

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY**

FEBRUARY 24, 2004

CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Chelbana Award
2. Moreno Valley Master Chorale, Inc. - Presentation by Dr. Robb Dennis, Artistic Director, and Marcus Van Hala, Marketing Director

**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.
FEBRUARY 24, 2004**

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 – Pastor David Richardson, Jr., IMANI Praise Fellowship

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 – JANUARY 31, 2004 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2004-13, approving the Warrant Report, dated January, 2004 in the total amount of \$6,440,888.03.

Resolution No. 2004-13

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated January 31, 2004

A3. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL AT PERRIS BOULEVARD AND SUNNYMEAD RANCH PARKWAY – PROJECT NO. 02-12566821 (Report of: Public Works Department)
Recommendation: Ratify Contract Change Order No. 1 (Final); accept the work as complete for the traffic signal at Perris Boulevard and Sunnymead Ranch Parkway, constructed by LA Signal, Inc., 1500 East Nelson Avenue, Industry, California 91744; direct the City Clerk to record the Notice of Completion within ten (10) calendar 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 LA Signal, 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. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED DECEMBER 31, 2003 (Report of: Finance Department)
Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.
- A5. ACCEPTANCE OF COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2003 (Report of: Finance Department)
Recommendation: Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2004.
- A6. MINUTES – REGULAR MEETING OF FEBRUARY 10, 2004 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- A7. REVISION TO LEGISLATIVE POLICY RE RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES (Report of: City Clerk’s Department)
Recommendation: Adopt the proposed revised legislative policy regarding rules of procedure for City Council meetings and related functions and activities.
- A8. APPOINTMENTS TO REGIONAL CONSERVATION AUTHORITY (RCA), SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS - COMMUNITY, ECONOMIC, AND HUMAN DEVELOPMENT (SCAG-CEHD), SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS - TRANSPORTATION COMMUNICATIONS COMMITTEE (SCAG-TCC), AND COMMUNITY OF PROMISE (NO WRITTEN MATERIAL PROVIDED) (Report of: City Clerk’s Department)
- A9. RESOLUTION NO. 2004-15, AUTHORIZATION TO SUBMIT GRANT APPLICATIONS FOR SAFE ROUTES TO SCHOOL PROGRAM AND CERTIFICATION OF MATCHING FUNDS (Report of: Public Works Department)
Recommendation: Approve staff’s proposed project recommendations for the Safe Routes to School program; adopt the Resolution supporting the submission of applications for the Safe Routes to School Program; and authorize the Public Works Director to submit applications to the California Department of Transportation District 8 Local Assistance Engineer for the Safe Routes to School Program.

Resolution No. 2004-15

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Submission of Applications for Safe Routes to School Program and Authorize the Public Works Director to Submit Applications to California Department of Transportation District 8 Local Assistance Engineer for the Safe Routes to School Program

- A10. APPROVAL OF PARCEL MAP 30882 – COMMERCIAL PROJECT, AND ACCEPT AGREEMENTS & BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, SOUTHWEST CORNER OF HIGHWAY 60 AND MORENO BEACH DRIVE – WALMART REAL ESTATE BUSINESS TRUST (Report of: Public Works Department)
Recommendation: Approve Parcel Map 30882, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accept the bonds and Agreements for Public Improvements; authorize the Mayor to execute the agreements; and direct the City Clerk to forward the signed agreements to the County Recorder's Office for recordation.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- B2. MINUTES – REGULAR MEETING OF FEBRUARY 10, 2004
(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 – REGULAR MEETING OF FEBRUARY 10, 2004
(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 FEBRUARY 10, 2004
(Report of: City Clerk's Department)
Recommendation: Approve as submitted.

E. PUBLIC HEARINGS - NONE

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

G. REPORTS

- G1. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACTS 31050, 31120, 31255 (AND ALL THEIR AFFECTED PHASES): INCLUSION INTO COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING; AND APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE (Report of: Public Works Department)
Recommendation: That the City Council and the Board of Directors of the Moreno Valley Community Services District (CSD) accept public comments regarding the mail ballot proceedings for Tentative Tracts 31050, 31120, 31255 (and all their affected phases) for: 1) inclusion into CSD Zone B and approval of the annual charge; and 2) approval of the NPDES regulatory rate schedule.
- G2. PUBLIC MEETING TO PROVIDE COMMENT ON THE PROPOSED PARKWAY LANDSCAPE REFURBISHMENT AND REINSTATEMENT OF COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACT NO. 20529 (AND ALL AFFECTED PHASES) – EAST OF MORENO BEACH DRIVE, SOUTH OF LOCUST, AND WEST OF PETTIT STREET (Report of: Public Works Department)
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 Community Services District (CSD), hold a Public Meeting to accept comments regarding the proposed refurbishment of parkway landscaping and inclusion into the CSD Zone D (Parkway Landscape Maintenance) program for Tract 20529 (and all affected phases).

- G3. RESOLUTION SUPPORTING PROPOSITIONS 57 AND 58
(Report of: Administrative Services Department)
Recommendation: That the City Council adopt Proposed Resolution No. 2004-14, supporting the passage of Propositions 57 and 58 on the March 2004 Statewide Ballot.

Resolution No. 2004-14

A Resolution of the City Council of the City of Moreno Valley, Supporting Passage of Propositions 57 and 58 on the March 2004 Statewide Ballot

- G4. BUDGET MODIFICATION FOR THE RECREATION AND CONFERENCE CENTER (Report of: Parks and Recreation Department)
(Material not available at time of printing; to be provided under separate cover)
- G5. LEGISLATIVE UPDATE (Report of: Administrative Services Department)
Recommendation: That the City Council receive and file the report.
- G6. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. CSD 45, AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE ESTABLISHMENT OF ZONE E-8 (PROMONTORY PARK – TRACT 22709) AS A SUBZONE OF ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) (RECEIVED FIRST READING AND INTRODUCTION FEBRUARY 10, 2004 ON A 5-0 VOTE) (Report of: Public Works Department)
Recommendation: Adopt Ordinance No. CSD 45.

Ordinance No. CSD 45

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Establishment of Zone E-8 (Promontory Park – Tract 22709) as a Subzone of Zone E (High-Service-Level Parkway Landscape Maintenance)

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