CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Proclamation Recognizing National Public Works Week
2. Proclamation - Month of May 2003 as Water Awareness Month
3. EMWD “Water is Life” Poster Contest
CALL TO ORDER (Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Ted Slattery, Valley Christian Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF’S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.) Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 10:00 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-C) 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 MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION

All items listed under the Consent Calendars, Sections A, B, and C, 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 Items withdrawn for report/discussion will be heard after public hearing items.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. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 2003 (Report of: Director of Finance/City Treasurer)
Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.

A3. NOTICE OF COMPLETION AND ACCEPTANCE OF IRONWOOD AVENUE REHABILITATION FROM BARCLAY DRIVE TO PIGEON PASS ROAD, FEDERAL-AID NO. STPL-5441(031), PROJECT NO 99-25654 (Report of: Director of Public Works/City Engineer)
Recommendation: Ratify Contract Change Order Nos. 1, 2, 3, and 4; accept the work as complete for the Ironwood Avenue Rehabilitation from Barclay Drive to Pigeon Pass Road, constructed by L.D. Anderson, Inc., 2750 South Lilac Avenue, Bloomington, California 92316; direct the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorize the Director of Finance to release the retention to L.D. Anderson, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and accept the improvements into the City’s maintained road system.

A4. NOTICE OF COMPLETION AND ACCEPTANCE OF THE SAN MICHELE ROAD IMPROVEMENTS FROM PERRIS BOULEVARD
TO INDIAN STREET, PROJECT NO. 99-12567420 (Report of: Director of Public Works/City Engineer)
Recommendation: Ratify contract Change Order No. 1; accept the work as complete for the San Michele Road Improvements from Perris Boulevard to Indian Street, constructed by R.J. Noble Company, 15505 East Lincoln Avenue, Orange, California 92856; direct the City Clerk to record the Notice of Completion with ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorize the Director of Finance to release the retention to R.J. Noble Company thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project and accept the improvements into the City’s maintained road system.

A5. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER DISCHARGE PERMIT – IMPLEMENTATION AGREEMENT FOR SANTA ANA REGION (Report of: Director of Public Works/City Engineer)
Recommendation: Approve the National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit Implementation Agreement for the Santa Ana Region; authorize the Mayor to execute said agreement; and direct the City Clerk to attest to said approval.

A6. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE NEWHOPE STREET IMPROVEMENT PROJECT - PROJECT NO. 01-12567421 (Report of: Director of Public Works/City Engineer)
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.

Recommendation: Accept the bonds and Agreement for One-Year Guarantee & Warranty of Public Improvements for Final Map
23553-1; authorize the Mayor to execute the agreement; and adopt Resolution No. 2003-30 authorizing the acceptance of the public right-of-way improvements for Final Map 23553-1 as complete and accepting Via del Norte, Montalvo Road, Cambria Circle, Via Montara, Cotati Court, Presidio Hills Drive, Pigeon Pass Road, and Sunnymead Ranch Parkway

Resolution No. 2003-30

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 23553-1, and Accepting Via Del Norte, Montalvo Road, Cambria Circle, Via Montara, Cotati Court, Presidio Hills Drive, Pigeon Pass Road, and Sunnymead Ranch Parkway into the City Maintained Street System


Recommendation: Approve a 90% reduction to the Faithful Performance Bond for Final Map 23553-2; authorize the City Engineer to reduce the Faithful Performance Bond by 90%; and adopt Resolution No. 2003-31 authorizing the acceptance of the public right-of-way improvements for Final Map 23553-2 as complete and accepting Pigeon Pass Road, Via Moraga, Tamalpais Place, Via Montara, and Casmalia Court into the City Maintained Street System.

Resolution No. 2003-31

Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 23553-2, and Accepting Pigeon Pass Road, Via Moraga, Tamalpais Place, Via Montara, and Casmalia Court into the City Maintained Street System

PUBLIC RIGHT-OF-WAY IMPROVEMENTS AS COMPLETE AND ACCEPTING PRESIDIO HILLS DRIVE, VIA DEL NORTE, MONTALVO ROAD, PASATIEMPO PLACE, AND PASEO CORRALITO INTO THE CITY MAINTAINED STREET SYSTEM
(Report of: Director of Public Works/City Engineer)
Recommendation: Approve a 90% reduction to the Faithful Performance Bond for Final Map 23553-3; authorize the City Engineer to reduce the Faithful Performance Bond by 90%; and adopt Resolution No. 2003-32 authorizing the acceptance of the public right-of-way improvements for Final Map 23553-3 as complete and accepting Presidio Hills Drive, Via Del Norte, Montalvo Road, Pasatiempo Place, and Paseo Corralito into the City Maintained Street System.

Resolution No. 2003-32

Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Right-of-Way Improvements as Complete Within Tract 23553-3, and Accepting Presidio Hills Drive, Via Del Norte, Montalvo Road, Pasatiempo Place, and Paseo Corralito into the City Maintained Street System

Recommendation: Approve as submitted.

A11. ALTERNATIVE FUELS SUBVENTION FUND MATCH PROGRAM CONTRACT SIGNATURE AUTHORIZATION (Report of: Director of Public Works/City Engineer)
Recommendation: Grant signature authority to the Mayor in order to execute the alternative fuels subvention fund match program contract with the South Coast Air Quality Management District.

A12. PUBLIC FACILITIES FINANCING AGREEMENTS FOR MULTI-FAMILY PROJECTS APPROVED OR DEEMED COMPLETE FOR PROCESSING PRIOR TO THE ADOPTION OF THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) (Report of: City Manager)
Authorize the Mayor to enter into agreements with Lasselle Place, LLC; The Danavon Trust; Box Springs Apartment Partners, LP; M. Timm Development; 26th Corporation and Granite Capital, LLC; and Moreno Valley Investors, LLC; developers of multi-family projects substantially in the form of the attachments.
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.

Recommendation: Approve as submitted.

B3. NAMING OF TOWNGATE COMMUNITY CENTER (Report of: Director of Parks and Recreation)
Recommendation: Adopt the name as recommended and submitted by the Parks and Recreation Advisory Committee for the new community center located at TownGate Memorial Park as “TownGate Community Center”.

B4. RESOLUTION NO. CSD 2003-04, AUTHORIZING THE COLLECTION OF CHARGES FOR COMMUNITY SERVICES DISTRICT ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE) (Report of: Director of Public Works/City Engineer)
Recommendation: Approve and adopt Resolution No. CSD 2003-04 to authorize the collection of charges for CSD Zone M (Commercial/Industrial Improved Median Maintenance).

Resolution No. CSD 2003-04

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving Zone M Charges to Provide Maintenance of Median Areas Associated with Commercial/Industrial Developments

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 APRIL 22, 2003 (Report of: City Clerk)
Recommendation: Approve as submitted.
D. 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.

D1. PUBLIC HEARING FOR INCLUSION OF TENTATIVE TRACT 20185 (AND ALL AFFECTED PHASES) INTO THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) – PROGRAM - NORTH OF FRAN LOU DRIVE AND WEST OF KITCHING STREET (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. Tabulate the mail ballot(s) for the CSD Zone B program;

2. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;

3. Receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and

4. Authorize and impose the CSD Zone B charge.

D2. PUBLIC HEARING TO ADOPT THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE REPORT (Report of: Director of Community and Economic Development)
Recommendation: That the City Council adopt the Analysis of Impediments to Fair Housing Choice Report.


D4. RESOLUTION OF NECESSITY AUTHORIZING EMINENT DOMAIN PROCEEDINGS - ACQUISITION OF RIGHT-OF-WAY
NEAR HIGHWAY 60 AND MORENO BEACH DRIVE WITHIN THE AUTO MALL SPECIFIC PLAN (Report of: Director of Public Works/City Engineer)
Recommendation: That the City Council:

1. Do not conduct the public hearing for Resolution of Necessity Authorizing Eminent Domain Proceedings – Acquisition of Right-of-Way near Highway 60 and Moreno Beach Drive within the Auto Mall specific Plan; and

2. Cancel all further proceedings on this matter.

D5. PUBLIC HEARING – ADOPTION OF FY 2003-04 FEE RESOLUTION AND FEE SCHEDULE (Report of: Director of Finance/City Treasurer)
That the City Council:

1. Conduct a Public Hearing to receive public comments on the Proposed FY 2003-04 Fee Schedule, and


Resolution No. 2003-34

A Resolution of the City Council of the City of Moreno Valley, California, Increasing and Establishing Specified Fees for Various Services; Maintaining the Present Level of Certain Fees; Reducing the Level of Certain Fees; and Incorporating Certain Prior Enactments

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

F. REPORTS

F1. PUBLIC MEETING TO PROVIDE COMMENT REGARDING THE INSTALLATION OF RESIDENTIAL STREETLIGHTS ALONG WEBB STREET AND INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B-1C (STREETLIGHT INSTALLATION - WEBB STREET) AND ZONE B (RESIDENTIAL STREET LIGHTING) (Report of: Director of Public Works/City Engineer)
Recommendation: That the Mayor and City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley (CSD), accept public comment
regarding the proposed installation of residential streetlights along Webb Street and inclusion of Webb Street properties into the CSD Zones B-1C (Streetlight Installation – Webb Street) and B (Residential Street Lighting) programs and levy the associated charges to fund the costs for installing residential streetlight improvements and ongoing electrical energy, maintenance and administration services.

F2. APPROVE AND ADOPT RESOLUTION NO. CSD 2003-05 TO AUTHORIZE COLLECTION OF THE APPROVED CSD ZONE E-4A CHARGE AND INTRODUCE ORDINANCE NO. CSD 34 TO ESTABLISH ZONE E-4A (DAYBREAK DEVELOPMENT-INTERNAL PARKWAY LANDSCAPE MAINTENANCE) (Report of: Director of Public Works/City Engineer)
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):

1) Approve and adopt Resolution No. CSD 2003-05 to authorize collection of the approved Zone E-4A parcel charge on the property tax bill, as required by the County of Riverside.

Resolution No. CSD 2003-05

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance Services)

2) Introduce Ordinance No. CSD 34 to establish the Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) boundary and to include Zone E-4A as a subzone of Zone E (High-Service-Level Parkway Landscape Maintenance)

Ordinance No. CSD 34

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Establishment of Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) as a Subzone of Zone E (High-Service-Level Parkway Landscape Maintenance)

F3. APPROVE AND ADOPT RESOLUTION NO. CSD 2003-06 TO AUTHORIZE COLLECTION OF THE APPROVED CSD ZONE E-1A CHARGE AND INTRODUCE ORDINANCE NO. CSD 35 TO ESTABLISH ZONE E-1A (RENAISSANCE PARK-INTERNAL
PARKWAY LANDSCAPE/WALL MAINTENANCE) (Report of: Director of Public Works/City Engineer)
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):

1) Approve and adopt Resolution No. CSD 2003-06 to authorize collection of the approved Zone E-1A parcel charge on the property tax bill, as required by the County of Riverside

Resolution No. CSD 2003-06

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Parcel Charge for Providing Zone E-1A (Renaissance Park – Internal Parkway Landscape/Wall Maintenance) Services

2) Introduce Ordinance No. CSD 35 to establish the Zone E-1A (Renaissance Park - Internal Parkway Landscape/Wall Maintenance) boundary and to include Zone E-1A as a subzone of Zone E (High-Service-Level Parkway Landscape Maintenance)

Ordinance No. CSD 35

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Establishment of Zone E-1A (Renaissance Park – Internal Parkway Landscape/Wall Maintenance) as a Subzone of Zone E (High-Service-Level Parkway Landscape Maintenance)

F4. 2003 CITIZEN OPINION SURVEY RESULTS (Report of: Assistant City Manager)
Recommendation: That the City Council review and discuss the findings of the 2003 Citizen Opinion Survey prepared for the City of Moreno Valley by MUSE Consulting, Inc.

F5. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: Receive, file and ratify the Legislative Status Report.

F6. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

G. LEGISLATIVE ACTIONS
ORDINANCES - 1ST READING AND INTRODUCTION

G1. AMENDMENT TO PERS CONTRACT (Report of: Human Resources Director)
Recommendation: That the City Council:

1. Adopt Resolution No. 2003-33 noticing its intention to approve an amendment to the contract between the Board of Administration of the Public Employees’ Retirement System (PERS) and the City Council of the City of Moreno Valley regarding a change in benefits per contract agreement.

Resolution No. 2003-33

A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Approve an Amendment to Contract Between the Board of Administration of the Public Employees’ Retirement System and the City Council of the City of Moreno Valley

2. Introduce Ordinance No. 629 authorizing an amendment to the City’s PERS contract. (Roll call required)

Ordinance 629

An Ordinance of the City Council of the City of Moreno Valley, Authorizing Amendment to the Contract Between the City Council of the City of Moreno Valley and the Board of Administration of the California Public Employees’ Retirement System

3. Authorize the Mayor and City Clerk to execute the amendment authorizing credit for unused sick leave per PERS Section 20965 for local miscellaneous members.

4. Direct the City Clerk, upon adoption of said Resolution, to forward to PERS the original or a certified copy of: Resolution of Intention, Certification of Governing Body’s Action, and Certification of Compliance with Gov. Code Sec. 7507.

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
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-

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

ADJOURNMENT