



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 27, 2006

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 at 6:00 p.m.

City Council Meetings

Second and Fourth Tuesdays at 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

Charles R. White, Mayor Pro Tem
Richard A. Stewart, Council Member

Frank West, 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 P.M.
JUNE 27, 2006**

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 – Father Ronald Guzman, MS, St. Christopher 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 – MAY 31, 2006 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2006-74, approving the Warrant Report, dated May 2006, in the total amount of \$23,377,374.23.

Resolution No. 2006-74

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

- A3. WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2006/2007 RATE ADJUSTMENT (Report of: Public Works Department)
Recommendation: Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2006/2007 Rate Adjustment.

- A4. TRACT 22709 – SINGLE FAMILY RESIDENTIAL – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION). WEST SIDE OF MORENO BEACH DRIVE, NORTH OF JOHN F. KENNEDY DRIVE, SUBDIVIDER: WESTERN PACIFIC HOUSING, INC. IRVINE, CA (Report of: Public Works Department)
Recommendation:
 - 1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 22709;

2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and
 3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.
- A5. LEGISLATIVE UPDATE (Report of: Administrative Services Department)
Recommendation: Receive and file the informational report.
- A6. SECOND AMENDMENT TO ACQUISITION/FINANCING AGREEMENT FOR COMMUNITY FACILITIES DISTRICT NO. 4 – INFRASTRUCTURE (Report of: Public Works Department)
Recommendation: That the City Council acting in its capacity as the legislative body of Community Facilities District No. 4 – Infrastructure, approve and adopt Resolution No. 2006-75, a Resolution of the City Council of the City of Moreno Valley, California, approving the Form of the Second Amendment to the Acquisition/Financing Agreement for Community Facilities District No. 4 – Infrastructure (CFD No. 4-I).

Resolution No. 2006-75

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Form of the Second Amendment to the Acquisition/Financing Agreement for Community Facilities District No. 4- Infrastructure

- A7. RESOLUTION NO. 2006-76, CITY CAPITAL IMPROVEMENT PROJECT DESIGN IMMUNITY (Report of: Public Works Department)
Recommendation: Authorize the Public Works Director/City Engineer and/or the Assistant City Engineer to exercise discretionary authority to approve plans and specifications for public projects; and adopt proposed Resolution No. 2006-76 designating the Public Works Director/City Engineer and/or the Assistant City Engineer with the discretionary authority to give approval of public improvement plans and specifications.

Resolution No. 2006-76

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

California, Designating the Public Works Director/City Engineer and/or the Assistant City Engineer with the Discretionary Authority to Give Approval of Public Improvement Plans or Designs

- A8. MINUTES - SPECIAL MEETING OF JUNE 6, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A9 MINUTES - REGULAR MEETING OF JUNE 13, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

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. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 29343, BALLOTTED ITEM: CSD ZONE B; AND ASSESSOR PARCEL NUMBER (APN) 316-210-043 IN TENTATIVE PARCEL MAP 32961, BALLOTTED ITEM: CSD ZONE M (Report of: Public Works Department)
Recommendation: Accept public comments regarding the mail ballot proceedings for:
 - 1. Tentative Tract 29343 (and all affected phases) for inclusion into and approval of the annual parcel charge for CSD Zone B (Residential Street Lighting); and
 - 2. APN 316-210-043 (and any division thereof) in Tentative Parcel Map 32961 for inclusion into and approval of the annual parcel charge for CSD Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance).
- B3. MINUTES - SPECIAL MEETING OF JUNE 6, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- B4. MINUTES - REGULAR MEETING OF JUNE 13, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- C2. MINUTES - SPECIAL MEETING OF JUNE 6, 2006 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- C3. MINUTES - REGULAR MEETING OF JUNE 13, 2006 (Report of: City Clerk's Department)
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 JUNE 13, 2006 (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 PARCEL MAP 31840 - BALLOTTED ITEM: NPDES; BROADSTONE VISTAS, LLC - BALLOTTED ITEM: NPDES; TRACTS 22180-2 AND 22180-3 - BALLOTTED ITEMS: CSD ZONE B AND CSD ZONE D; ASSESSOR PARCEL NUMBER (APN) 316-110-004 ONLY IN TENTATIVE TRACT 33381 - BALLOTTED ITEMS: NPDES AND CSD ZONE B (Report of: Public Works Department)
Recommendation: That the Mayor and Members of the City of Moreno Valley City Council, after conducting the public hearing:

- a) Tabulate the mail ballots for the appropriate NPDES maximum

regulatory rate for Tentative Parcel Map 31840, Broadstone Vistas, LLC and APN 316-110-004 in Tentative Tract 33381;

- b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;
- c) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
- d) If approved, authorize and impose the appropriate NPDES maximum regulatory rate to the participating projects.

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

- a) Tabulate the mail ballots for CSD Zone B (Residential Street Lighting) and CSD Zone D (Parkway Landscape Maintenance) for Tracts 22180-2 and -3 and CSD Zone B (Residential Street Lighting) for APN 316-110-004 in Tentative Tract 33381;
- b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;
- c) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
- d) If approved, authorize and impose the applicable CSD Zone B and CSD Zone D parcel charges to the participating projects.

E2. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE PARCEL MAP 34411 - BALLOTTED ITEMS: NPDES AND CSD ZONE M; PANORAMA DEVELOPMENT - BALLOTTED ITEMS: NPDES AND CSD ZONE M; AND RIDGE MORENO VALLEY, LLC - BALLOTTED ITEM: CSD ZONE M (Report of: Public Works Department)

Recommendation: That the Mayor and Members of the City of Moreno Valley City Council, after conducting the public hearing:

- a) Tabulate the mail ballots for the NPDES commercial/industrial maximum regulatory rate, for Tentative Parcel Map 34411 and Panorama Development – Assessor Parcel Number (APN) 312-020-015 (and any division thereof);
- b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;

- c) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
- d) If approved, authorize and impose the NPDES commercial/industrial maximum regulatory rate to the participating projects.

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

- a) Tabulate the mail ballots for CSD Zone M, for Tentative Parcel Map 34411, Panorama Development – APN 312-020-015 (and any division thereof) and Ridge Moreno Valley, LLC – APNs 297-170-013, 297-170-014, 297-170-050, 297-170-054 and 297-190-005 (and any division thereof);
- b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;
- c) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
- d) If approved, authorize and impose the annual CSD Zone M parcel charge to the participating projects.

E3. DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (PUBLIC HEARING) (Report of: Public Works Department)
 Recommendation: That the City Council, after conducting the public hearing:

- 1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2006/2007 Riverside County property tax roll for collection; and
- 2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2005-53 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

E4. PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FY 2006-07 (Report of: Finance

Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public comments on the City's Appropriations Limit for FY 2006-07; and
2. Adopt Resolution No. 2006-77, establishing the Appropriations Limit for the City of Moreno Valley for FY 2006-07.

Resolution No. 2006-77

A Resolution of the City Council of the City of Moreno Valley, California, Establishing an Appropriations Limit for Fiscal Year 2006-07 and Taking Other Actions in Relation Thereto

- E5. PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE COMMUNITY SERVICES DISTRICT FOR FY 2006-07 (Report of: Finance Department)

Recommendation: That the City Council, acting in its capacity as the President and Board Members of the Community Services District (CSD):

1. Conduct a Public Hearing to receive public comments on the CSD appropriations limit for FY 2006-07; and
2. Adopt Resolution No. CSD 2006-27, establishing an appropriations limit for the Community Services District for FY 2006-07.

Resolution No. CSD 2006-27

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Establishing an Appropriations Limit for Fiscal Year 2006-07 and Taking Other Actions in Relation Thereto

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

G. REPORTS

G1. REPORTS ON REGIONAL AND REIMBURSABLE ACTIVITIES

- a.) Report on Metrolink by Council Member West
- b.) Report on March Joint Powers Commission by Council Member Stewart

G2. APPOINTMENTS TO THE CITY COUNCIL BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

- 1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or
- 2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G3. ADOPTION OF FY 2006-07 BUDGET AND RELATED ITEMS (Report of: Finance Department)

Recommendation: That the City Council:

- 1. Adopt Resolution No. 2006-78, approving the Operating and Capital Budgets for the City of Moreno Valley for FY 2006-07, including all applicable adjustments pursuant to the Schedule of Budget Adjustments;

Resolution No. 2006-78

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2006-07

- 2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2006-28, approving the Operating and Capital Budgets for the Community Services District of the City of Moreno Valley for FY 2006-07, including all applicable adjustments pursuant to the Schedule of Budget Adjustments;

Resolution No. CSD 2006-28

A Resolution of the Moreno Valley Community Services

District, Adopting the Operating and Capital Budgets for Fiscal Year 2006-07

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, Adopt Resolution No. RDA 2006-03, approving the Operating and Capital Budgets for the Community Redevelopment Agency of the City of Moreno Valley for FY 2006-07, including all applicable adjustments pursuant to the Schedule of Budget Adjustments;

Resolution No. RDA 2006-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California, Adopting the Operating and Capital Budgets for Fiscal Year 2006-07

4. Acting in its capacity as the President and Board of Directors of the Community Services District, approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the President of the Board of Directors, and the delivery of said executed note to the Treasurer of the City;
5. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, approve the repayment of up to \$40,000,000 to the City of Moreno Valley by renewal of the Promissory Note, pursuant to the terms and conditions of the outstanding Promissory Note, the borrowing of up to \$40,000,000 pursuant to the terms and conditions of the Promissory Note, and the execution of the original of said note by the Chairperson and Agency Members, and the delivery of said executed note to the Treasurer of the City;
6. Approve the FY 2006-07 Staffing Plan and Position Control Roster, which reflect the personnel allocations consistent with the adoption of the FY 2006-07 Budget;
7. Introduce Ordinance No. 722, amending Section 2.04.050 of Chapter 2.04 of Title 2 of the City of Moreno Valley Municipal Code, relating to compensation and reimbursement for City Council Members, thereby increasing the City Council

Members' monthly salary to \$1,086.00; and

Ordinance No. 722

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 2.04.050 of Chapter 2.04 of Title 2 of the City of Moreno Valley Municipal Code, Relating to Compensation and Reimbursement for Council Members

8. Approve the one-year extension to the 2003-06 Memorandum of Understanding (MOU) with the Moreno Valley City Employee Association (MVCEA)
- G4. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

- H1. INTRODUCE ORDINANCE NO. 721 DESIGNATING SPEED LIMIT RECERTIFICATION ON TWO STREET SEGMENTS OF COTTONWOOD AVENUE (Report of: Public Works Department)
Recommendation: That the City Council:

1. Receive and file this report; and
2. Introduce Ordinance No. 721, amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code designating prima facie speed limits on two street segments of Cottonwood Avenue (as listed on the ordinance) and directing the City Engineer to take certain action in respect thereto. (Roll call required).

Ordinance No. 721

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

ORDINANCES - 2ND READING AND ADOPTION

- H2. ORDINANCE NO. 720 - AN ORDINANCE OF THE CITY OF MORENO VALLEY AMENDING SECTION 9.12.040H OF CHAPTER 9.12 OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO TEMPORARY POLITICAL SIGNS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 13, 2006 ON A 4-01 VOTE, COUNCIL MEMBER WEST ABSENT) (Report of: City Clerk's Department)
Recommendation: Adopt Ordinance No. 720.

Ordinance No. 720

An Ordinance of the City of Moreno Valley Amending Section 9.12.040H of Chapter 9.12 of Title 9 of the City of Moreno Valley Municipal Code, Relating to Temporary Political Signs

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

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(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

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

ADJOURNMENT