

**MINUTES
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
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 P.M.
SEPTEMBER 13, 2005**

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 6:38 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Stewart

INVOCATION - Pastor Lacy Sykes, Jr., CrossWord Christian Church

ROLL CALL

Council:

Richard A. Stewart	Mayor
Bonnie Flickinger	Mayor Pro Tem
William H. Batey, II	Council Member
Charles R. White	Council Member
Frank West	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 Development Director
Rick Hall	Police Lieutenant
Stan Lake	Fire Chief
Trent Pulliam	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services
Steve Kupsak	Parks and Facilities Manager
Denese Wilson	Human Resources Director
Mitch Slagerman	Interim Economic Development Director

Angela Rushen Interim Administrative Services Director
New staff members Mel Alonzo, Assistant to the City Manager/Risk Manager and Kathleen Dale, Associate Planner, were introduced.

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
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- A2. MINUTES - REGULAR MEETING OF AUGUST 23, 2005 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A3. RESOLUTION COMMEMORATING THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS' 40 YEARS OF SERVICE TO THE SOUTHERN CALIFORNIA REGION (Report of: City Manager)
Recommendation: Adopt Resolution No. 2005-75, commemorating the Southern California Association of Governments' (SCAG) 40 years of service to the Southern California Region.

Resolution No. 2005-75

A Resolution of the City Council of the City of Moreno Valley, California, Commemorating the Southern California Association of Governments' 40 Years of Service to the Southern California Region

- A4. MORENO VALLEY RANCH SPECIFIC PLAN 193 – EXONERATE PARK FACILITY PAYMENT BOND FOR PLANNING AREAS 24, 25, 32, 49, 49A, AND 50, SUBDIVIDER – MCKENZIE VISTA, LP, P. O. BOX 178 BOW, WA 98232 (Report of: Parks & Recreation Department)
Recommendation: Approve the exoneration of the Park Facility Bond for Planning Areas 24, 25, 32, 49, 49A, and 50; and authorize the Director of Parks and Recreation to exonerate the Park Facility Payment Bond.
- A5. REQUEST FOR NO PARKING ZONE ON EASTBOUND EUCALYPTUS

AVENUE TOWARD THE CORNER OF ELSWORTH STREET (Report of: Public Works Department)

Recommendation: That 425 feet of "No Parking Zone" be installed, starting at 594 east of intersection of Eucalyptus Avenue/Towngate Boulevard and ending 1019 feet east of intersection of Eucalyptus Avenue/Towngate Boulevard.

- A6. APPROVAL OF FINAL MAP 27251 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT AGREEMENT & BONDS FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS NORTHEAST CORNER OF MORRISON STREET AND EUCALYPTUS AVENUE, SUBDIVIDER -RICHLAND MEADOWLAND, LTD. 4100 NEWPORT PLACE, SUITE 800, NEWPORT BEACH, CA 92660-1403 (Report of: Public Works Department)
Recommendation: Approve Final Map 27251, 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.
- A7. FINAL MAP 29732 (OFFSITE IMPROVEMENTS), AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTHEAST CORNER OF IRIS AVENUE AND OLIVER STREET, SUBDIVIDER: GREYSTONE HOMES, INC., 40980 COUNTY CENTER DRIVE, SUITE 110, TEMECULA, CA 92591 (Report of: Public Works Department)
Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Final Map 29732 (Offsite Improvements); and instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation.
- A8. FINAL MAP 29038 – SINGLE FAMILY RESIDENTIAL PROJECT, AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) SOUTHEAST CORNER OF KRAMERIA AVENUE AND SADDLEBROOK LANE SUBDIVIDER: WL HOMES, LLC, C/O JOHN LAING HOMES, 255 EAST RINCON STREET, SUITE 100, CORONA, CA 92879 (Report of: Public Works Department)
Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Final Map 29038; and instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation.
- A9. ACCEPTANCE OF FEE INTEREST IN ASSESSOR'S PARCEL NUMBER

477-190-032 (APPROXIMATELY 8.75 ACRES LOCATED AT THE SOUTHWEST CORNER OF MORENO BEACH BOULEVARD AND COTTONWOOD AVENUE (Report of: Public Works Department)

Recommendation: Transfer \$1,235,000 from the Moreno Valley Public Financing Authority 2005 Lease Revenue Bonds into Fund 601 - Electrical Utility; approve the Budget Appropriation to the 2005/2006 budget of Fund 601 – Electrical Utility to increase the spending authority by \$1,235,000 to fund the purchase of the substation land; adopt Resolution No. 2005-76 and direct the City Clerk to certify the acceptance of the grant deed and place said certification in escrow for recordation with the original grant deed when the escrow is complete; and authorize the transfer of funds necessary to complete the purchase of the subject parcel to Chicago Title and Escrow Company.

Resolution No. 2005-76

A Resolution of the City Council of the City of Moreno Valley, California, Accepting Conveyance of Title in Certain Property for Public Service Purposes

- A10. WARRANT REPORT – JULY 31, 2005 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2005-81, approving the Warrant Report, dated July, 2005 in the total amount of \$13,968,627.09.

Resolution No. 2005-81

A Resolution of the City Council of the City of Moreno Valley, Approving the Warrant Report Dated July 31, 2005

- A11. RESOLUTION NO. 2005-82, APPROVE AND AUTHORIZE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. M019, TO THE ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECT NO. BHLS-5441 (039), HEACOCK STREET BRIDGE OVER PERRIS VALLEY STORM DRAIN, LATERAL A – PROJECT NO. 06-12566825 (Report of: Public Works Department)
Recommendation: Adopt Resolution No. 2005-82, and approve and authorize the execution of Program Supplement Agreement No. M019, to the Administering Agency-State Agreement for Federal-Aid, Project No. BHLS-5441 (039) for preliminary engineering; and authorize the Mayor to execute the Program Supplement Agreement No. M019.

Resolution No. 2005-82

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing the Execution of a Program Supplement No. M019 to Administering Agency-State Agreement No. BHLS-5441 (039) for Federal-Aid Projects Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley

- A12. TEETER COMMISSION APPOINTMENTS (Report of: City Clerk)
Recommendation: Appoint Mayor Pro Tem Bonnie Flickinger as the primary representative and Council Member Charles R. White as the alternate representative to the Teeter Commission.

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 AUGUST 23, 2005 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- B3. MORENO VALLEY RANCH SPECIFIC PLAN 193 – EXONERATE PARK FACILITY PAYMENT BOND FOR PLANNING AREAS 24, 25, 32, 49, 49A, AND 50, SUBDIVIDER – MCKENZIE VISTA, LP, P. O. BOX 178 BOW, WA 98232 (Report of: Parks & Recreation Department)
Recommendation: Approve the exoneration of the Park Facility Bond for Planning Areas 24, 25, 32, 49, 49A, and 50; and authorize the Director of Parks and Recreation to exonerate the Park Facility Payment Bond.
- B4. RECOMMENDATION TO AWARD BID FOR CONTRACT MOWING OF PARKS (P&R) (Report of: Parks and Recreation)
Recommendation: Award the Bid for Contract Mowing of Parks (P&R) to DLS Landscape, Inc., 32398 Dunlap Blvd., Yucaipa, California 92399, in the amount of \$187,740; authorize the Mayor to execute a Contract Agreement with the above-mentioned contractor; authorize the Finance Director to issue a purchase order upon execution of the contract to the above-mentioned contractor not to exceed the amount of \$187,740. Funds are available in CSD Zone A, Account 161.76310.6261.
- B5. COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) - ANNEXATION 2005-8 (Report of: Public Works Department)
Recommendation: Adopt Resolution No. CSD 2005-18; a Resolution of the

Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1").

Resolution No. CSD 2005-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

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 AUGUST 23, 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 AUGUST 23, 2005 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

Joint Consent Calendar Items A2 – D2 approved by a 5-0 vote. m/Batey, s/White.

E. PUBLIC HEARINGS

- E1. MAIL BALLOT PROCEEDING FOR TENTATIVE TRACTS 32145 & 32146 (AND ALL THEIR AFFECTED PHASES) FOR: APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – TRACT 32145 IS LOCATED ON THE NORTHEAST CORNER OF IRIS AVENUE AND LOS CABOS DRIVE; TRACT 32146 IS LOCATED ON THE WEST SIDE OF LASSELLE STREET NORTH OF IRIS AVENUE AND SOUTH OF GENTIAN AVENUE; AND MAIL BALLOT PROCEEDING FOR ASSESSOR PARCEL NUMBER (APN) 304-100-002 - BROADSTONE MORENO VALLEY RANCH, LLC (BROADSTONE

APARTMENTS) – FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – SOUTHEAST CORNER OF MORENO BEACH DRIVE AND JOHN F KENNEDY DRIVE; AND MAIL BALLOT PROCEEDING FOR APN 477-780-004, 477-780-006 AND 477-780-007 – MVPJL, LLC (MORENO BEACH PLAZA) – FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – NORTHWEST CORNER OF MORENO BEACH DRIVE AND TRAIL RIDGE WAY (Report of: Public Works Department)

Recommendation: That the City Council after conducting the public hearing:

1. Tabulate the mail ballots for Tentative Tracts 32145 & 32146 (and all their affected phases), APN 304-100-002 (Broadstone Apartments) and APNs 477-780-004, 477-780-006 and 477-780-007 (Moreno Beach Plaza) for the described service;
2. Verify and accept the result 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 NPDES regulatory rate to Tentative Tracts 32145 & 32146 (and all their affected phases), APN 304-100-002 (Broadstone Apartments) and APN's 477-780-004, 477-780-006 and 477-780-007 (Moreno Beach Plaza).

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

Directed the City Clerk to tabulate the ballots. Motion carried unanimously. m/White, s/Batey.

The City Clerk announced the results as follows:

- 1) Tentative Tract 32145 & 32146 - Yes (NPDES)
- 2) APN 304-100-002 (Broadstone Apartments) - Yes (NPDES)
- 3) APNs 477-780-004, 477-780-006 and 477-780-007 (Moreno Beach Plaza) - Yes

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

E2. MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31305 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (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. LOCATED AT THE NORTHWEST CORNER OF EUCALYPTUS AVENUE AND NASON STREET; AND MAIL BALLOT PROCEEDING FOR CSD ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE) APNS 292-230-005 AND 292-230-006 (AUTO ZONE). LOCATED AT THE NORTHEAST CORNER OF SUNNYMEAD BOULEVARD AND GRAHAM 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 APNs 292-230-005 & 292-230-006 (Auto Zone) and Tentative Tract 31305 (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 Listing (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.

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

Directed the City Clerk to tabulate the ballots. Motion carried unanimously. m/Batey, s/West.

The City Clerk announced the results as follows:

- 1) Tentative Tract 31305 (Zone B) - Yes; (Parkway Landscape Maintenance) - Yes; (NPDES) – Ballot was not marked

- 2) APNs 292-230-005 and 292-230-006 (Auto Zone) - Yes

Approved by a 5-0 vote with the exception of Tentative Tract 31305 (NPDES) which was continued to September 27, 2005 . m/Flickinger, s/Batey.

- E3. MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE) FOR APNS 484-020-010 AND 484-020-022 VP DEVELOPMENT (ALESSANDRO/KITCHING APARTMENTS). LOCATED AT THE SOUTHWEST CORNER OF ALESSANDRO BOULEVARD AND KITCHING STREET (Report of: Public Works Department)
Recommendation: That the City Council and Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

1. Tabulate the mail ballot for APNs 484-020-010 and 484-020-022 (Alessandro/Kitching Apartments) for Zone M
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. If approved, authorize and impose the CSD Zone M charge.

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

Directed the City Clerk to tabulate the ballots. Motion carried unanimously. m/Batey, s/West.

The City Clerk announced the results as follows:

- 1) APNs 484-020-010 and 484-020-022 (Alessandro/Kitching Apartments) for Zone M - Yes

Approved by a 5-0 vote. m/ Flickinger, s/West .

- E4. PUBLIC HEARING TO ADOPT FISCAL YEAR 2005-2006 ANNUAL ACTION

PLAN AMENDMENT #2 (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 2005-06 Annual Action Plan Amendment #2 and,
2. Adopt the proposed 2005-06 Annual Action Plan Amendment #2.

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

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

- E5. ZONE CHANGE TO ESTABLISH A NEW LIGHT INDUSTRIAL ZONING, MUNICIPAL CODE AMENDMENT TO REVISE EXISTING BUSINESS PARK ZONING, ESTABLISH PERMITTED USES FOR THE LIGHT INDUSTRIAL ZONE, AND MODIFY THE STANDARDS PERTAINING TO SELF-STORAGE WAREHOUSES (Report of: Community Development Department)

Recommendation: That the City Council:

1. Adopt a Negative Declaration for PA05-0012, in that the project will not have the potential for a significant impact on the environment; and
2. Introduce Ordinance No. 693, modifying Title 9 of the Municipal Code, Permitted Uses Table 9.02.020-1 (Exhibit 3A), Section 9.09.140 pertaining to the purposes of the industrial zones (Exhibit 3C), and establishing zoning designations as identified in Exhibit 3D.

Ordinance No. 693

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9, Municipal Code, Chapter 2, Section 9.02.020, Permitted Uses Table to Establish a New Light Industrial Zone with Identified Permitted Uses, and Modify the Uses Permitted in the Business Park Designation and Require a Conditional Use Permit for Storage Lots or Mini-Warehouses in the Community Commercial; Modify Section 9.09.140 to Add Additional Wording with Regard to the Compatibility of Self-Storage Warehouses; and Modify the Purpose of the Industrial Zones (Section 9.05.020) to Provide a Purpose for the Newly Established Light Industrial Zoning, and to Revise the Purpose of the Business Park Designation. In Addition, the Zoning Atlas will also be Modified to Change Zoning from Business Park to Light Industrial. The Zone Change will Affect Portions of the Area South of Alessandro Boulevard, North

of Cactus Ave, East of Elsworth St., and West of Heacock St.

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

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

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - NONE

G. REPORTS

**G1. FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 4 – INFRASTRUCTURE (Report of: Public Works Department)
Recommendation: That the City Council:**

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

1. Approve and adopt Resolution No. 2005-88; a Resolution of the City Council of the City of Moreno Valley, California, approving the Form of the First Amendment to the Acquisition/Financing Agreement for Community Facilities District No. 4 – Infrastructure;

Resolution No. 2005-88

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Form of the First Amendment to the Acquisition/Financing Agreement for Community Facilities District No. 4 - Infrastructure

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

2. Approve and adopt Resolution No. 2005-89; a Resolution of the City Council of the City of Moreno Valley, California, approving a boundary map showing the boundaries of the territory of proposed to be included in proposed Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley.

Resolution No. 2005-89

A Resolution of the City Council of the City of Moreno Valley, California, Approving a Boundary Map Showing The Boundaries of the Territory of Proposed to be Included in Proposed Community Facilities District No. 4 - Infrastructure of the City of Moreno Valley

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

3. Approve and adopt Resolution No. 2005-90; a Resolution of the City Council of the City of Moreno Valley, California, declaring its intention to establish Community Facilities District No. 4 – Infrastructure of the City of Moreno Valley and to authorize the levy of a special tax therein to finance the acquisition or construction of certain public facilities; and

Resolution No. 2005-90

A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Establish Community Facilities District No. 4 - Infrastructure of the City of Moreno Valley and to Authorize the Levy of a Special Tax Therein to Finance the Acquisition or Construction of Certain Public Facilities

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

4. Approve and adopt Resolution No. 2005-91; a Resolution of the City Council of the City of Moreno Valley, California, declaring the necessity of CFD No. 4 – Infrastructure of the City of Moreno Valley to incur a bonded indebtedness to be secured by special taxes levied within such district to pay for the acquisition or construction of certain public facilities.

Resolution No. 2005-91

A Resolution of the City Council Of The City Of Moreno Valley, California, Declaring The Necessity Of Community Facilities District No. 4 - Infrastructure Of The City Of Moreno Valley To Incur A Bonded Indebtedness To Be Secured By Special Taxes Levied Within Such District To Pay For The Acquisition Or Construction Of Certain Public Facilities

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

G2. FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 4 – MAINTENANCE (Report of: Public Works Department)

Recommendation: That the City Council:

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

1. Approve and adopt Resolution No. 2005-83; a Resolution of the City Council of the City of Moreno Valley, California, approving a Maintenance Agreement by and among the Centerpointe Business Park Property Owners Association, Community Facilities District No. 4 – Maintenance of the City of Moreno Valley and the City of Moreno Valley;

Resolution No. 2005-83

A Resolution of the City Council of the City of Moreno Valley, California, Approving a Maintenance Agreement by and Among Centerpointe Business Park Property Owners Association, Community Facilities District No. 4 – Maintenance of the City of Moreno Valley and the City of Moreno Valley

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

2. Approve and adopt Resolution No. 2005-84; a Resolution of the City Council of the City of Moreno Valley, California, approving a boundary map showing the boundaries of the territory proposed to be included in proposed Community Facilities District No. 4 – Maintenance of the City of Moreno Valley;

Resolution No. 2005-84

A Resolution of the City Council of the City of Moreno Valley, California, Approving a Boundary Map Showing the Boundaries of the Territory Proposed to be Included in Proposed Community Facilities District No. 4 – Maintenance of the City of Moreno Valley

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

3. Approve and adopt Resolution No 2005-85; a Resolution of the City Council of the City of Moreno Valley, California, declaring its intention to establish Community Facilities District No. 4 – Maintenance of the

City of Moreno Valley and to authorize the levy of a special tax therein to finance the maintenance of certain storm water and detention basin facilities;

Resolution No. 2005-85

A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Establish Community Facilities District No. 4 – Maintenance of the City of Moreno Valley and to Authorize the Levy of a Special Tax Therein to Finance the Maintenance of Certain Storm Water and Detention Basin Facilities

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

4. Approve and adopt Resolution No. 2005-86; a Resolution of the City Council of the City of Moreno Valley, California, adopting a map showing the boundaries of territory proposed to be annexed in the future to Community Facilities District No. 4 – Maintenance of the City of Moreno Valley; and

Resolution No. 2005-86

A Resolution of the City Council of the City of Moreno Valley, California, Adopting a Map Showing the Boundaries of Territory Proposed to be Annexed in the Future to Community Facilities District No. 4 – Maintenance of the City of Moreno Valley

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

5. Approve and adopt Resolution No. 2005-87; a Resolution of the City Council of the City of Moreno Valley, California, declaring the intention to annex territory in the future to Community Facilities District No. 4 – Maintenance of the City of Moreno Valley.

Resolution No. 2005-87

A Resolution of the City Council of the City of Moreno Valley, California, Declaring Intention to Annex Territory in the Future to Community Facilities District No. 4 - Maintenance of the City of Moreno Valley

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

- G3. FORMATION OF COMMUNITY FACILITIES DISTRICT (CFD) NO. 5 (Report

of: Public Works Department)

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

Recommendation: That the City Council:

1. Approve and adopt Resolution No. 2005-77: a Resolution of the City Council of the City of Moreno Valley, California, approving the Form of the First Amendment to the Acquisition/Financing Agreement for Community Facilities District No. 5 of the City of Moreno Valley.

Resolution No. 2005-77

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Form of the First Amendment to the Acquisition/Financing Agreement for Community Facilities District No. 5 of the City of Moreno Valley

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

2. Approve and adopt Resolution No. 2005-78; a Resolution of the City Council of the City of Moreno Valley, California, approving a Boundary Map Showing the Boundaries of the Territory Proposed to be Included in Proposed Community Facilities District No. 5 of the City of Moreno Valley;

Resolution No. 2005-78

A Resolution of the City Council of the City of Moreno Valley, California, Approving a Boundary Map Showing the Boundaries of the Territory Proposed to be Included in Proposed Community Facilities District No. 5 of the City of Moreno Valley

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

3. Approve and adopt Resolution No. 2005-79; a Resolution of the City Council of the City of Moreno Valley, California, declaring its Intention to Establish Community Facilities District No. 5 of the City of Moreno Valley and to authorize the Levy of a Special Tax therein to Finance the Acquisition or Construction of Certain Public Facilities;

Resolution No. 2005-79

A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Establish Community Facilities District No. 5 of the City of Moreno Valley and to Authorize the Levy of a Special Tax Therein to Finance the Acquisition or Construction of Certain Public Facilities

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

4. Approve and adopt Resolution No. 2005-80; a Resolution of the City Council of the City of Moreno Valley, California, Declaring the necessity of Community Facilities District No. 5 of the City of Moreno Valley to Incur a Bonded Indebtedness to be secured by Special Taxes Levied within such District to Pay for the Acquisition or Construction of Certain Public Facilities.

Resolution No. 2005-80

A Resolution of the City Council of the City of Moreno Valley, California, Declaring the Necessity of Community Facilities District No. 5 of the City of Moreno Valley to Incur a Bonded Indebtedness to be Secured by Special Taxes Levied Within Such District to Pay for the Acquisition or Construction of Certain Public Facilities

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

- G4. LEGISLATIVE UPDATE (Report of: Interim Assistant City Manager)
Recommendation: That the City Council receive and file the informational report.

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

m/Flickinger, s/Batey to fax a letter to the Governor urging his veto on AB 48. Motion carried 3-1-1, Mayor Stewart abstaining and Council Member West dissenting.

m/Flickinger, s/Batey to “watch” SB 61 and AB1243 and to support SB 588 and SB 861. Motion carried 5-0.

m/Batey, s/Flickinger to receive and file the Legislative Update. Motion carried unanimously.

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

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

City Manager Rogers gave an update of the status of the March Joint Powers Authority Tax Sharing Agreement and the Memorandum of Understanding Services Provision.

Interim Assistant City Manager Adams gave an update on the Hurricane Katrina self-evacuees that are coming to Riverside County and the City of Moreno Valley and what area agencies are doing to assist these evacuees. Stated the Moreno Valley Chamber of Commerce is collecting donations for the Red Cross and Salvation Army. They are also accepting donations of clothing for self-evacuees.

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 689 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA04-0157 (ZONE CHANGE) TO CHANGE THE LAND USE FROM OFFICE TO R15 FOR APPROXIMATELY 2.36 ACRES ON ASSESSOR'S PARCEL NUMBERS 484-030-008 AND 484-030-011 LOCATED AT 25767 ALESSANDRO BOULEVARD (RECEIVED FIRST READING AND INTRODUCTION JULY 12, 2005 ON A 4-0-1 VOTE) (CONTINUED FROM 8/23/05) (Report of: Community Development Department)
Recommendation: Adopt Ordinance No. 689.

Ordinance No. 689

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA04-0157 (Zone Change) to Change the Land Use from Office to R15 for Approximately 2.36 Acres on Assessor's Parcel Numbers 484-030-008 and 484-030-011 Located at 25767 Alessandro Boulevard

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

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

- H2. ORDINANCE NO. 691 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING AND REENACTING CHAPTER 2.18 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE PLANNING COMMISSION (RECEIVED FIRST READING AND INTRODUCTION AUGUST 23, 2005) (Report of: City Clerk)
Recommendation: Adopt Ordinance No. 691.

Ordinance No. 691

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 2 by Repealing and Reenacting Chapter 2.18 Relating to the Planning Commission

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

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

- H3. ORDINANCE NO. 692 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING SPEED LIMIT RECERTIFICATION ON VARIOUS STREETS (RECEIVED FIRST READING AND INTRODUCTION AUGUST 23, 2005) (Report of: Public Works Department)
Recommendation: Adopt Ordinance No. 692.

Ordinance No. 692

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

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

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

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 - NONE

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

Council Member White – No comments

Council Member West

- 1) Expressed his concern with the amount of crime in the City – stated he met with the gang officers prior to the budget process and made the recommendation to Council for additional officers – need to strike hard against these gangs – aggressive and proactive approach – will take to Public Safety Subcommittee
- 2) Met with the Mayor and Moreno Valley School District officials regarding implementing a daytime truancy ordinance to prevent students from wandering away from campus – need to deal with students who are leaving school and possibly becoming involved in criminal activity
- 3) Stated he met with the Trailseekers regarding the restroom facilities at the Equestrian Center – questioned staff as to timeframe for completion of facility as more people are now using the facility and with all the new development coming to Moreno Valley there will be more demand for the facilities

City Manager Rogers stated the item will be brought to Council at the October 20 Study Session.

Mayor Pro Tem Flickinger

- 1) Gave an update on the City's 21st Birthday Celebration – she and Council Member White are co-chairing the Planning Committee – there will be 4 days of festivities beginning December 1 with the culmination of a spectacular birthday party on December 3 – back-to-back performances by Moreno Valley's talented musicians-special fireworks and a few surprises
- 2) Stated over 20,000 people per month are utilizing the Moreno Valley Library – thanked the Library Director and staff for serving the Community – good job
- 3) Announced MVT3 has won two national awards from the City/County Communications & Marketing Association – this is the sixth national award won by the City – congratulated and thanked the entire Media & Communications staff
- 4) Stated the Public Works Department received the 2005 Project of the Year Award from the American Public Works Association for the formation of the Municipal Utility – congratulated Tom Breitzkreuz and his support staff for winning this very prestigious award
- 5) Addressed traffic problem traveling South on Perris Boulevard approaching the 60 freeway - extreme left lane automatically turns into left turn only lane – City has spoken with Caltrans to try to remedy this problem

Council Member Batey

- 1) Urged residents to help Katrina victims in any way possible – donate wherever you can – assist the Chamber with donations of clothing
- 2) City’s Disaster Plan is up to date but needs to be reviewed and needs work - will address at the Public Safety Subcommittee Meeting
- 3) Congratulated the two Moreno Valley Firefighters who are helping out in Louisiana

Mayor Stewart

- 1) “National Next of Kin Registry (NOKR)” is in need of help for volunteers to man the phone lines to register those still missing – currently being housed at the Riverside County Emergency Operations Center – free service to the public – contact Mark Cerney at 951.955.4787 to call if you can volunteer to help to put families in touch
- 2) Need to update the City’s Disaster Plan – need to provide daycare for the children of those who need to serve as disaster workers
- 3) Stressed the importance of HAM Radio Operators – could provide valuable service to the City in case of emergency
- 4) Will reconsider the daytime truancy ordinance
- 5) C-17s at March Air Reserve Base being utilized to assist in the Katrina disaster
- 6) Regarding the new Police Officers allocated in the budget – new officers not specifically dedicated to the Gang Task Force – will request in the next budget cycle
- 7) Addressed the traffic problems on Pigeon Pass at Climbing Rose

CLOSED SESSION - NONE

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 8:16 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

mea