CALL TO ORDER

SPECIAL PRESENTATIONS - 6:00 p.m.

1. Proclamation Recognizing Water Awareness Month - May 2005

2. Presentation on Valley View High School (VVHS) Senior Projects
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.
MAY 24, 2005

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 – Dr. A. Dale Lacquement, Faith Baptist Church

ROLL CALL

INTRODUCTIONS

INTRODUCTION OF NEW STAFF MEMBERS

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. MINUTES - REGULAR MEETING OF MAY 10, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

Recommendation: Approve the submitted grant application for the HES Program, FFY 2005/2006.

A4. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNALS AT INDIAN STREET AND BAY AVENUE AND AT LASSELLE STREET AND JOHN F. KENNEDY DRIVE, PROJECT NOS. 03-13766123 AND 03-13768123 (Report of: Public Works Department)
Recommendation: Award the construction contract for the traffic signals at Indian Street and Bay Avenue and at Lasselle Street and John F. Kennedy Drive to New West Signal, 14055 Foothill Blvd, Fontana, California 91730, the lowest responsible bidder; authorize the Mayor to execute a contract with New West Signal; authorize a transfer totaling $170,000.00 from the Annual Pavement Resurfacing, Measure A (Account No. 125.56330) funds and establish two new accounts. Allot $95,000.00 for the traffic signal at Indian Street and Bay Avenue into a new Measure A account (125.____), and $75,000.00 for the traffic signal at Lasselle Street and John F. Kennedy Drive into a new Measure A account.
(125.____) to fund the shortfall; authorize the appropriation of $45,000.00 from the unencumbered Air Quality Management (Fund 137) fund balance for the traffic signal at Lasselle Street and John F. Kennedy Drive into Account No. 137.68123 to fund the shortfall; authorize the issuance of two (2) Purchase Orders for New West Signal in the amounts of $255,575 (the bid amount plus 10% contingency) for the traffic signal at Indian Street and Bay Avenue (Account Nos. 125.____ and 137.66123), and $257,707 for the traffic signal at Lasselle Street and John F. Kennedy Drive (Account Nos. 125.____ and 137.68123).

A5. APPROVAL OF PARCEL MAP 31990 AND ACCEPT AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, SOUTHWEST CORNER OF FREDERICK STREET AND CALLE SAN JUAN DE LOS LAGOS, SUBDIVIDER – MORENO VALLEY GATEWAY, LLC, 30448 RANCHO VIEJO ROAD, SAN JUAN CAPISTRANO, CA 92675 (Report of: Public Works Department) Recommendation: Approve Parcel Map 31990, authorize the City Clerk to sign the map and transmit said map to the County Recorder’s Office for recordation; accept 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. FINAL MAP 23097 – ACCEPT REPLACEMENT SECURITY AND AGREEMENT FOR PUBLIC IMPROVEMENTS, SAMUEL LANE, WEST OF PIGEON PASS ROAD, SUBDIVIDER – BREAKTHROUGH CHURCH OF GOD IN CHRIST, 22620 GOLDENCREST DRIVE, SUITE 121, MORENO VALLEY, CA 92553 (Report of: Public Works Department) Recommendation: Accept the replacement Agreement for Public Improvements for Final Map 23097; authorize the Mayor to execute the agreement; accept the Deed of Trust, as reviewed and approved by the City Attorney, as security for the required public improvements; direct the City Clerk to forward the signed agreement and Deed of Trust to the County Recorder’s office for recordation; and instruct the City Engineer to prepare the exoneration of the Faithful Performance Bond and Material & Labor Bond provided by Jan A. Zuppardo and Charles S. Zuppardo Jr. upon acceptance of the replacement security and Agreement for Public Improvements.

A7. APPROVAL OF FINAL MAP 31284-1– SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT BONDS & AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS, SOUTH SIDE OF COTTONWOOD AVENUE BETWEEN QUINCY STREET AND
MORENO BEACH DRIVE, SUBDIVIDER - MERITAGE HOMES OF CALIFORNIA, INC., 19600 FAIRCHILD ROAD, SUITE 270, IRVINE, CA 92612 (Report of: Public Works Department)
Recommendation: Approve Final Map 31284-1, 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.

Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.

A9. APPROVAL OF WAL-MART REAL ESTATE BUSINESS TRUST LINE EXTENSION AGREEMENT (Report of: Public Works Department)
Recommendation: Approve the Line Extension Agreement by and between the City of Moreno Valley and Wal-Mart Real Estate Business Trust.

A10. ANNUAL REVIEW OF DEVELOPMENT AGREEMENT FOR THE TOWNGATE SPECIFIC PLAN (Report of: Community Development Department)
Recommendation: Determine that the property owner(s) has complied in good faith with the terms and conditions of the Development Agreement for the Towngate Specific Plan.

A11. APPROVAL OF GRANT APPLICATION SUBMITTALS FOR THE BICYCLE AND PEDESTRIAN FACILITIES PROGRAM, SENATE BILL 821 (SB 821) (Report of: Public Works Department)
Recommendation: Approve the submittal of the grant applications for the Bicycle and Pedestrian Facilities Program.

Recommendation: Approve the Acquisition/Financing Agreement by and among the City of Moreno Valley and Ridge Property Trust (the “Agreement”) for proposed Community Facilities District No. 4 (Centerpointe Business Park – Infrastructure) (“CFD No. 4”).

Resolution No. 2005-42

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated April 30, 2005

A14. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE AQUEDUCT BIKE TRAIL FROM JOHN F. KENNEDY DRIVE TO PAN AM BOULEVARD, PROJECT NOS. 02-46165321 AND 98-92492 (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 upon receipt of Caltrans authorization to proceed.

Recommendation: Approve the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, City of Moreno Valley, and Western Pacific Housing, Inc. for the Moreno Master Drainage Plan Line J, J-2, J-3, J-4, and J-6; authorize the Mayor to execute the agreement; and direct the City Clerk to forward the signed agreement to the Riverside County Flood Control and Water Conservation District.

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 MAY 10, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

Recommendation: Ratify Contract Change Order Nos. 1, 2, and 3 (Final); accept the work as complete for the arterial wall façade, pilaster, fencing, arbor and monument structure repair, as performed by Thomco Construction, Inc., 2121 West Crescent Avenue, Suite A, Anaheim, CA 92801; direct the City Clerk, acting in the capacity of Secretary to the CSD Board, 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; and authorize the Director of Finance to release the retention to Thomco Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

B4. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED 2005/2006 ANNUAL CHARGES (Report of: Public Works Department)
Recommendation: Accept Public comment regarding the CSD proposed fiscal year (FY) 2005/2006 annual charges. The proposed charges shall provide for continued services to parks, recreation, residential street lighting and improvements, arterial street lighting, parkway landscaping, extensive parkway landscaping, internal parkway landscaping/walls, and medians during FY 2005/2006, as submitted in the Annual Levy Report on file in the office of the City Clerk.

B5. PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDING FOR THE PROPOSED COMMUNITY SERVICES DISTRICT (CSD) ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE ADJUSTMENT FOR ZONE E-1 (TOWNGATE), ZONE E-2 (HIDDEN SPRINGS) AND ZONE E-3 (MORENO VALLEY RANCH – WEST) (Report of: Public Works Department)
Recommendation: Accept public comments regarding the mail ballot proceeding for the proposed CSD Zone E annual charge adjustment for Zone E-1 (TownGate), Zone E-2 (Hidden Springs)
Recommendation: Approve the Amendment to Agreement for MVCSD Project E-3/04 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of Santa Ana, California; authorize the Purchasing Manager, at the start of Fiscal Year 2005/2006, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of: a) One Hundred Three Thousand Three Hundred Ninety-Six Dollars and 80/100 ($103,396.80) for twelve months of base maintenance service, and; b) Fourteen Thousand Six Hundred and Twenty-Eight Dollars and No/100 ($14,628.00) for anticipated Additional Work per Section 3., paragraph d. of the Amendment to Agreement.

Recommendation: Approve the Amendment to Agreement for MVCSD Project E-4/03 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of Santa Ana, California; and authorize the Purchasing Manager, at the start of Fiscal Year 2005/2006, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of: a) One Hundred Sixty-Six Thousand Eight Hundred Dollars and 48/100 ($166,800.48) for twelve months of base maintenance service, and; b) Eighteen Thousand Thirty-Three Dollars and No/100 ($18,033.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.

B8. SUB-LEASE OF THE FITNESS ROOM IN THE CONFERENCE AND RECREATION CENTER TO FITNESS 19 TO EQUIP AND OPERATE A FITNESS CENTER (Report of: Parks and Recreation)
Recommendation: Approve the sub-lease of the fitness room in the Moreno Valley Conference and Recreation Center to Fitness 19 to provide exercise equipment and operate a fitness center.
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 MAY 10, 2005 (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 MAY 10, 2005 (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 TO ADOPT FISCAL YEAR 2004-2005
ANNUAL ACTION PLAN AMENDMENT #2 AND 2005-2006
ANNUAL ACTION PLAN AMENDMENT #1 (Report of: Economic
Development Department)
Recommendation: That the City Council:

1. Conduct a Public Hearing to allow the public an opportunity
to comment on the proposed 2004-05 Annual Action Plan
Amendment #2 and the proposed 2005-06 Annual Action
Plan Amendment #1;

2. Adopt the proposed 2004-05 Annual Action Plan
Amendment #2 and,

3. Adopt the proposed 2005-06 Annual Action Plan
Amendment #1.
Recommendation: That the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Conduct a Public Hearing to amend the 2005-2010 Implementation Plan; and

2. Approve the amendment to the 2005-2010 Implementation Plan to incorporate four additional capital improvement projects.

ADJOURNMENT OF REGULAR MORENO VALLEY JOINT CITY COUNCIL MEETING TO SPECIAL JOINT PUBLIC HEARING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC) AND THE MORENO VALLEY CITY COUNCIL

CALL TO ORDER

ROLL CALL

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.

E. PUBLIC HEARINGS

Recommendation: That the City Council and the Moreno Valley Public Facilities Financing Corporation conduct a joint public hearing, allowing citizens to appear and protest the proposed sale of excess property.

ADJOURNMENT

RECONVENE 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

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

G. REPORTS

G1. PROPOSED FY 2005/2006 REDEVELOPMENT AGENCY BUDGET & POWERPOINT PRESENTATION (PowerPoint slides to be provided under separate cover) (Report of: Economic Development Department)
Recommendation: That the Board of Directors review and comment on the proposed Redevelopment Agency budget for FY 2005/2006.

G2. CONTINUED FY 05/06 BUDGET DISCUSSION – POWERPOINT PRESENTATION (Report of: Finance Department) – Material not available at time of printing – to be provided under separate cover)

G3. TRAIN GRADE SEPARATION FUNDING PROGRAMS (Report of: Community Development Department)
Recommendation: That the City Council adopt Resolution No. 2005-43, joining our neighboring cities in support of the resolution adopted by the Riverside City Council, related to the establishment of a per-container fee that funds construction of necessary grade separations throughout the State of California and offers incentives to logistics firms that participate in an off-peak delivery program.

Resolution No. 2005-43

A Resolution of the City Council of the City of Moreno Valley, California, Expressing the City Council’s Support for the Concepts of a Train Grade Separation Fee (TGSF) and Offering Incentives to Trucking Companies to Participate in a Night Delivery Program to Improve and Enhance Traffic Flow Throughout the City of Moreno Valley and the State of California

G4. LEGISLATIVE UPDATE (Report of: Interim Assistant City Manager)
Recommendation: Receive and file the informational report.

G5. 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 - 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 54957.6 – LABOR NEGOTIATIONS
   a) Agency Representative: Gene Rogers
      Employee Organization: MVCEA
   b) Agency Representative: Gene Rogers
      Employee Organization: MVMA

2) SECTION 54956.8 – REAL ESTATE NEGOTIATIONS
   a) City Negotiator: John Strickler
      Property: APN 486-084-001(Jrs. Market)
      Address: 15310 Perris Boulevard
      Owner: Kamal and Wafaa Batech

3) SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION
   Number of Cases: -2-

4) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
   Number of Cases: -2-
SPECIAL JOINT CLOSED SESSION OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC) AND THE MORENO VALLEY CITY COUNCIL

SECTION 54956.8 – REAL ESTATE NEGOTIATIONS

City Negotiator:       John Strickler
APN’s:                477-220-038 and 079
Address:             Known as the Nason Street Property
Owner:               Moreno Valley Public Facilities Finance Corporation

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

ADJOURNMENT