



**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 10, 2008**

**SPECIAL PRESENTATIONS – 6:00 P.M.**  
**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.*

Frank West, Mayor Pro Tem  
Richard A. Stewart, Council Member

William H. Batey II, Mayor

Bonnie Flickinger, Council Member  
Charles R. White, Council Member

**AGENDA  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
JUNE 10, 2008**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS – 6:00 p.m.**

1. A.F. "Frank" Chelbana Memorial Community Service Award
2. Proclamation Recognizing Jazz and Rhythm & Blues Day - June 14, 2008

**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 10, 2008**

**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 Charles Campbell, Koinonia Evangelistic Center

**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**

A1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A2. MINUTES - REGULAR MEETING OF MAY 27, 2008 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

A3. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

**Recommendation:** Receive and file.

A4. CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

**Recommendation:** Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2008.

A5. 2008 LEGISLATIVE UPDATE (Report of: Assistant City Manager)

**Recommendation:** Receive and file the informational report.

A6. AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR GRAHAM STREET CROSSING STATE ROUTE 60 AND STREET IMPROVEMENTS BETWEEN SUNNYMEAD

BOULEVARD AND HEMLOCK STREET, PHASE ONE, PART 1,  
PROJECT NO. 06-41683125 (Report of: Public Works Department)

**Recommendation:**

1. Approve the "Agreement for Design Professional Consultant Services" for Graham Street Crossing SR60 and Street Improvements between Sunnymead Boulevard and Hemlock Avenue, Phase One, Part 1 – Analysis of Alternatives, Preliminary Environmental Documentation and Funding Source Study only, with TY LIN International (TYLI) 3550 Vine Street, Suite 120, Riverside, CA 92507;
  2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" for Phase One, Part 1 only, with TYLI;
  3. Authorize the Finance Director to issue a Purchase Order to TYLI in the amount of \$226,242 (\$205,675 for the agreement amount for Phase One, Part 1 plus 10% contingency amount of \$20,567) from Fund 416.83125 when the agreement has been signed by all parties; and
  4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Design Professional Consultant Services" with TYLI, up to but not to exceed the Purchase Order contingency amount authorized (\$20,567), subject to approval of City Attorney.
- A7. AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR NEIGHBORHOOD PARK PROJECT NO. 10-89791723 (Report of: Public Works Department)

**Recommendation:**

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92591, to provide project management, architectural and engineering design (A&E) and construction management services;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of \$864,578 (\$785,980 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897-91723; and
  4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreement with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of \$78,598 subject to the approval of the City Attorney.
- A8. FEE RESOLUTION FOR ANNUAL FEE ADJUSTMENT FOR MULTI-SPECIES HABITAT CONSERVATION PLAN (MSHCP) MITIGATION FEES (Report of: Community Development Department)

**Recommendation:** Adopt Resolution No. 2008-76, approving the Fee Schedule for Multi-Species Habitat Conservation Plan (MSHCP) Mitigation Fees for FY 2008-09.

Resolution No. 2008-76

A Resolution of the City Council of the City of Moreno Valley, California, Increasing the Fees for the Multi-Species Habitat Conservation Plan Mitigation Fee by the Consumer Price Index (CPI)

- A9. AGREEMENT FOR PROFESSIONAL DESIGN AND PROJECT MANAGEMENT CONSULTANT SERVICES AND CONSTRUCTION MANAGEMENT CONSULTANT SERVICES FOR IRONWOOD AVENUE FROM PERRIS BOULEVARD TO NASON STREET, PROJECT NO. 10-41572727 (Report of: Public Works Department)

**Recommendation:**

1. Approve the "Agreement for Professional Design and Project Management Consultant Services and Construction Management Consultant Services for Ironwood Avenue from Perris Boulevard to Nason Street" for Project Management and 35% Project Design Services (RFP Part 1, Phase 1) only, with Winzler & Kelly, 3531 E. Mira Loma Avenue, Anaheim, CA 92806;

2. Authorize the City Manager to execute said "Agreement for Professional Design and Project Management Consultant Services and Construction Management Consultant Services for Ironwood Avenue from Perris Boulevard to Nason Street" for Project Management and 35% Project Design Services (RFP Part 1, Phase 1) only, with Winzler & Kelly;
  3. Authorize the Finance Director to issue a Purchase Order to Winzler & Kelly, in the amount of \$470,000.00 (\$390,632.00 proposal amount for Project Management and 35% Project Design Services (RFP Part 1, Phase 1) plus 20% contingency) when the Agreement has been signed by all parties (Account No. 415.72727); and
  4. Authorize the City Engineer to execute any subsequent Amendments to the Agreement for Design Professional Consultant Services with Winzler & Kelly, up to but not to exceed the Purchase Order contingency amount of \$79,368.00, subject to the approval of the City Attorney.
- A10. SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES INDIAN STREET AND CACTUS AVENUE INTERSECTION AND STORM DRAIN IMPROVEMENTS PROJECT, PROJECT NO. 03-12567123 (Report of: Public Works Department)

**Recommendation:**

1. Approve the Sixth Amendment to Agreement for Professional Consultant Services with Harris and Associates, 750 B Street, Suite 1800, San Diego, CA 92101 to provide design support services during construction;
2. Authorize the City Manager to execute the Sixth Amendment to Agreement for Professional Consultant Services with Harris and Associates;
3. Authorize an increase in the Purchase Order to Harris and Associates, in the amount of \$9,600 (\$8,000 proposed additional fees plus \$1,600 for a 20% contingency) when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties (Account No. 125.67425); and
4. Authorize the City Engineer to execute any subsequent related minor change orders to the Agreement for

Professional Consultant Services with Harris and Associates, up to but not to exceed the Purchase Order contingency authorization, subject to the approval of the City Attorney.

- A11. ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

**Recommendation:** Review proposed changes to 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.

- A12. WARRANT REPORT – APRIL 30, 2008 (Report of: Finance Department)

**Recommendation:** Adopt Resolution No. 2008-60, approving the Warrant Report, dated April 30, 2008, in the total amount of \$23,068,201.28.

Resolution No. 2008-60

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated April 30, 2008

- A13. Authorization to Award Agreement for Design Professional Consultant Services for Fire Station #110 Project No. 10-89791722 (Report of: Public Works Department)

**Recommendation:**

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92591, to provide project management, architectural and engineering design (A&E) and construction management services;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;
3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of \$1,002,594 (proposal amount of \$911,449 plus 10% contingency) when the



agreement has been signed by all parties from Account No. 897-91722; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of \$91,145 subject to the approval of the City Attorney.

A14. RESCINDING RESOLUTION 2008-58 AND ADOPTING RESOLUTION 2008-78 AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS FOR PA99-0002 AS COMPLETE AND ACCEPTING THE PORTION OF NEW LIGHT WAY AND IRIS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - NEW LIGHT M.B.C., MORENO VALLEY (Report of: Public Works Department)

**Recommendation:**

1. Rescind previous action to adopt Resolution No. 2008-58 authorizing the acceptance of the public improvements for PA99-0002 as complete and accepting the portion of Touplo Lane and Iris Avenue associated with the project into the City's maintained street system.
2. Adopt the proposed Resolution No. 2008-78 authorizing the acceptance of the public improvements for PA99-0002 as complete and accepting the portion of New Light Way and Iris Avenue associated with the project into the City's maintained street system.

Resolution No. 2008-78

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA99-0002, and Accepting the Portion of New Light Way and Iris Avenue Associated with the Project into the City's Maintained Street System

**B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

- B1. ORDINANCES - READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinances.
- B2. MINUTES - REGULAR MEETING OF MAY 27, 2008 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

- B3. EXTENSION OF CONTRACT - PROJECT NO. D-SG1-W/05 - MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

**Recommendation:**

1. Approve the attached Amendment to the Contract Agreement for MVCSD Project D-SG1 – W/05 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 CTAI Pacific Greenscape, Murrieta, California; and
3. Authorize the Purchasing Manager, at the start of Fiscal Year 2008/09, to issue open purchase orders to CTAI Pacific Greenscape, Inc. in the amounts of:
  - a.) ONE HUNDRED EIGHT THOUSAND FIVE HUNDRED FIFTY-NINE AND 13/100 DOLLARS (\$108,559.13) for twelve months of base maintenance service; and
  - b.) TEN THOUSAND ONE HUNDRED AND 00/100 DOLLARS (\$10,100.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

- B4. EXTENSION OF CONTRACT - PROJECT NO. D-SG1-E/07 – MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

**Recommendation:**

1. Approve the attached Amendment to the Contract Agreement for MVCSD Project D-SG1-E/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 TruGreen•LandCare of Riverside, California; and
3. Authorize the Purchasing Manager, at the start of Fiscal Year 2008/09, to issue open purchase orders to TruGreen•LandCare, Inc. in the amounts of:

- a.) ONE HUNDRED SIXTY THOUSAND FOUR HUNDRED TEN AND 43/100 DOLLARS (\$160,410.43) for twelve months of base maintenance service; and
- b.) TEN THOUSAND ONE HUNDRED FIVE AND 00/100 DOLLARS (\$10,105.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B5. NAMING OF CITY OF MORENO VALLEY'S FIRST DOG PARK LOCATED AT THE SOUTHEAST LEVEL OF THE MORENO VALLEY EQUESTRIAN CENTER AT 11150 REDLANDS BOULEVARD (Report of: Parks and Community Services Department)

**Recommendation:** Adopt the name "Hound Town Dog Park" for the City's first dog park, as recommended and submitted by the Parks and Recreation Commission.

B6. RECOMMENDATION TO AUTHORIZE EXPENDITURES WITH CM SCHOOL SUPPLY AND OFFICE DEPOT AND TO ENTER INTO AN AGREEMENT WITH AFTERSCHOOL.COM (Report Of: Parks and Community Services Department)

**Recommendation:** That the Mayor and Members of the City Council, acting in their respective capacities as the President and Members of the Moreno Valley Community Services District:

1. Authorize the City Manager to approve the expenditures for CM School Supply for the purpose of replenishing school supplies that will be distributed to each S.T.A.R.S. site and direct the Finance Director to issue a purchase order not to exceed the amount of \$400,000;
2. Authorize the City Manger to approve the expenditures for Office Depot for the purpose of replenishing office supplies and direct the Finance Director to issue a purchase order not to exceed the amount of \$175,000; and
3. Authorize the City Manager to approve the expenditures for Afterschool.com for the purpose of purchasing customized backpacks with school supplies included and direct the Finance Director to issue a purchase order not to exceed the amount of \$200,100.

**C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

C1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C2. MINUTES - REGULAR MEETING OF MAY 27, 2008 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

**D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

D1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D2. MINUTES - REGULAR MEETING OF MAY 27, 2008 (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 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 2008/09 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. 2008-61, 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.”

Resolution No. 2008-61

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

- E2. PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2008/2009 (Report of: Public Works Department)

**Recommendation:** That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD) (the “Board”) conduct a Public Hearing and:

1. Adopt Resolution No. CSD 2008-05 (Zone A);

Resolution No. CSD 2008-05

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 2008/2009

2. Adopt Resolution No. CSD 2008-06 (Zone B);

Resolution No. CSD 2008-06

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 2008/2009

3. Adopt Resolution No. CSD 2008-07 (Zone C);

Resolution No. CSD 2008-07

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 2008/2009

4. Adopt Resolution No. CSD 2008-08 (Zone D);

Resolution No. CSD 2008-08

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 2008/2009

5. Adopt Resolution No. CSD 2008-09 (Zone E);

Resolution No. CSD 2008-09

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 2008/2009

6. Adopt Resolution No. CSD 2008-10 (Zone E-1A);

Resolution No. CSD 2008-10

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 2008/2009

7. Adopt Resolution No. CSD 2008-11 (Zone E-3A);

Resolution No. CSD 2008-11

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 2008/2009

8. Adopt Resolution No. CSD 2008-12 (Zone E-4A);

Resolution No. CSD 2008-12

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 2008/2009

9. Adopt Resolution No. CSD 2008-13 (Zone M); and

Resolution No. CSD 2008-13

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 2008/2009

10. Adopt Resolution No. CSD 2008-14 (Zone S);

Resolution No. CSD 2008-14

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 2008/2009

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

**G. REPORTS**

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

- a) Report on Riverside Transit Authority (RTA) by Council Member Flickinger

b) Report on March Joint Powers Commission by Council Member Stewart

G2. APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) ANNUAL SPECIAL TAX LEVY (Report of: Public Works Department)

**Recommendation:** That the City Council acting in the capacity as the Board of Directors of the Moreno Valley Community Services District (“CSD Board”) and as the legislative body of Community Facilities District No. 1 (“CFD No. 1”), approve and adopt Resolution No. CSD 2008-15 accepting and approving the report for fiscal year 2008/09 regarding CFD No. 1.

Resolution No. CSD 2008-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2008/09 Regarding Community Facilities District No. 1 (Neighborhood Park Maintenance)

G3. APPROVAL AND ADOPTION OF SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4- MAINTENANCE (“CFD NO. 4-M”) (Report of: Public Works Department)

**Recommendation:** That the City Council, acting in its capacity as the legislative body of Moreno Valley CFD No. 4 - M (“Board”) approve and adopt Resolution No. 2008-77 accepting and approving the report for fiscal year 2008/09 regarding CFD No. 4-M.

Resolution No. 2008-77

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2008/2009 Regarding Community Facilities District No. 4-Maintenance

G4. APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 (Report of: Public Works Department)

**Recommendation:** That the City Council, acting in its capacity as



the legislative body of Moreno Valley Community Facilities District No. 5 (“Board”) approve and adopt the following:

1. Resolution No. 2008-63 accepting and approving the Annual Special Tax Report for fiscal year 2008/09 regarding Community Facilities District No. 5; and

Resolution No. 2008-63

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2008/09 Regarding Community Facilities District No. 5

2. Resolution No. 2008-64 approving the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

Resolution No. 2008-64

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

- G5. APPROVAL AND ADOPTION OF RESOLUTION NO. 2008-65 TO IMPLEMENT THE SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING) SPECIAL TAX BONDS, SERIES 2000 (Report of: Public Works Department)

**Recommendation:** That the City Council, acting in its capacity as the legislative body of Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) (“CFD No. 3”), approve and adopt a Resolution to approve the Special Tax Report on file in the office of the City Treasurer and implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Special Tax Report on file in the office of the City Treasurer.

Resolution No. 2008-65

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

California, Accepting and Approving the Special Tax Report for Fiscal Year 2008/2009 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

- G6. APPROVAL AND ADOPTION OF RESOLUTIONS NO. 2008-66 TO IMPLEMENT THE ANNUAL SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) AND NO. 2008-67 APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 53410 AND 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1 (Report of: Public Works Department)

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

1. Resolution No. 2008-66 approving the Special Tax Report on file in the office of the City Treasurer to implement the rate and method of apportionment of the special tax levy required to cover the 2008/2009 annual debt service of CFD No. 87-1 (Towngate); and

Resolution No. 2008-66

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2008/09 Regarding Community Facilities District No. 87-1 (Towngate)

2. Resolution No. 2008-67 approving the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 (Towngate).

Resolution No. 2008-67

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 Improvement Area No. 1 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 Improvement Area No. 1

- G7. APPROVAL AND ADOPTION OF RESOLUTIONS NO. 2008-68 TO IMPLEMENT THE ANNUAL SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 AND NO. 2008-69 APPROVING THE SUBMITTAL OF AN ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 53410 AND 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1 IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

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

1. Resolution No. 2008-68 approving the Special Tax Report on file in the office of the City Treasurer and implementing the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 87-1 (Towngate) Improvement Area No. 1; and

Resolution No. 2008-68

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2008/2009 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1

2. Resolution 2008-69 approving the submittal of an Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2008-69

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 Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of an Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

- G8. CONTINUED FY 2008-09 PROPOSED BUDGET DISCUSSIONS (Report of: Finance Department)

**Recommendation:** That the City Council continue its discussion on the City Manager's FY 2008-09 Proposed Budget and provide direction to staff regarding the recommended budget reductions as contained in the Deficit Reduction Plan, or any operating or capital budget policy issues.

- G9. GENERAL MUNICIPAL ELECTION – NOVEMBER 4, 2008 RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF AN ADVISORY BALLOT MEASURE RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF THE REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk's Department)

**Recommendation:**

Staff recommends that the City Council:

1. Adopt:

Resolution No. 2008-70, calling and giving notice of the holding of a general municipal election on Tuesday, November 4, 2008 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2008-70

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 4, 2008, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Resolution No. 2008-71, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 4, 2008, pursuant to §10403 of the California Elections Code;

Resolution No. 2008-71

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election with the Statewide General Election to be held on Tuesday, November 4, 2008, Pursuant to Section 10403 of the California Elections Code

Resolution No. 2008-72, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 4, 2008;

Resolution No. 2008-72

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters at an Election to be held on Tuesday, November 4, 2008

Resolution No. 2008-73, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 4, 2008 of an advisory ballot measure relating to changing from an appointed to an elected mayor;

Resolution No. 2008-73

A Resolution of the City Council of the City of Moreno Valley, California Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be held on Tuesday, November 4, 2008 of an Advisory Ballot Measure Relating to Changing from an Appointed to an Elected Mayor

Resolution No. 2008-74, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measure relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 4, 2008;

Resolution No. 2008-74

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

California, Directing the City Attorney to Prepare an Impartial Analysis Regarding the Advisory Ballot Measure Relating to Changing from an Appointed to an Elected Mayor for the General Municipal Election to be held on November 4, 2008

Resolution No. 2008-75, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections; and

Resolution No. 2008-75

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at Municipal Elections

2. Approve the Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

- G10. MARCH JOINT POWERS AUTHORITY – GENERAL PLAN ADVISORY COMMITTEE (Report of: Community Development Department)

**Recommendation:** That the City Council select two representatives to serve on the General Plan Advisory Committee (GPAC) for the March Joint Powers Authority (MJPA).

- G11. DISCUSSION OF LETTER FROM CITY OF RIVERSIDE REQUESTING NOTICE OF ALL CEQA PROCEEDINGS BY THE CITY OF MORENO VALLEY PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTION 21092.2 (Report of: City Attorney)

**Recommendation:** That the City Council review and discuss the letter from the City of Riverside and provide direction to the City Attorney and/or City Manager concerning any potential response.

- G12. SECOND AMENDMENT AND RESTATEMENT OF THE WASTE MANAGEMENT AGREEMENT (Report of: Public Works Department)

**Recommendation:** That the City Council approve the Second Amendment and Restatement of the Agreement between the City of Moreno Valley and Waste Management of the Inland Empire.

- G13. OVERVIEW OF THE CITY'S UTILITY USER'S TAX EXEMPTION PROCESS (Report of: Finance Department)

**Recommendation:** that the City Council receive and file this staff report, which is in response to a May 27, 2008 City Council request for information about the utility users tax (UUT) exemption process.

G14. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

## H. LEGISLATIVE ACTIONS

### ORDINANCES - 1ST READING AND INTRODUCTION

H1. ORDINANCE DESIGNATING SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS (Report of: Public Works Department)

**Recommendation:**

Introduce Ordinance No. 776, amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code declaring prima facie speed limits on certain streets (as listed on the ordinance) and directing the City Traffic Engineer to take action respect thereto (Roll call required).

Ordinance No. 776

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 - NONE

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**

**\*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(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**