CALL TO ORDER - The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor West in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member White.

INVOCATION - Mayor Richard Stewart gave the invocation.

ROLL CALL
Council:
Richard A. Stewart                Mayor
Bonnie Flickinger                 Mayor Pro Tem
William H. Batey, II             Council Member
Frank West                       Council Member
Charles R. White                 Council Member

Staff:
Margaret Ayars                   Assistant City Clerk
Steve Chapman                    Finance Director/City Treasurer
Robert Herrick                   City Attorney
Gene Rogers                      City Manager
Betsy Adams                      Interim Assistant City Manager
Mitch Slagerman                  Redevelopment Manager
William Di Yorio                 Police Chief
Stan Lake                        Fire Chief
Trent Pulliam                    Public Works Director/City Engineer
Cynthia Pirtle                   Director of Library Services
George Price                     Parks and Recreation Director
George Guyante                   Interim Economic Development Director
Angela Rushen                    Interim Administrative Services Director
Police Chief, William Di Yorio introduced new staff member to the Police Department Division, Lana Collin.

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

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, there being none, public comments were closed.

A. CONSENT CALENDAR - CITY COUNCIL

A1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.

A2. MINUTES - REGULAR MEETING OF FEBRUARY 8, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.


Resolution No. 2005-17

A Resolution of the City Council of the City of Moreno Valley, California, to Repeal Resolution 2003-66 and Adopt the City of Moreno Valley Standard Plans January 2005 Edition

A4. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED DECEMBER 31, 2004 (Report of: Finance Department)
Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.

A6. LEASE OF OFFICE SPACE AT MORENO VALLEY GATEWAY (Report of: Parks and Recreation Department)
Recommendation: Authorize the lease of office space at Moreno Valley
Gateway, located at 14325 Frederick Street, Suite 4, in the amount of $23,086.08 annually.

A7. WARRANT REPORT – JANUARY 2005 (Report of: Finance Department)

Resolution No. 2005-18
A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated January 31, 2005

A8. PARCEL MAPS 24348, 24349, AND 24350 – APPROVE DEEDS OF RECONVEYANCE TO RECONVEY THE CITY’S INTEREST IN PARCELS 1 THROUGH 4 OF PARCEL MAP 24348, PARCELS 1 AND 3 OF PARCEL MAP 24349, AND PARCEL 2 OF PARCEL MAP 24350, JENNINGS COURT, NORTH OF PENUNURI PLACE AND EAST OF MORTON ROAD - SUBDIVIDER – MICHAEL JENNINGS (Report of: Public Works Department)
Recommendation: Authorize the Mayor to execute the Deed of Reconveyance to reconvey the interest in Parcels 1 through 4 of Parcel Map 24348 in the Deed of Trust known as Document No. 2000-238216, recorded June 21, 2000, in the Official Records of Riverside County, California; authorize the Mayor to execute the Deed of Reconveyance to reconvey the interest in Parcel 1 of Parcel Map 24349 in the Deed of Trust known as Document No. 2001-234494, recorded May 25, 2001, in the Official Records of Riverside County, California; authorize the Mayor to execute the Deed of Reconveyance to reconvey the interest in Parcel 3 of Parcel Map 24349 in the Deed of Trust known as Instrument No. 410851, recorded December 12, 1995, in the Official Records of Riverside County, California; authorize the Mayor to execute the Deed of Reconveyance to reconvey the interest in Parcel 2 of Parcel Map 24350 in the Deed of Trust known as Document No. 2001-235117; recorded May 29, 2001, in the Official Records of Riverside County, California; and direct the City Clerk to forward the signed Deeds of Reconveyance to the County Recorder’s office for recordation.

Recommendation: Approve the Subordination Agreement to the deed of trust that secures the public right-of-way improvements to Parcel Map 27548; 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.

A10. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) OWNER PARTICIPATION AGREEMENT (Report of: Community Development Department)
Recommendation: Adopt the resolution approving the Owner Participation Agreement (OPA) between the Community Redevelopment Agency (Agency) and Heacock Cottonwood Limited Partnership III (Participant); and Intercreditor Agreement.

Resolution No. 2005-19

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Owner Participation Agreement with Heacock Cottonwood III Limited Partnership for the Development of Land, Making Certain Findings, and Approving the Use of Funds

Recommendation: Approve Resolution No. 2005-20, rescinding prior Resolution No. 2005-12 and approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the City’s Vehicle License Fee Receivable from the State; and directing and authorizing certain other actions in connection therewith.

Resolution No. 2005-20

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding Prior Resolution No. 2005-12 and Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller’s Vehicle License Fee Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith
Recommendation: Approve the Memorandum of Understanding (MOU) by and between Western Pacific Housing and the City of Moreno Valley for the Construction of the Nason Street Corridor Electrical Distribution System; authorize staff to reconcile final construction costs associated with the Western Pacific Housing advancement of funds to Moreno Valley Utility for the construction of additional sections of the Nason Street corridor electrical distribution system; and authorize the Mayor to execute the final MOU upon City Attorney’s review and approval of the original MOU.

A13. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE PERRIS BOULEVARD WIDENING FROM RED MAPLE LANE TO IRIS AVENUE, PROJECT NO. 05-41678524 (Report of: Public Works Department)
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.

A14. PUBLIC SAFETY BUILDING EXPANSION PHASE II (Report of: Police Department)
Recommendation: Approve an appropriation of $44,000 from police facilities development impact fees to engage the consulting firm, LPA, to complete a 10-year capital improvement plan for the public safety building.

A15. REQUEST FOR RESOURCES FOR PUBLIC WORKS TO ADDRESS EXPANSION AND GROWTH OF THE ENTERPRISE SERVICES ADMINISTRATION DIVISION (Report of: Public Works Department)
Recommendation: Approve the following resources to address expansion and growth of the Enterprise Services Administration Division: 1) One (1) Management Analyst II position; 2) One (1) Accounting Technician position; and 3) The appropriation of $54,695.18 from 149.51710 to fund the two (2) full time career staff positions for the remainder of the 2004/2005 fiscal year.

A16. APPROVAL OF FINAL MAP 32146 - CONDOMINIUM PROJECT, AND ACCEPT BONDS & AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, WEST SIDE OF LASSELLE STREET, NORTH OF IRIS AVENUE; SUBDIVIDER; K. HOVNANIAN FORECAST HOMES, INC.
Recommendation: Approve Final Map 32146, authorize the City Clerk to sign the map and transmit said map to the County Recorder’s Office for recordation; accept the bonds and 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.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.

B2. MINUTES - REGULAR MEETING OF FEBRUARY 8, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

B3. FINAL MAPS 31212, 31213, 31326, 31327--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN MORENO VALLEY COMMUNITY SERVICES DISTRICT AND MAHOGANY FIELDS HOMEOWNERS ASSOCIATION (Report of: Public Works Department)
Recommendation: Approve the Maintenance Agreement by and between the CSD and Mahogany Fields Homeowners Association; authorize the Mayor in his capacity as President of the CSD to execute the Maintenance Agreement; authorize the City Attorney to act on behalf of the CSD to work with Mahogany Fields Homeowners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement; authorize the City Treasurer to invest the required Trust Funds pursuant to the Paragraph 7 of the Maintenance Agreement; authorize the City Manager to act on behalf of the CSD to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

B4. AUTHORIZE CHILD CARE PROGRAM MANAGER AND CHILDREN’S SERVICES SUPERVISOR TO SIGN AS LICENSEES AND ENTER INTO CONTRACTS WITH THE STATE OF CALIFORNIA COMMUNITY CARE LICENSING ON BEHALF OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT (Report of: Parks & Recreation Department)
Recommendation: Authorize the Child Care Program Manager and Children’s Services Supervisor signatory authority as licensees to enter into licensing
contracts with the State of California Community Care Licensing on behalf of the Moreno Valley Community Services District and adopt Resolution No. CSD 2005-01.

Resolution No. CSD 2005-01

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 Certifying the Approval of the Governing Board to Enter into a Transaction with the State of California Community Care Licensing and Development Services and to Authorize Designated Personnel to Sign Contracts and Licensing Documents for FY 2004/2005 and 2005/2006.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.

C2. MINUTES - REGULAR MEETING OF FEBRUARY 8, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

C4. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) OWNER PARTICIPATION AGREEMENT (Report of: Community Development Department)
Recommendation: Adopt the resolution approving the Owner Participation Agreement (OPA) between the Community Redevelopment Agency (Agency) and Heacock Cottonwood Limited Partnership III (Participant); and Intercreditor Agreement.

Resolution No. RDA 2005-02

A Resolution of the Redevelopment Agency of the City of Moreno Valley, California, Approving an Owner Participation Agreement with Heacock Cottonwood III Limited Partnership for the Development of Land, Making Certain Findings, and Approving the Use of Funds

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title on
D2. MINUTES - REGULAR MEETING OF FEBRUARY 8, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

Joint Consent Calendar items A2 – D2 approved by a 5-0 vote with the exception of A5 and C3 pulled for separation action. m/White, s/Flickinger.

AGENDA ORDER

E. PUBLIC HEARINGS

E2. MAIL BALLOT PROCEEDING FOR TENTATIVE TRACTS 31129, 31213 AND 31326 (AND ALL THE AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING); 2) INCLUSION INTO CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) OR E-14 (MAHOGANY FIELDS) HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE AND APPROVAL OF THE CSD PARCEL CHARGES; AND 3) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE. TRACT 31129 IS LOCATED ON THE NORTH SIDE OF CACTUS AVENUE, SOUTH OF BRODIAEA AVENUE AND EAST OF OLIVER STREET; TRACT 31213 IS LOCATED ON THE NORTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORRISON STREET; AND TRACT 31326 IS LOCATED NORTH OF BAY AVENUE AND WEST OF MORRISON STREET (Report of: Public Works Department)
Recommendation: That the City Council, and the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballots for Tentative Tracts 31129, 31213 and 31326 (and all the affected phases) for each described service;

2. Verify and accept the results of the mail ballot proceedings 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. If approved, authorize and impose the applicable charges for CSD
Zone B, Zone D or Zone E-14 and the NPDES regulatory rate to the tentative tracts participating in each identified program.

President Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.

**Directed the Secretary to tabulate the ballots. Motion carried unanimously. m/White, s/West.**

The Secretary announced the results as follows:

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Ballot results and receive and file the accepted official tally sheet and APN listing re Tentative Tracts 31129, 31213 and 31326. Approved by a 5-0 vote, m/White, s/Batey.

Authorized and imposed the applicable charges for CSD Zone B, Zone D or E-14 and the NPDES regulatory rate to the tentative tracts participating in each identified program. Approved by a 5-0 vote, m/White, s/Batey.

E1. MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE). PA04-0121 – CVS PHARMACY – APN 485-081-030. SOUTHWEST CORNER OF JOHN F. KENNEDY DRIVE AND PERRIS BOULEVARD; AND MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 32018 (AND ALL AFFECTED PHASES ) FOR: 1) INCLUSION INTO CSD ZONE B (RESIDENTIAL STREET LIGHTING); 2) INCLUSION INTO CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE); AND 3) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE. TRACT 32018 IS LOCATED SOUTH OF DRACAEEA AVENUE AND WEST OF SILVER LANE (Report of: Public Works Department) Recommendation: That the City Council and the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballots for PA04-0121 – CVS Pharmacy – APN 485-081-030 and Tentative Tract 32018 (and all affected phases) for each described service;

2. Verify and accept the results of the mail ballot proceedings 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. If approved, authorize and impose the applicable CSD Zones B, D and M charges and the NPDES maximum regulatory rate to the project participating in each identified program.

President Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.
Directed the Secretary to tabulate the ballots. Motion carried unanimously. m/White, s/Batey.

The Secretary announced the results as follows:

Tract 32018 – APN 485-081-030 - Zone M – “Yes”
- APN 479-150-007 - Zone B – “Yes”
- APN 479-150-008 - Zone B – “Yes”
- APN 479-150-007 – Zone D – “Yes”
- APN 479-150-008 – Zone D - “Yes”
- APN 479-150-008 - NPDES – “Yes”
- APN 479-150-009 - NPDES – “Yes”

Ballot results and applicable charges re Tentative Tracts 32018 approved by a 5-0 vote. m/White, s/Flickinger.

AGENDA ORDER

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

A5. ASSIGNMENT, ASSUMPTION AND MODIFICATION AGREEMENT WITH COACHELLA VALLEY HOUSING COALITION (CONTINUED FROM FEBRUARY 8, 2005) (Report of: Community Development Department) Recommendation: Execute the Assignment, Assumption and Modification Agreement with Coachella Valley Housing Coalition (CVHC); execute the Housing Assistance Agreement Extension with CVHC; and execute the Substitution of Attorney in conjunction with the Settlement Agreement with CVHC.

C3. ASSIGNMENT, ASSUMPTION AND MODIFICATION AGREEMENT WITH COACHELLA VALLEY HOUSING COALITION (CONTINUED FROM FEBRUARY 8, 2005) (Report of: Community Development Department)

Recommendation: Execute the Assignment, Assumption and Modification Agreement with Coachella Valley Housing Coalition (CVHC); execute the Housing Assistance Agreement Extension with CVHC; and execute the Substitution of Attorney in conjunction with the Settlement Agreement with CVHC.

Mayor Stewart opened the agenda item for public comments; there being none, public comments were closed.
Approved A5 and C3 as recommended with the addition to authorize staff to reformat and make other technical changes to the Housing Assistance Agreement with the approval of the City Manager and the Executive Director of the Community Redevelopment Agency by a 5-0 vote. m/Flickinger, s/White.

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report on March Joint Powers Authority by Mayor Stewart

Mayor Stewart reported on the homeless issue and that March Joint Powers had voted to commit for 90 days until another sponsor is found.

G2. 2004 CITIZEN OPINION SURVEY – REVIEW OF TOP FOUR ISSUES
(Report of: Administrative Services Department)
Recommendation: That the City Council review and discuss the top four issues from the 2004 Citizen Opinion Survey.

G3. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: That the City Council receive and file the report.

Approved by a 5-0 vote, m/White, s/Batey.

G4. CITY MANAGER’S REPORT (Informational Oral Presentation – not for Council action)

City Manager, Gene Rogers reported the 91/215/60 interchange project had encountered some problems with the contractor, so the project is at a standstill. RCTC is looking for ways to move the project forward. He also reported that Moreno Valley had fared very well through the rainstorm and no severe damage had taken place. Fire Chief Stan Lake and Trent Pulliam gave updates on the storm damage.

Approved by a 5-0 vote, m/Batey, s/White.

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION

H1. SEIZURE AND FORFEITURE OF NUISANCE VEHICLES (CONTINUED
FROM FEBRUARY 8, 2005) (Report of: City Attorney)
Recommendation: Staff is requesting a continuation of this item to March 8, 2005 to allow more time to provide Council with an improved version of this proposed ordinance. As with the seizure of any personal property by the government, sensitive due process issues are raised that must be fully researched prior to committing the City to a particular course of action.

Motion carried unanimously to continue item to March 8, 2005, 5-0 vote, m/Batey, s/Flickinger.

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 ARE AS FOLLOWS:

Daryl Terrell
1) CDBG Reform

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Alessandro at median - pothole needs repair
2) Black History Parade rescheduled for March 12
3) Requested the new Economic Development Director be present at Study Session to discuss goals in workshop format.

Council Member Flickinger
1) State Legislature selected subject matter experts, Gary Kyle, Building Official has been selected, true professional
2) December 1-4 - City’s birthday celebration

Mayor Pro Tem Stewart
1) County’s radio system to be replaced
2) Agrees with Council Member Batey re Economic Director attending holding workshop at Towngate and invite public
3) Economic development a high priority for the City of Moreno Valley
4) Los Angeles instituted a 311 system for non-emergency city issues; would like this for the City of Moreno Valley
5) March JPA is not self-funded - is an extension of its supporting cities, Agency doesn’t have funding to be a social agency. Its purpose is to reuse the base and provide jobs, not social programs. The homeless shelter funding was for an “emergency situation.”

CLOSED SESSION

REPORT OF ACTION FROM CLOSED SESSION BY CITY ATTORNEY, IF ANY - NONE

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:45 p.m. by unanimous informal consent.

Submitted by:

__________________________________
Alice Reed, City Clerk
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____________________________________
Richard Stewart, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

jmh