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 6:35 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Dr. A. Dale Lacquement, Faith Baptist Church

ROLL CALL

Council:

Richard A. Stewart  Mayor
Bonnie Flickinger  Mayor Pro Tem
Charles R. White  Council Member
Frank West  Council Member

Absent: William H. Batey, II  Council Member

Staff:

Alice Reed  City Clerk
Steve Chapman  Finance Director/City Treasurer
Robert Herrick  City Attorney
Gene Rogers  City Manager
Betsy Adams  Interim Assistant City Manager
Linda Guillis  Community and Economic Development Director
William Di Yorio  Police Chief
Abdul Ahmad  Fire Marshall
Trent Pulliam  Public Works Director/City Engineer
Cynthia Pirtle  Director of Library Services
George Price  Parks and Recreation Director
Denese Williams  Human Resources Director
George Guayante  Interim Economic Development Director
Assistant City Engineer, Prem Kumar, introduced the following new staff members in the Public Works Department: Henry Ngo, Associate Engineer; Monica Adamee, Senior Real Property Agent; and Tony Gonzalez, Management Analyst I.

**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 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
A15. TRACTS 31212, 31213, 31326, 31327 – APPROVAL OF COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINES J, J-2, J-3, J-4, AND J-6, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND WESTERN PACIFIC HOUSING, INC., SOUTH OF COTTONWOOD AVENUE, BETWEEN LASSELLE STREET AND NASON STREET – SUBDIVIDER: WESTERN PACIFIC HOUSING, INC., 16755 VON KARMAN AVE., SUITE 200, IRVINE, CA 92606 (Report of: Public Works Department) 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 Waived reading of all Ordinance Introductions and read by title only.


B3. NOTICE OF COMPLETION AND ACCEPTANCE OF THE ARTERIAL WALL FAÇADE, PILASTER, FENCING, ARBOR AND MONUMENT STRUCTURE REPAIR, MORENO VALLEY RANCH SPECIFIC PLAN - PROJECT NO. 03-18278240-50 (Report of: Public Works Department) 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

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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) and Zone E-3 (Moreno Valley Ranch-West) specific plan areas.

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.

B7. EXTENSION OF CONTRACT – PROJECT NO. E-4/03 – MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – MORENO VALLEY
RANCH EAST (Report of: Public Works Department)
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.

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 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
Waived reading of all Ordinance Introductions and read by title on

D2. MINUTES - REGULAR MEETING OF MAY 10, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

Joint Consent Calendar Items A2 - D2 approved by a 4-0-1 vote, Council Member Batey absent, except for item B8 which was pulled for separate discussion/action. m/West, s/Flickinger.

E. PUBLIC HEARINGS

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,


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

Approved by a 4-0-1 vote. m/White, s/West, Council Member Batey absent.


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.

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

Approved by a 4-0-1 vote. m/White, s/West, Agency Member Batey absent.

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

Richard A. Stewart  President
Bonnie Flickinger  Vice President
Charles R. White  Board Member
Frank West  Board Member

Absent: William H. Batey, II  Board Member

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.

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

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

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.
Approved by a 4-0-1 vote, Council Member Batey absent, to continue the item to the Council meeting of June 14, 2005. m/White, s/West.
G. REPORTS


Mayor Stewart opened the agenda item for public comments; there being none, public comments were closed.

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)

Mayor Stewart opened the agenda item for public comments. Public comment was received from Daryl Terrell.

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

Mayor Stewart opened the agenda item for public comments; there being none, public comments were closed.
Approved by a 4-0-1 vote. m/Flickinger, s/West, Council Member Batey absent.

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

Mayor Stewart opened the agenda item for public comments; there being none, public comments were closed.

Approved by a 4-0-1 vote to receive and file. m/White, s/West, Council Member Batey absent.

G5. CITY MANAGER’S REPORT (Informational Oral Presentation – not for Council action)

City Manager, Gene Rogers, gave an update on the March Joint Powers Authority Technical Advisory Committee’s meeting regarding the Tax Sharing Agreement. Will schedule a briefing by two members of the MJPA to update the City Council.

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 ARE AS FOLLOWS:

Daryl Terrell
1) Directly elected Mayor

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

Mayor Pro Tem Flickinger
1) Announced MVTV-3 has won another award – congratulated the MVTV-3 crew
2) Reminded the citizens to fly their flags and be patriotic

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3) Asked for a second to agendize the Towing Ordinance (seconded by Mayor Stewart)
4) Directed staff to address the “used car sales” issue taking place on Alessandro Blvd.

Council Member West
1) Inquired as to when the detailed budget presentation will be held – City Manager responded it will be on June 14

Council Member White
1) Responded to Mr. Terrell’s comments regarding “time for a change to City” – stated he doesn’t understand why we would need a change when things are running so smoothly – he has not heard anything regarding this from the public – does not support

Mayor Stewart
1) Glad to be back after vacation
2) March BRAC - realignment
3) Stated the 163rd “Grizzlies” of the National Guard stationed at MARB will be losing five of their planes – they will be going to various places and four will stay at March – it’s a shame to see the five go
4) City Council will examine the budget more closely on June 14
5) New Wal-Mart walls going up rapidly
6) Concern with “Directly Elected Mayor” is having two voting members from same district
7) Would like to agendize the False Alarm Ordinance for a future study session (seconded by Council Member White)

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 9:00 p.m. by unanimous informal consent.

Submitted by:

___________________________________________________________________________

12 MINUTES
MAY 24, 2005
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