AGENDA
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
AND SPECIAL MEETING OF
MORENO VALLEY PUBLIC FINANCING AUTHORITY

OCTOBER 23, 2007

REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.

City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.

City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber – 14177 Frederick Street
Teleconference: 23236 Harland Drive
               14951 Rembrandt Drive

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk’s office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

William H. Batey, II, Mayor Pro Tem
Richard A. Stewart, Council Member

Charles R. White, Mayor
Bonnie Flickinger, Council Member
Frank West, Council Member
CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Presentation of Fifteen Year Service Award to Council Member Fickinger
2. Officer of the Quarter - Officer Joseph Fitzgerald
3. Recognition of Valerie Lomas for Heroic Action
4. MVTV-3’s Award of Excellence Trophy from Pegasus
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
AND
SPECIAL MEETING
OF THE
MORENO VALLEY PUBLIC FINANCING AUTHORITY

REGULAR MEETING - 6:30 P.M.
OCTOBER 23, 2007

CALL TO ORDER (Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees, and Special Meeting of the Moreno Valley Public Financing Authority - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Theodore Dillard, Jr., Strong Tower Apostolic Community Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF’S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

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)

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 or discussion will be heard after public hearing items.

A. CONSENT CALENDAR - CITY COUNCIL

A1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A2. MINUTES - REGULAR MEETING OF OCTOBER 9, 2007 (Report of: City Clerk’s Department)

Recommendation: Approve as submitted.

A3. 2007 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)

Recommendation: Receive and file the informational report.


Resolution No. 2007-116

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated August 31, 2007

A5. TRACT MAP 30300-1 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING GELDING WAY, MARE LANE, QUARTER HORSE ROAD, AND THE PORTIONS OF CLYDESDALE LANE AND KRAMERIA STREET ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM, DEVELOPER – MVR-MORENO VALLEY, L.P.,
Recommendation:

1. Adopt Resolution No. 2007-117 authorizing the acceptance of the public improvements for Tract Map 30300-1 as complete and accepting Gelding Way, Mare Lane, Quarter Horse Road, and the portions of Clydesdale Lane and Krameria Street associated with the project into the City's maintained street system; and

   Resolution No. 2007-117

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 30300-1, and Accepting Gelding Way, Mare Lane, Quarter Horse Road, and the Portions of Clydesdale Lane and Krameria Street Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.


Recommendation:

1. Adopt Resolution No. 2007-118 authorizing the acceptance of the public improvements for Tract Map 30316 as complete and accepting Avenida de Portugal, Via Jardin, Via Rio, Calle Belding, Avenue Anillo, Calle Luna, Barona Court, Via Lido, Avenida Fiesta, Calle Vejar, Via Maravilla, Vista Allegre, Via Lavanda, and the portions of Camino Flores, Casa Encantador
Road, and Nason Street associated with the project into the City’s maintained street system; and

Resolution No. 2007-118

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 30316 and accepting Avenida de Portugal, Via Jardín, Via Rio, Calle Belding, Avenue Anillo, Calle Luna, Barona Court, Via Lido, Avenida Fiesta, Calle Vejar, Via Maravilla, Vista Allegre, Via Lavanda, and the Portions of Camino Flores, Casa Encantador Road, and Nason Street Associated with the Project into the City’s Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A7. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES
   (Report of: City Clerk’s Department)


B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B1. ORDINANCES - READING BY TITLE ONLY

   Recommendation: Waive reading of all Ordinances.

B2. MINUTES - REGULAR MEETING OF OCTOBER 9, 2007 (Report of: City Clerk’s Department)

   Recommendation: Approve as submitted.

Recommendation:

1. Authorize the President of the Board of Directors of the Community Services District to execute the Quitclaim of Easement for landscape to the owner or owners of record of the real property for Parcel Map 34572;

2. Authorize the President of the Board of Directors of the Community Services District to accept the landscape Easement Deed; and

3. Authorize the City Clerk in her capacity as secretary of the Moreno Valley Community Services District to execute the Acceptance Certification to accept the landscape Easement Deed from OMP Cactus, LLC, subject to completion of the improvements, and to direct the City Clerk to forward the signed Quitclaim of Easement and Easement Deed to the County Recorder’s Office for recordation.

B4. TRACT 31269 – AUTHORIZE THE ACCEPTANCE AND EXECUTION OF THE ACCEPTANCE CERTIFICATION TO ACCEPT THE LANDSCAPE EASEMENT DEED FROM PINNACLE MORENO VALLEY, 72, LLC, NORTH SIDE OF COTTONWOOD AVENUE, WEST OF REDLANDS BOULEVARD, DEVELOPER: PINNACLE MORENO VALLEY, 72, LLC, ALISO VIEJO, CA 92656 (Report of: Public Works Department)

Recommendation:

1. Authorize the President of the Board of Directors of the Community Services District to accept the landscape Easement Deed; and

2. Authorize the City Clerk in her capacity as secretary of the Moreno Valley Community Services District to execute the Acceptance Certification to accept the landscape Easement Deed from Pinnacle Moreno Valley, 72, LLC, subject to completion of the improvements, and to direct the City Clerk to forward the signed Easement Deed to the County Recorder’s Office for recordation.

B5. AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. TTPM-07/08 – PARKWAY AND MEDIAN TREE TRIMMING (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project TTPM-07/08
(the “Agreement”) with George Salinas Tree Preservation, Yorba, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with George Salinas Tree Preservation; and

3. Authorize the Purchasing Division Manager to issue an open purchase order to George Salinas Tree Preservation in the amount of ONE HUNDRED FORTY-NINE THOUSAND SIXTEEN AND 00/100 ($149,016.00) DOLLARS for annual Parkway and Median Tree Trimming Services.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C2. MINUTES - REGULAR MEETING OF OCTOBER 9, 2007 (Report of: City Clerk’s Department)

Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D2. MINUTES - REGULAR MEETING OF OCTOBER 9, 2007 (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. A PUBLIC HEARING IN CONNECTION WITH THE ISSUANCE OF: 1. BY THE COMMUNITY REDEVELOPMENT AGENCY OF: A) TAX ALLOCATION BONDS, SERIES A; B) TAX ALLOCATION BONDS, SERIES B); AND 2. BY THE CITY, ACTING ON BEHALF OF COMMUNITY FACILITIES DISTRICT NO. 87-1 OF: A)
COMMUNITY FACILITIES DISTRICT 87-1 (TOWNGATE) SPECIAL TAX REFUNDING BONDS (THE “TOWNGATE REFUNDING BONDS”), AND B) COMMUNITY FACILITIES DISTRICT 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 SPECIAL TAX REFUNDING BONDS (THE “IMPROVEMENT AREA REFUNDING BONDS”) (Report of: Economic Development Department)

Recommendation:
1. That the Council, acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley adopt Resolution No. 2007-119, authorizing the issuance of its 2007 Towngate Special Tax Refunding Bonds and approving certain documents and taking certain actions in connection therewith; and

Resolution No. 2007-119

Resolution of the City Council of the City of Moreno Valley Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Authorizing the Issuance of Its 2007 Towngate Special Tax Refunding Bonds, And Approving Certain Documents And Taking Certain Other Actions in Connection Therewith

2. That the Council, acting as the Legislative Body of Improvement Area No. 1 of Community Facilities District No. 87-1 (Towngate) adopt Resolution No. 2007-120, authorizing the issuance of its Improvement Area No. 1 Special Tax Refunding Bonds and approving certain documents and taking certain actions in connection therewith; and

Resolution No. 2007-120

Resolution of the City Council of the City of Moreno Valley Acting as the Legislative Body of Improvement Area No. 1 of Community Facilities District No. 87-1 of the City of Moreno Valley Authorizing the Issuance of Its Improvement Area No. 1 Special Tax Refunding Bonds, And Approving Certain Documents And Taking Certain Other Actions in Connection Therewith

3. That the Agency adopt Resolution No. RDA 2007-08, approving and authorizing execution of the Agency Towngate Agreement.

Resolution No. RDA 2007-08
4. That the Council adopt Resolution No. 2007-121, approving and authorizing execution of the Agency Towngate Agreement.

**Resolution No. 2007-121**

A Resolution of the City Council of the City of Moreno Valley Approving And Authorizing the Execution of the Agency Towngate Agreement

5. That the Agency adopt Resolution No. RDA 2007-09, approving and authorizing execution of the Agency Improvement Area Agreement.

**Resolution No. RDA 2007-09**

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving And Authorizing the Execution of the Agency Improvement Area Agreement

6. That the Council adopt Resolution No. 2007-122, approving and authorizing execution of the Agency Improvement Area Agreement.

**Resolution No. 2007-122**

A Resolution of the City Council of the City of Moreno Valley Approving And Authorizing the Execution of the Agency Improvement Area Agreement

7. That the Agency adopt Resolution No. RDA 2007-10, finding benefit to the Project Area and making certain additional findings with respect to certain public improvements to be located within the boundaries of the Redevelopment Project Area.

**Resolution No. RDA 2007-10**

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Making Certain Findings In Connection with the Provision of Public Improvements And Authorizing Such Improvements
8. That the Council adopt Resolution No. 2007-123, finding benefit to the Project Area and making certain additional findings with respect to certain public improvements to be located within the boundaries of the Redevelopment Project Area.

Resolution No. 2007-123

A Resolution of the City Council of the City Of Moreno Valley Making Certain Findings in Connection with the Provision of Public Improvements And Authorizing Such Improvements

9. That the Agency adopt Resolution No. RDA 2007-11, authorizing the issuance and sale of Tax Allocation Bonds for the Moreno Valley Redevelopment Project, and approving the Form of Indenture of Trust, Official Statement, Bond Purchase Agreement, Continuing Disclosure Certificate, Escrow Agreement and Related Documents and Authorizing Certain Other Actions.

Resolution No. RDA 2007-11

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Authorizing the Issuance And Sale of Tax Allocation Bonds for the Moreno Valley Redevelopment Project, And Approving the Form of Indenture of Trust, Official Statement, Bond Purchase Agreement, Continuing Disclosure Certificate, Escrow Agreement And Related Documents And Authorizing Certain Other Actions

10. That the Council adopt Resolution No. 2007-124, approving the issuance by the Community Redevelopment Agency of the City of Moreno Valley of Bonds, approving certain documents in connection therewith and making certain determinations relating thereto.

Resolution No. 2007-124

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Issuance by the Community Redevelopment Agency of the City of Moreno Valley of Bonds, Approving Certain Documents in Connection Therewith And Making Certain Determinations Relating Thereto
11. That the Authority adopt Resolution No. MVPFA 2007-02, authorizing the purchase and sale of Tax Allocation Bonds for the Moreno Valley Redevelopment Project and Approving certain related documents and authorizing certain other actions.

Resolution No. MVPFA 2007-02
Resolution of the Moreno Valley Public Financing Authority Authorizing the Purchase And Sale of Tax Allocation Bonds for the Moreno Valley Redevelopment Project And Approving Certain Related Documents And Authorizing Certain Other Actions

12. That the Agency adopt Resolution No. RDA 2007-12, authorizing the issuance of its Moreno Valley Redevelopment Project, Subordinate 2007 Taxable Tax Allocation Bonds and making certain determinations in connection therewith; and

Resolution No. RDA 2007-12
A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Authorizing the Issuance by the Community Redevelopment Agency of Its Moreno Valley Redevelopment Project, Subordinate 2007 Taxable Tax Allocation Bonds And Making Certain Determinations in Connection Therewith

13. That the Council adopt Resolution No. 2007-125, approving the issuance by the Community Redevelopment Agency of the City of Moreno Valley of its Moreno Valley Redevelopment Project, Subordinate 2007 Taxable Tax Allocation Bonds, Authorizing the purchase of such bonds and making certain determinations in connection therewith; and

Resolution No. 2007-125
A Resolution of the City Council of The City of Moreno Valley Approving the Issuance by the Community Redevelopment Agency of the City of Moreno Valley of Its Moreno Valley Redevelopment Project, Subordinate 2007 Taxable Tax Allocation Bonds, Authorizing the Purchase of Such Bonds And Making Certain Determinations in Connection Therewith
14. That the Council approve the accounting treatment recommended by the Finance Director/City Treasurer in the Fiscal Impact Section with respect to the General Fund equity, including the reassignment of unreserved designated fund balance to reserved balance.

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

G. REPORTS

G1. PROPOSED CITY-FUNDED FLU SHOTS FOR CITY EMPLOYEES (Report of: Assistant City Manager)

Recommendation: That the City Council approve the proposed program to offer City-funded flu shots to City employees and appropriate $10,000 in the Workers' Compensation Fund for the program.

G2. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report on Western Riverside Council of Governments (WRCOG) by Mayor White

G3. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

G4. EMPLOYMENT AGREEMENT WITH NEW CITY CLERK (Report of: Mayor White)

Recommendation: That the City Council approve and authorize the Mayor to execute an Employment Agreement with the new City Clerk. (MATERIALS TO BE PROVIDED SEPARATELY)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

H1. ORDINANCE NO. 756 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE OFFICIAL ZONING ATLAS OF SAID CITY, APPROVING CHANGE OF ZONE PA06-0158 FOR VARIOUS LOCATIONS WITHIN THE CITY OF MORENO VALLEY CONSISTENT WITH THE COMPREHENSIVE UPDATE TO THE CITY’S GENERAL PLAN LAND USE MAP AND FINDING THAT THE APPLICATION IS CONSISTENT WITH THE PREVIOUSLY CERTIFIED FINAL
Recommendation: Adopt Ordinance No. 756.

Ordinance No. 756

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Official Zoning Atlas of said City, Approving Change of Zone PA06-0158 for Various Locations within the City of Moreno Valley Consistent with the Comprehensive Update to the City’s General Plan Land Use Map and Finding that the Application is Consistent with the Previously Certified Final Program Environmental Impact Report (SCH#200091075) Pursuant to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines (Received First Reading and Introduction on October 9, 2007 by a 4-0-1 Vote, Flickinger Absent)

Recommendation: Adopt Ordinance No. 757.

Ordinance No. 757

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code Regarding Churches and Similar Assembly Uses, Retail Use, Towing, Administrative Revocation of Administrative Approvals, Landscaping Setbacks, New Applications Following Denial and Multiple-Family Development Standards (Received First Reading and Introduction on October 9, 2007 by a 4-0-1 Vote, Flickinger Absent)

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

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 City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

- PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

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

2) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
   Number of Cases: 2

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

ADJOURNMENT