIBUTION SYSTEM (VAL VERDE MIDDLE SCHOOL). PROJECT NO. 05-00100 (Report of: Public Works Department)
Recommendation: Adopt the plans and specifications that are on file in the office of the City Engineer; and authorize the City Clerk to advertise the project for construction bids.

- A7. APPROVE BUDGET APPROPRIATION TO MORENO VALLEY UTILITIES BUDGET AND ESTABLISH A NEW CAPITAL PROJECT BUSINESS UNIT WITHIN THE MORENO VALLEY UTILITIES (Report of: Public Works Department)
Recommendation: Approve a budget appropriation to Moreno Valley Utilities (MVU) in the amount of \$4,088,000; and establish a new capital projects business unit (601.61225.7200) within the MVU budget.

- A8. APPROVE CONTINUING APPROPRIATIONS AND BUDGET ADJUSTMENTS/CORRECTIONS FOR FY 2005-06 AND FINAL BUDGET ADJUSTMENTS FOR FY 2004-05 (Report of: Public Works Department)
Recommendation: Approve the continuing appropriations for FY 2005-06 as presented on Attachment “A”, the budget adjustments/corrections to the FY 2005-06 Budget as presented on Attachment “B” and the final budget adjustments to the FY 2004-05 Budget as presented on Attachment “C”.

- A9. TRACT 30318 – APPROVE GRANT DEED TO BEAZER HOMES HOLDING CORPORATION FOR A PORTION OF PARCEL 1, EAST SIDE OF LASSELLE STREET, SOUTH OF KRAMERIA

AVENUE, SUBDIVIDER - BEAZER HOMES HOLDING CORPORATION, 1100 TOWN & COUNTRY, SUITE 100, ORANGE, CA 92868 (Report of: Public Works Department)

Recommendation: Approve the granting of a portion of Parcel 1 of Tract 30318 to Beazer Homes Holding Corporation; authorize the Mayor to execute the Grant Deed; and direct the City Clerk to forward the signed Grant Deed to Fidelity National Title Company for processing and forwarding to the County Recorder's office for recordation.

- A10. APPROVAL OF PARCEL MAP 32392, NORTHWEST CORNER OF CACTUS AVENUE AND COMMERCE CENTER DRIVE, SUBDIVIDER – GERMANIA CORPORATION, 14340 ELSWORTH STREET, SUITE 108, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation: Approve Parcel Map 32392, authorize the City Clerk to sign the map, and transmit said map to the County Recorder's Office for recordation.

- A11. APPROVAL OF PARCEL MAP 31174, SOUTHEAST CORNER OF DRACAEA AVENUE AND LASSELLE STREET, SUBDIVIDER – CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, 50 EAST NORTH TEMPLE STREET, 11TH FLOOR, SALT LAKE CITY, UT 84150 (Report of: Public Works Department)

Recommendation: Approve Parcel Map 31174, authorize the City Clerk to sign the map, and transmit said map to the County Recorder's Office for recordation.

- A12. RESOLUTION DELEGATING AUTHORITY TO CITY MANAGER TO ADJUST RATES, FEES AND CHARGES FOR MORENO VALLEY UTILITIES (Report of: Public Works Department)

Recommendation: Adopt Resolution No. 2005-103 delegating authority to the City Manager to adjust rates, fees and charges of Moreno Valley Utilities to correspond to those of Southern California Edison for comparable services.

Resolution No. 2005-103

A Resolution of the City Council of the City of Moreno Valley, California, Delegating Authority to the City Manager to Adjust Rates, Fees and Charges of Moreno Valley Utilities to Correspond to those of Southern California Edison for Comparable Services

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 OCTOBER 11, 2005 (Report of: City Clerk)
Recommendation: Approve as submitted.
- B3. RECOGNITION OF PAST MORENO VALLEY GOLF CLUB MEMBERS AT TEE BOXES AND NAMING OF PUTTING GREEN AT COTTONWOOD GOLF CENTER (Report of: Parks and Recreation Department)
Recommendation: Allow for the recognition of past Moreno Valley Golf Club members on tee boxes and the naming of the putting green at the Cottonwood Golf Center requested by the Moreno Valley Golf Club.
- B4. COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) - ANNEXATION NO. 2005-9 (Report of: Public Works Department)
Recommendation: Adopt Resolution No. CSD 2005-19; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1").

Resolution No. CSD 2005-19

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

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 OCTOBER 11, 2005 (Report of: City Clerk)
Recommendation: Approve as submitted.

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 OCTOBER 11, 2005 (Report of: City Clerk)
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. A PUBLIC HEARING ON THE FOLLOWING LAND USE PROPOSALS: (Report of: Community Development Department)

Project 1: General Plan Amendment (PA04-0165) from (O) Office and (PR) Planned Residential to (R5) Residential 5, and a Zone Change (PA04-0164) from (O) Office and (PD) Planned Development to (R5) Residential 5, and Tentative Tract Map No. 32548 (PA04-0163) to subdivide the approximately 36.24 net acres of land into 142 single-family residential lots located on the southeast corner of Alessandro Boulevard and Nason Street. The residential lots range in size from 7,200 square feet to 13,065 square feet;

Project 2: General Plan Amendment (PA04-0185) from (PR) Planned Residential to (RA2) Residential Agriculture 2, and a Zone Change (PA04-0184) from (PD) Planned Development to (RA2) Residential Agricultural 2, and Tentative Tract Map No. 32654 (PA04-0086) to subdivide the approximately 18.1 net acres of land into 32 single-family residential lots located on the southeast corner of Brodiaea Avenue and Nason Street. The residential lots range in size from 20,000 square feet to 23,739 square feet.

Recommendation: Staff recommends that the City Council:

- 1. Conduct a public hearing for review of Project 1 and defer taking action on Project 1 until after the public hearing for Project 2;
- 2. Conduct a public hearing for review of Project 2;

3. Adopt a Negative Declaration for Project 1 applications PA04-0165 (General Plan Amendment), PA04-0164 (Zone Change), and PA04-0165 (Tentative Tract Map No. 32548). The projects, individually and cumulatively, will not result in a significant effect on the environment;
4. Adopt a Negative Declaration for Project 2 applications PA04-0185 (General Plan Amendment), PA04-0184 (Zone Change), and PA04-0086 (Tentative Tract Map No. 32654). The projects, individually and cumulatively, will not result in a significant effect on the environment;
5. Approve Resolution No. 2005-99 approving PA04-0165 and PA04-0185, thereby establishing General Plan Land Use Map designations for Projects 1 and 2 as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibits A and B;

Resolution No. 2005-99

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA04-0165) Changing the Designation for Assessor's Parcel Numbers 486-260-002, 486-260-007, 486-260-010 and 486-260-011 from (O) Office and (PR) Planned Residential to (R5) Residential; Up to 5 Dwelling Units Per Net Acre for Approximately 36.24-Net Acres of Land Located on the Southeast Corner of Alessandro Boulevard and Nason Street; and a General Plan Amendment (PA04-0185) Changing the Land Use Designation for Assessor's Parcel Numbers 486-290-001 and 486-290-002 from (PR) Planned Residential to (RA2) Residential Agriculture; Up To 2 Dwelling Units Per Net Acre for Approximately 18.1-Net Acres Of Land Located on the Southeast Corner Of Nason Street and Brodiaea Avenue, thereby Establishing General Plan Land Use Map Designations for Certain Properties as Described in the Resolution, and the Revised General Plan Maps as Attached to the Resolution as Exhibits A and B

6. Introduce Ordinance No. 699 approving Project 1 Zone Change (PA04-0164) from (O) Office and (PD) Planned Development to (R5) Residential 5, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

Ordinance No. 699

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA04-0164 (Zone Change) to Change the Land Use From (O) Office and (PD) Planned Development to (R5) Residential for Approximately 36.24-Net Acres of Land Assessor's Parcel Numbers 486-260-002, 486-260-007, 486-260-010, and 486-260-011 Located at the Southeast Corner of Alessandro Boulevard and Nason Street

7. Introduce Ordinance No. 700 approving Project 2 Zone Change (PA04-0184) from (PD) Planned Development to (RA2) Residential Agricultural 2, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

Ordinance No. 700

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA04-0184 (Zone Change) to Change the Land Use from (PD) Planned Development to (RA2) Residential Agriculture 2 for Approximately 18.1-Net Acres of Land Assessor's Parcel Numbers 486-290-001 and 486-290-002 Located at the Southeast Corner of Nason Street and Brodiaea Avenue

8. Approve Resolution No. 2005-100 approving Project 1 Tentative Tract Map No. 32548 (PA04-0163), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2005-100

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA04-0163 (Tentative Tract Map No. 32548), to Subdivide 36.24-Net Acres of Land Assessor's Parcel Numbers 486-260-002, 486-260-007, 486-260-010, and 486-260-011 into 142 Single-Family Residential Lots Located on the Southeast Corner of Alessandro Boulevard and Nason Street

9. Approve Resolution No. 2005-101 approving Project 2 Tentative Tract Map No. 32654 (PA04-0086), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No. 2005-101

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA04-0086 (Tentative Tract Map No. 32654), to Subdivide 18.1-Net Acres of Land Assessor's Parcel Numbers 486-290-001 and 486-290-002 into 32 Single-Family Residential Lots Located on the Southeast Corner of Nason Street and Brodiaea Avenue

- E2. A PUBLIC HEARING ON THE PLANNING COMMISSION'S SEPTEMBER 8, 2005 APPROVAL RECOMMENDATION OF A MUNICIPAL CODE AMENDMENT (PA05-0056) TO INCLUDE CHANGES TO VARIOUS SECTIONS ADDRESSING LIGHTING STANDARDS; APPROVAL PROCEDURES FOR TENTATIVE TRACT MAPS AND RELATED NOTICING REQUIREMENTS; THE DEFINITION OF A BOARDING HOUSE; AND RESIDENTIAL DEVELOPMENT STANDARDS REQUIRING A "BUFFER" OF LOTS DESIGNED TO THE R3 ZONE STANDARDS FOR ALL R5 ZONED DEVELOPMENT LOCATED ADJACENT TO LOWER DENSITY RESIDENTIAL LAND USE DISTRICTS (Report of: Community Development Department)

Recommendation: That the City Council conduct a public hearing for review of the recommended action taken by the Planning Commission to approve Municipal Code Amendment PA05-0056, and subsequent to the public hearing:

1. Recognize that PA05-0056 (Municipal Code Amendment) as a minor alteration to land use limitations, is exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption; and
2. Introduce City Council Ordinance No. 698 approving PA05-0056 (Municipal Code Amendment), based on the findings in City Council Ordinance No. 698.

Ordinance No. 698

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Municipal Code Amendment (PA05-0056) to Include Changes to Lighting Requirements; Approval Procedures for Tentative Maps and Related Noticing Requirements; the Definition of a Boarding House; and the Residential Development Standards Requiring a "Buffer" of R3 Lots for all R5 Zoned Development Located Adjacent to any Lower Density Residential Land Use Districts

E3. APPEAL OF PLANNING COMMISSION APPROVAL OF MULTI-FAMILY PROJECT (PA05-0074) (CONTINUED FROM 10/11/05) (Report of: Community Development Department)

Recommendation: That the City Council deny the appeal and take to following actions:

1. Adopt a Negative Declaration for PA05-0074, in that the project will not have the potential for a significant impact on the environment; and
2. Approve Plot Plan PA05-0074, based on the Findings contained in the Planning Commission Resolution 2005-45, and the Conditions of Approval as modified by Planning Commission at their August 11, 2005 meeting.

E4. CONTINUATION OF THE PUBLIC HEARING FOR THE MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 31257 BALLOTTED ITEMS: CSD ZONE B, ZONE D AND THE NPDES RATE SCHEDULE; AND TENTATIVE TRACT 31591 BALLOTTED ITEMS: CSD ZONE B, ZONE D AND THE NPDES RATE SCHEDULE – LOCATIONS OF THE PROJECTS ARE LISTED IN THE BODY OF THE STAFF REPORT (Report of: Public Works Department)

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

1. Tabulate the mail ballots for each described service for Tentative Tracts 31257 and 31591 (and all their affected phases);
2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and the 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 Zones B and D charges and the NPDES maximum regulatory rate to the projects participating in each identified program.

E5. PUBLIC HEARING ON FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 4 - INFRASTRUCTURE OF THE CITY OF MORENO VALLEY (Report of: Public Works Department)

Recommendation:

1. That the City Council after conducting the Public Hearing:
 - A. Approve and adopt Resolution No. 2005-94; a Resolution of the City Council of the City of Moreno Valley, California, forming and establishing Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley and authorizing submittal of a levy of special taxes within such Community Facilities District to the qualified electors thereof;

Resolution No. 2005-94

A Resolution of the City Council of the City of Moreno Valley, California, Forming and Establishing Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley and Authorizing Submittal of a Levy of Special Taxes Within such Community Facilities District to the Qualified Electors thereof

- B. Approve and adopt Resolution No. 2005-95; a Resolution of the City of Moreno Valley, California, determining the necessity to incur a bonded indebtedness for Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley, submitting to the qualified electors of such Community Facilities District separate propositions to authorize the levy of a special tax therein, to authorize such Community Facilities District to incur a bonded indebtedness secured by the levy of such special tax to finance certain public facilities and to establish an appropriations limit for such Community Facilities District, and giving notice thereon; and

Resolution No. 2005-95

A Resolution of the City Council of the City of Moreno Valley, California, determining the necessity to incur a bonded indebtedness for Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley, Submitting to the Qualified Electors of such Community Facilities District Separate Propositions to

Authorize the Levy of a Special Tax therein, to Authorize such Community Facilities District to Incur a Bonded Indebtedness Secured by the Levy of Such Special Tax to Finance Certain Public Facilities and to Establish an Appropriations Limit for such Community Facilities District, and Giving Notice thereon

- C. Direct staff to canvass the ballots received and report the results of the special election to the City Council.
2. Staff recommends that the City Council, acting as the legislative body of Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley:
- A. Approve and adopt Resolution No. 2005-96; a Resolution of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley, declaring the results of a special election in such Community Facilities District; and

Resolution No. 2005-96

A Resolution of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley, declaring the results of a special election in such Community Facilities District

- B. Introduce Ordinance No. 696; an Ordinance of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley, authorizing the levy of a special tax in such Community Facilities District (ROLL CALL REQUIRED)

Ordinance No. 696

An Ordinance of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley, Authorizing the Levy of a Special Tax in such Community Facilities District

E6. PUBLIC HEARING ON FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 4 - MAINTENANCE OF THE CITY OF MORENO VALLEY (Report of: Public Works Department)

Recommendation:

1. That the City Council after conducting the Public Hearing:
 - A. Approve and adopt Resolution No. 2005-97; a Resolution of the City Council of the City of Moreno Valley, California, forming and establishing Community Facilities District No. 4 – Maintenance of the City of Moreno Valley and authorizing submittal of levy of special taxes to the qualified electors thereof; and

Resolution No. 2005-97

A Resolution of the City Council of the City of Moreno Valley, California, Forming and Establishing Community Facilities District No. 4 – Maintenance of the City of Moreno Valley and Authorizing Submittal of Levy of Special Taxes to the Qualified Electors thereof

- B. Direct staff to canvas the ballots received and report the results of the special election to the City Council.
2. Staff recommends that the City Council, acting as the legislative body of Community Facility District No. 4 – Maintenance of the City of Moreno Valley:
 - A. Approve and adopt Resolution No. 2005-98; a Resolution of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 4 – Maintenance of the City of Moreno Valley, declaring the results of a special election in Community Facilities District No. 4 – Maintenance of the City of Moreno Valley; and

Resolution No. 2005-98

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of the Community Facilities District No. 4 - Maintenance of the City of Moreno Valley, Declaring the Results of

a Special Election in Community Facilities District No. 4 – Maintenance of the City of Moreno Valley

- B. Introduce Ordinance No. 697; an Ordinance of the City Council of the City of Moreno Valley, California, acting as the legislative body of Community Facilities District No. 4 – Maintenance of the City of Moreno Valley, authorizing the levy of a special tax within such community facilities district (ROLL CALL REQUIRED)

Ordinance No. 697

An Ordinance of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 4 – Maintenance of the City of Moreno Valley, Authorizing the Levy of a Special Tax within such Community Facilities District

- E7. PUBLIC HEARING ON FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 5 OF THE CITY OF MORENO VALLEY (Report of: Public Works Department)
Recommendation:

- 1. That the City Council after conducting the Public Hearing:
 - A. Approve and adopt Resolution No. 2005-104: a Resolution of the City Council of the City of Moreno Valley, California, forming and establishing Community Facilities District No. 5 and authorizing submittal of levy of special taxes within such Community Facilities District to the qualified electors thereof;

Resolution No. 2005-104

A Resolution of the City Council of the City of Moreno Valley, California, Forming and Establishing Community Facilities District No.5 and Authorizing Submittal of Levy of Special Taxes within Such Community Facilities District to the Qualified Electors Thereof

- B. Approve and adopt Resolution No. 2005-105: a Resolution of the City Council of the City of Moreno Valley, California, determining the necessity to incur a bonded indebtedness for Community Facilities District No. 5, submitting to the qualified electors of such Community Facilities District separate propositions to authorize the levy of a Special Tax therein, to authorize such community facilities district to incur a bonded indebtedness secured by the levy of such special tax to finance certain public facilities and to establish an appropriations limit for such Community Facilities District, and giving notice thereon; and

Resolution No. 2005-105

A Resolution of the City Council of the City of Moreno Valley, California, Determining the Necessity to Incur a Bonded Indebtedness for Community Facilities District No. 5, Submitting to the Qualified Electors of Such Community Facilities District Separate Propositions to Authorize the Levy of a Special Tax therein, to Authorize such Community Facilities District to Incur a Bonded Indebtedness Secured by the Levy of Such Special Tax to Finance Certain Public Facilities and to Establish an Appropriations Limit for such Community Facilities District, and Giving Notice Thereon

- C. Direct staff to canvas the ballots received and report the results of the special election to the City Council.
- 2. Staff recommends that the City Council, acting as the legislative body of Community Facilities District No. 5 of the City of Moreno Valley:
 - A. Approve and adopt Resolution No. 2005-106: 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, declaring the results of a special election in such Community Facilities District; and

Resolution No. 2005-106

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, Declaring the Results of a Special Election in such Community Facilities District

- B. Introduce Ordinance No. 701: an Ordinance 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, authorizing the levy of a special tax in such Community Facilities District. (ROLL CALL REQUIRED)

Ordinance No. 701

An Ordinance 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, Authorizing the Levy of a Special Tax in such Community Facilities District

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

Report on March Joint Powers Authority by Mayor Stewart

G2. PLANNING COMMISSION MEETINGS REPLAY SCHEDULE ON MVTV-3 (Report of: Administrative Services Department)

Recommendation: That the City Council approve the proposed schedule to replay Planning Commission meetings on MVTV-3.

G3. PROPOSED ORDINANCE NUMBER 702, WHICH PROVIDES FOR THE SUSPENSION OR INELIGIBILITY OF CERTAIN PERSON'S AND/OR ENTITY'S ABILITY TO PARTICIPATE IN THE BIDDING AND PERFORMANCE OF THE CITY'S PUBLIC CONTRACTS (Report of: City Attorney)

Recommendation: That the City Council introduce proposed ordinance number 702, which provides for the suspension or ineligibility of certain person's and/or entity's ability to participate in the bidding and performance of the City's public contracts.

Ordinance No. 702

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Adding Chapter 3.14 which provides for the Suspension or Ineligibility of Certain Person's and/or Entity's Ability to Participate in the Bidding and Performance of the City's Public Contracts

- G4. APPROVAL OF EMPLOYEE AGREEMENT WITH ROBERT GUTIERREZ (Report of: City Attorney) – MATERIAL UNAVAILABLE AT TIME OF PRINTING – TO BE PROVIDED UNDER SEPARATE COVER
- G5. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 695 AS AMENDED – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 3 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REENACTING CHAPTERS 3.38 AND 3.42 RELATING TO DEVELOPMENT IMPACT FEES FOR RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL DEVELOPMENT (RECEIVED FIRST READING AND INTRODUCTION ON OCTOBER 11, 2005 ON A 4-0-1 VOTE) (Report of: Finance Department)

Ordinance No. 695

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 3 of the City of Moreno Valley Municipal Code by Repealing and Reenacting Chapters 3.38 and 3.42 Relating to Development Impact Fees for Residential and Commercial and Industrial Development

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS

- H2. ADOPT RESOLUTION 2005-102 RELATING TO THE SETTING OF DEVELOPMENT IMPACT FEES FOR RESIDENTIAL AND

COMMERCIAL AND INDUSTRIAL DEVELOPMENT FOR FY 2005-06 (Report of: Finance Department)

Recommendation: That the City Council adopt Resolution No. 2005-102, relating to the setting of development impact fees for residential and commercial and industrial development for FY 2005-06.

Resolution No. 2005-102

A Resolution of the City Council of the City of Moreno Valley, California, Setting the Amount of Residential and Commercial and Industrial Development Impact Fees for FY 2005-06, and Rescinding Prior Enactments Which Are in Conflict with this Resolution

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(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: -2-
- 2) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Number of Cases: -2-
- 3) SECTION 54957.6 – LABOR NEGOTIATIONS
 - a) Agency Representative: Gene Rogers
Employee Organization: MVCEA

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

ADJOURNMENT