

**NOTICE AND CALL OF SPECIAL MEETING  
OF THE MORENO VALLEY CITY COUNCIL AND THE MORENO VALLEY  
COMMUNITY REDEVELOPMENT AGENCY  
(Closed Session)**

**JANUARY 9, 2001 - 5:00 P.M.**

**NOTICE IS HEREBY GIVEN** that a special meeting of the City Council and the Community Redevelopment Agency of the City of Moreno Valley will be held on January 9, 2001, commencing at 5:00 p.m., in the Finance Conference Room, Second Floor, City Hall, located at 14177 Frederick Street, Moreno Valley, California. Prior to recessing to Closed Session the Council will hear public comments, if any, on the Closed Session matter in the City Council Chambers.

Said special meeting shall be for the purpose of:

- **CALL TO ORDER**
  
- **ROLL CALL**
  
- PUBLIC COMMENTS **ON MATTERS ON THE AGENDA** WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS).

There is a three-minute time limit per person and a 15-minute time limit per agenda item. The 15-minute limit may be waived. Please complete and submit a BLUE speaker slip to the City Clerk.

- CLOSED SESSION - The Closed Session will be held pursuant to Government Code:
  - 1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
    - a) SECTION 54956.9(b)(1) – Significant exposure to litigation  
Number of Potential Cases: -0-
    - b) SECTION 54956.9(c) – Initiation of litigation  
Number of Potential Cases: 1
  
  - 2) SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
  
Case: Coachella Valley Housing Coalition v. City of Moreno Valley  
Court: United States District Court, Central District of California  
Case No: EDCV 96-430-RT(VAPx)

**NOTICE AND CALL OF CONTINUED SPECIAL MEETING**

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AGENDA

JANUARY 9, 2001

**OF THE MORENO VALLEY CITY COUNCIL**

**JANUARY 9, 2001 – 6:00 P.M.**

**NOTICE IS HEREBY GIVEN** that a continued special meeting of the Moreno Valley City Council will be held on January 9, 2001, commencing at 6:00 P.M. in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

**AGENDA**

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **INVOCATION** – Pastor O.J. Philpot, Christ Community Church
- **ROLL CALL**
- **INTRODUCTIONS**

**E. PUBLIC HEARINGS**

- E1. PUBLIC HEARING ON MATERIAL BREACHES RELATING TO CABLE TELEVISION LICENSES (CONTINUED FROM DECEMBER 19, 2000) (PUBLIC TESTIMONY CLOSED) (Report of: Assistant City Manager)  
Recommendation: That the City Council hold a public hearing to take evidence and make a determination and findings concerning allegations of material breaches relating to the cable television licenses in the City of Moreno Valley.

After taking evidence and/or testimony, the City Council may:

1. Continue the public hearing for receipt of additional evidence/testimony.
2. Close the public hearing and determine no franchise breach has occurred as to either TCI or ACT-V Franchise.
3. Close the public hearing, determine that franchise breach has occurred as to TCI Franchise, ACT-V Franchise, or both, and direct staff to prepare a formal resolution for adoption at the next meeting, making appropriate findings of fact and ordering appropriate corrective action.

**ADJOURN TO REGULAR MEETING**

**AGENDA**  
**REGULAR MEETING OF THE MORENO VALLEY CITY COUNCIL**  
**JANUARY 9, 2001 – 7:00 P.M.**

(or as soon thereafter as the Special Meeting is concluded)

- **CALL TO ORDER**

- **ROLL CALL**

- PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL (COMMENTS NOT CONCLUDED BY 7:30 P.M. WILL BE HEARD PRIOR TO CITY COUNCIL CLOSING COMMENTS AT THE END OF THE AGENDA)

There is a three-minute time limit per person. Please complete and submit a PINK speaker slip to the Bailiff.

- 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.)

There is a three-minute time limit per person and a 15-minute time limit per agenda item. The 15-minute limit may be waived. Please complete and submit a BLUE speaker slip to the Bailiff.

- **JOINT CONSENT CALENDARS (SECTIONS A-C) OF THE MORENO VALLEY CITY COUNCIL, COMMUNITY SERVICES DISTRICT, AND COMMUNITY REDEVELOPMENT AGENCY**

All items listed under the Consent Calendars are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, or Redevelopment Agency 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 REGISTERS – NOVEMBER 30, 2000 (Report of: Director of Finance/City Treasurer)  
Recommendation: Adopt Resolution No. 2001-01, approving the Warrant Registers, including wire transfers, dated November, 2000 in the total amount of \$2,435,082.71

Resolution No. 2001-01

A Resolution of the City Council of the City of Moreno Valley, Approving the Warrant Registers, Dated November 30, 2000

- A3. BID AWARD – ASPHALT PAVING TRUCK (Report of: Director of Finance/City Treasurer)  
Recommendation: Award the bid for the purchase of one Asphalt Paving Truck to Dieterich International Truck Sales, Inc. of San Bernardino, California and authorize the Finance Director to execute the necessary documents in the amount of \$95,229.95, as appropriated in fiscal year 00/01, for program 00010.55110.648.
- A4. PA 99-0033 – TEXACO STARMART – ACCEPT AGREEMENTS & BONDS FOR PUBLIC IMPROVEMENTS – 24840 SUNNYMEAD BOULEVARD – SUNNYMEAD BOULEVARD, NORTH SIDE, WEST OF PERRIS BOULEVARD – S.J. WEAVER AND ASSOCIATES, 2651 WALNUT AVENUE, SIGNAL HILL, CA 90806 (Report of: Director of Public Works/City Engineer)  
Recommendation: Accept the bonds and the Agreement for Public Improvements; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.
- A5. PA00-0030 – WESTERN STATES SELF STORAGE, LLC – ACCEPT AGREEMENT & BONDS FOR PUBLIC IMPROVEMENTS – NORTH OF HEMLOCK AVENUE, EAST OF PIGEON PASS ROAD – WESTERN STATES STORAGE, LLC, 6141 RIVERSIDE AVENUE, SUITE 3, RIVERSIDE, CA 92506 (Report of: Director of Public Works/City Engineer)  
Recommendation: Accept the bonds and the Agreement for Public Improvements; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.
- A6. ANNUAL STATEMENT OF INVESTMENT POLICY (Report of: Director of Finance/City Treasurer)  
Recommendation: Adopt the Annual Statement of Investment Policy, in compliance with California Government Code Section 53646.

- A7. PARCEL MAP 24350, PARCEL 2 – ACCEPT REPLACEMENT AGREEMENT AND DEED OF TRUST FOR PUBLIC IMPROVEMENTS AND RELEASE CASH DEPOSIT – FRANKHALE ROAD, SOUTH SIDE, EAST OF MORTON ROAD – JOSE N. SOTO AND SUZANNE B. SOTO (Report of: Director of Public Works/City Engineer)

Recommendation: Approve the Replacement Agreement for Public Improvements; authorize the Mayor to execute the agreement in the form attached hereto; accept the Deed of Trust, as reviewed and approved by the City Attorney, as security for the required public improvements; authorize the Finance Director to release the cash deposit in the amount of \$23,000 to Jose N. Soto and Suzanne B. Soto and direct the City Clerk to forward the signed agreement and the Deed of Trust to the County Recorder's Office for recordation.

- A8. 1999-00 REPORT ON DEVELOPMENT IMPACT FEES (Report of: Director of Finance/City Treasurer)

Recommendation: Approve the Annual Report on Development Impact Fees in compliance with California Government Code Section 66006.

**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.

**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.

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

- **ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION**

## F. REPORTS

### F1. CITY AND CSD RESOLUTIONS TO APPROVE AND ADOPT THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS (Report of: Director of Public Works/City Engineer)

Staff recommends that:

1. The City Council approve and adopt Resolution No. 2001-02, The Policy for Conducting Mail Ballot Proceedings (“the Policy”)

#### Resolution No. 2001-02

A Resolution of the City Council of the City of Moreno Valley, California, Adopting a Policy for Conducting Mail Ballot Proceedings to Ensure That This Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

2. The City Council, acting in the capacity as the Board of Directors of the Moreno Valley Community Services District (CSD), approve and adopt Resolution CSD 2001-01, The Policy for Conducting Mail Ballot Proceedings (“the Policy”).

#### Resolution No. CSD 2001-01

A Resolution of the City Council of the City of Moreno Valley, California, Acting in its capacity as the Board of Directors of the Moreno Valley Community Services District Certifies to Approve and Adopt a Policy for Conducting Mail Ballot Proceedings to Ensure That This Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

### F2. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE INCLUSION OF KRISTEN COURT INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (CSD):

1. Accept public comment regarding the proposed inclusion of Kristen Court into the CSD Zone B (Residential Street Lighting), the installation charge spread over five years, and the annual service charge.

- F3. RESOLUTION CSD 2001-02, APPROVE AND ADOPT THE COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN POLICY (Report of: Director of Public Works/City Engineer)

Recommendation: That the City Council, acting in its capacity as the Board of Directors of the Moreno Valley Community Services District (CSD):

1. Approve and adopt the Zone D (Parkway Landscape Maintenance) Service Plan Policy (the "Policy"). The purpose of this Policy is to provide guidelines and standards consistent with available funding to support landscape maintenance services throughout Zone D service areas. The Policy outlines service level alternatives for landscape maintenance areas consistent with proportional funding as mandated by Proposition 218.

Resolution No. CSD 2001-02

A Resolution of the City Council of the City of Moreno Valley, California, Acting in its capacity as the Board of Directors of the Moreno Valley Community Services District Certifies to Approve and Adopt the Community Services District Zone D (Parkway Landscape Maintenance) Service Plan Policy to Provide Guidelines and Standards for the Maintenance of Zone D Service Areas

## **G. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING & INTRODUCTION - NONE

ORDINANCES - 2ND READING & ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS - NONE

- **CONTINUATION OF PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA, IF NEEDED**
  
- **CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY**

**ADJOURNMENT**