



REVISED 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

FEBRUARY 26, 2008

SPECIAL PRESENTATIONS – 6:00 P.M.
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

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.

Frank West, Mayor Pro Tem
Richard A. Stewart, Council Member

William H. Batey II, Mayor

Bonnie Flickinger, Council Member
Charles R. White, Council Member

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
FEBRUARY 26, 2008**

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Officer of the Quarter - Officer Mario Herrera
2. Officer of the Year - Inv. Omar Rodriguez
3. Asphalt Concrete Grant Award from the California Integrated Waste Management Board (CIWMB) to the City of Moreno Valley

**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.
FEBRUARY 26, 2008**

CALL TO ORDER (Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, 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 – Chaplain Bruce Kite, Defense Media Center

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. 2008 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)

Recommendation: Receive and file the informational report.

A3. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR CITYWIDE SCHOOL WALKWAY INFILL IMPROVEMENTS - PROJECT NO. 07-01087625 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Citywide School Walkway Infill Improvements to J-RD MMAC, Inc., 14221 Whispering Sands, Victorville, CA 92392, the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with J-RD MMAC, Inc.;
3. Authorize the issuance of a Purchase Order to J-RD MMAC, Inc. in the amount of \$114,020.82 (\$95,017.35 total bid amount plus 20% contingency) when the contract has been signed by all parties; and
4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with J-RD MMAC, Inc., up to but not to exceed the Purchase Order contingency of \$19,003.47.

- A4. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD - PROJECT NO. 04-89280221-1 (Report of: Public Works Department)

Recommendation:

1. Grant GMC Engineering, Inc.'s request for relief of a bid proposal due to a mistake made in filling out the bid;
2. Award the construction contract for the Sunnymead Boulevard Revitalization from Frederick Street to Perris Boulevard to Environmental Construction, Inc., 21550 Oxnard Street, Suite 1050, Woodland Hills, CA 91367, the lowest responsible bidder;
3. Authorize the City Manager to execute a contract with Environmental Construction, Inc.;
4. Authorize the issuance of a Purchase Order to Environmental Construction, Inc. in the amount of \$5,286,234.80 (\$4,805,668.00 bid amount plus 10% contingency) when the contract has been signed by all parties; and
5. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Environmental Construction, Inc, up to but not to exceed the Purchase Order contingency authorization of \$480,566.80, subject to approval of the City Attorney.

- A5. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT AND AUTHORIZATION OF APPROPRIATION OF ADDITIONAL FUNDS FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF BENCLIFF AVENUE, TACOMA DRIVE, KIMBERLY AVENUE, MALTBY AVENUE AND CAMPBELL AVENUE - PROJECT NO. 02-12185520 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Street Improvement Program for construction of Bencliff Avenue, Tacoma Drive, Kimberly Avenue, Maltby Avenue and Campbell Avenue to Grand Pacific Contractors, Inc., 680 North Cota Street, Corona, CA 92880, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract agreement with Grand Pacific Contractors, Inc.;
 3. Authorize the appropriation of \$247,000.00 from unencumbered Prop 42 Traffic Congestion Relief Fund (TCRF) monies (Fund 225) fund balance to the Street Improvement Program for construction of Bencliff Avenue, Tacoma Drive, Kimberly Avenue, Maltby Avenue and Campbell Avenue;
 4. Authorize the issuance of a Purchase Order for Grand Pacific Contractors, Inc., in the amount of \$472,000.00 (the bid amount plus 10% contingency) for the Street Improvement Program for construction of Bencliff Avenue, Tacoma Drive, Kimberly Avenue, Maltby Avenue and Campbell Avenue (Account Nos. 125.85523 and 225.68726); and
 5. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Grand Pacific Contractors, Inc., up to, but not exceeding, the contingency amount of \$43,012.00, subject to the approval of the City Attorney.
- A6. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR TAIL PIPE EXHAUST ADDITION AT FIVE FIRE STATIONS PROJECT NO. 07-43465826 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Tail Pipe Exhaust Addition at Five Fire Stations to Air Cleaning Systems, 1966 W. Holt Avenue, Pomona, CA 91768, the lowest responsible bidder;
2. Authorize the City Manager to execute a contract with Air Cleaning Systems;
3. Authorize the issuance of a Purchase Order to Air Cleaning Systems in the amount of \$251,637.10 (\$228,761.00 base bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 434.65826); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Air Cleaning Systems, up to but not exceed the Purchase Order contingency of \$22,876.10.

- A7. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF APN 475-280-025 FOR THE IRONWOOD SIDEWALK AND STREET IMPROVEMENT PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW (Report of: Public Works Department)

Recommendation:

1. Approve and execute the Agreement for Conveyance of Property for the partial acquisition of APN 475-280-025; and
2. Authorize the Finance Director to wire transfer funds into escrow in the amount of \$18,700 for the acquisition and an additional amount of \$4,000 for escrow fees for the partial acquisition of APN 475-280-025.

- A8. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF APN 475-280-077 FOR THE IRONWOOD SIDEWALK AND STREET IMPROVEMENT PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW (Report of: Public Works Department)

Recommendation:

1. Approve and execute the Agreement for Conveyance of Property for the partial acquisition of APN 475-280-077; and
2. Authorize the Finance Director to wire transfer funds into escrow in the amount of \$18,900 for the acquisition and an additional amount of \$4,000 for escrow fees for the partial acquisition of APN 475-280-077.

- A9. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF APN 475-280-024 FOR THE IRONWOOD SIDEWALK AND STREET IMPROVEMENT PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW (Report of: Public Works Department)

Recommendation:

1. Approve and execute the Agreement for Conveyance of Property for the partial acquisition of APN 475-280-024; and
2. Authorize the Finance Director to wire transfer funds into escrow in the amount of \$11,900 for the acquisition and an additional amount of \$4,000 for escrow fees for the partial acquisition of APN 475-280-024.

A10. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF APN 475-280-011 FOR THE IRONWOOD SIDEWALK AND STREET IMPROVEMENT PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW (Report of: Public Works Department)

Recommendation:

1. Approve and execute the Agreement for Conveyance of Property for the partial acquisition of APN 475-280-011; and
2. Authorize the Finance Director to wire transfer funds into escrow in the amount of \$18,900 for the acquisition and an additional amount of \$4,000 for escrow fees for the partial acquisition of APN 475-280-011.

A11. SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JP GROUP CIVIL, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with JP Group Civil, Inc., 40570 Calle Fiesta, Temecula, CA 92591 to provide Professional Consultant Services on various budgeted projects of the Capital Projects Division;
2. Authorize the City Manager to execute said "Second Amendment to Agreement for Professional Consultant Services" with JP Group Civil, Inc.; and
3. Authorize an increase in the Purchase Order to JP Group Civil, in the amount of \$130,000.00, when the "Second Amendment to Agreement for Professional Consultant Services" has been

signed by all parties.

- A12. INDIAN MIDDLE SCHOOL (MARCH MIDDLE SCHOOL) – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF INDIAN STREET AND SANTIAGO DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM, DEVELOPER – ASR CONSTRUCTORS, INC., RIVERSIDE, CA 92509 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-17 authorizing the acceptance of the public improvements for Indian Middle School (March Middle School) as complete and accepting the portions of Indian Street and Santiago Drive associated with the project into the City’s maintained street system; and

Resolution No. 2008-17

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Indian Middle School (March Middle School) and Accepting the Portions of Indian Street and Santiago Drive 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.
- A13. TRACT MAP 32146 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM, DEVELOPER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA 91761 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-18 authorizing the acceptance of the public improvements for Tract Map 32146 as complete and accepting the portion of Lasselle Street associated with the project into the City's maintained street system; and

Resolution No. 2008-18

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 32146, and Accepting the Portion of Lasselle 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.
- A14. TRACT MAP 30321 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING UNBRIDLED CIRCLE, CHARISMATIC COURT, SPECTACULAR BID ROAD, RIVA RIDGE DRIVE, CITATION CIRCLE, EQUESTRIAN WAY, CAVALCADE DRIVE, KENTUCKY DERBY DRIVE, FUNNY CIDE COURT, AND THE PORTION OF CREMELLO WAY ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – RYLAND HOMES OF CALIFORNIA, INC., CORONA, CA 92879 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-19 authorizing the acceptance of the public improvements for Tract Map 30321 as complete and accepting Unbridled Circle, Charismatic Court, Spectacular Bid Road, Riva Ridge Drive, Citation Circle, Equestrian Way, Cavalcade Drive, Kentucky Derby Drive, Funny Cide Court, and the portion of Cremello Way associated with the project into the City's maintained street system; and

Resolution No. 2008-19

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 30321, and Accepting Unbridled Circle, Charismatic Court, Spectacular Bid Road, Riva Ridge Drive, Citation Circle, Equestrian Way, Calvalcade Drive, Kentucky Derby Drive, Funny Cide Court, and the Portion of Cremello Way 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.

A15. TRACT MAP 31591 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING GOLDEN LANTERN DRIVE, ALDERTREE COURT, SAND PALM COURT, AND THE PORTIONS OF MORRISON STREET, AND EUCALYPTUS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – MVGH 2004, LLC, IRVINE, CA 92614 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-20 authorizing the acceptance of the public improvements for Tract Map 31591 as complete and accepting Golden Lantern Drive, Aldertree Court, Sand Palm Court, and the portions of Morrison Street, and Eucalyptus Avenue associated with the project into the City's maintained street system; and

Resolution No. 2008-20

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 31591 and Accepting Golden Lantern Drive, Aldertree Court, Sand Palm Court, and the Portions of Morrison Street, and Eucalyptus Avenue 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 of 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.

- A16. PERRIS VALLEY MASTER DRAINAGE PLAN – LATERAL B-3 AND B-3.2 ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS. SOUTH ON INDIAN STREET FROM SAN MICHELE ROAD SOUTH TO PERRIS VALLEY STORM DRAIN, WITH WEST LATERALS ON SAN MICHELE ROAD AND NANDINA AVENUE, DEVELOPER – FR/CAL MORENO VALLEY, LLC, A DELAWARE LIMITED LIABILITY COMPANY, LONG BEACH, CA 90802-4217 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements for Perris Valley Master Drainage Plan – Lateral B-3 and B-3.2;
2. Authorize the Mayor to execute the Agreement;
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A17. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED DECEMBER 31, 2007 (Report of: Finance Department)

Recommendation: Approve and accept the quarterly investment report, in compliance with the Investment Policy.

- A18. ANNUAL STATEMENT OF INVESTMENT POLICY (Report of: Finance Department)

Recommendation: Adopt the Annual Statement of Investment Policy.

- A19. ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR LASSELLE STREET ROADWAY WIDENING – JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD. PROJECT NO. 06-50182725 (Report of: Public Works Department)

Recommendation: Adopt a Mitigated Negative Declaration (MND) for the widening of Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard, Capital Improvement Project No. 06-50182725.

- A20. UPDATED STATE AND FEDERAL LEGISLATIVE ADVOCACY PRIORITIES FOR 2008 (Report of: Assistant City Manager)

Recommendation: Review and adopt the proposed State and Federal Legislative Advocacy Priorities for 2008.

- A21. MINUTES - REGULAR MEETING OF FEBRUARY 12, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

- A22. CITY COUNCIL REPORTS ON REGIONAL AND REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation: Receive and file the Reports on Reimbursable Activities for the period of February 6-19, 2008.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

- B2. MINUTES - REGULAR MEETING OF FEBRUARY 12, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

- B3. AWARD OF CONTRACT - MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/08 – MAINTENANCE OF HIGH SERVICE LEVEL STREETScape LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-3/08 (the "Agreement") with Excel Landscape, Inc., Corona, California;
2. Authorize the President of the MVCSD Board to execute said Agreement with Excel Landscape, Inc., and;

3. Authorize the Purchasing Division Manager on April 1, 2008, to issue open purchase orders to Excel Landscape, Inc. in the amounts of:

a. THREE HUNDRED NINETY-SEVEN THOUSAND ONE HUNDRED EIGHTY-FIVE AND 00/100 (\$397,185.00) DOLLARS for fifteen (15) months of base maintenance service (\$79,437.00 in FY 2007/08; \$317,748.00 in FY 2008/09) and;

b. TWENTY-FOUR THOUSAND ONE HUNDRED EIGHTY-THREE AND 00/100 (\$24,183.00) DOLLARS for anticipated Additional Work (\$9,423.00 in FY 2007/08; \$14,760.00 in FY 2008/09), per Section 3, paragraph h. of said Agreement.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C2. MINUTES - REGULAR MEETING OF FEBRUARY 12, 2008
(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 FEBRUARY 12, 2008
(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 ON THE FOLLOWING LAND USE PROPOSALS:

GENERAL PLAN AMENDMENT (PA05-0107) TO AMEND THE LAND USE ELEMENT FROM COMMERCIAL TO BUSINESS PARK/INDUSTRIAL AND TO AMEND THE CIRCULATION ELEMENT TO DESIGNATE A PORTION OF OLD 215 FRONTAGE ROAD AS A MINOR ARTERIAL, ZONE CHANGE (PA05-0106) FROM COMMUNITY COMMERCIAL (CC) AND INDUSTRIAL TO BUSINESS PARK, TENTATIVE PARCEL MAP NO. 33152 (PA05-0108), AND A MASTER PLOT PLAN (PA05-0105) FOR A BUSINESS PARK DEVELOPMENT CONSISTING OF 16 BUILDINGS ON APPROXIMATELY 19 ACRES LOCATED NEAR THE SOUTHEAST CORNER OF ALESSANDRO BOULEVARD AND OLD 215 FRONTAGE ROAD, APPLICANT - ANDLAND PROPERTIES, LLC (Report of: Community Development Department)

Recommendation: Staff recommends that the City Council:

1. Conduct a public hearing;
2. Adopt a Mitigated Negative Declaration and Mitigation Monitoring Program for applications PA05-0108 (Tentative Parcel Map No. 33152), PA05-0108 (Master Plot Plan), PA05-0106 (Zone Change) and PA05-0107 (General Plan Amendment). As designed and conditioned, the applications, individually and cumulatively, will not result in a significant effect on the environment;
3. Approve Resolution No. 2008-22 approving PA05-0107, thereby establishing General Plan Land Use and Circulation Element designations as described in the Resolution, and as depicted on resolution attachments Exhibit A and Exhibit B;

Resolution No. 2008-22

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amendment to the General Plan Land Use Element (PA05-0107) to Change the Land Use Designation From Commercial to Business Park/Industrial for the Approximately 6 Net Acres Located within Assessor's Parcel Numbers 297-120-002, 003, 011, 012 and 016, Located Near the Southeast Corner of Alessandro Boulevard and Old 215 Frontage Road, and Approving an Amendment to the General Plan Circulation Element (PA05-0107) to

Designate Old 215 Frontage Road Between Alessandro Boulevard and Cactus Avenue as a Minor Arterial, as Described in the Resolution, and the Revised General Plan Maps Attached to the Resolution as Exhibits A and B

4. Introduce Ordinance No. 769 approving Zone Change (PA05-0106) from Community Commercial (CC) and Industrial to Business Park for approximately 16 acres located generally southeast of Alessandro Boulevard and Old 215 Frontage Road, based on the findings in the ordinance, and as depicted on ordinance attachment Exhibit A; and

Ordinance No. 769

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA05-0106 (Zone Change) to Change the Land Use District for Approximately 6 Acres Consisting of Assessor Parcel Numbers 297-012-002, 003, 011, 012, and 016 from the Community Commercial Land Use District to the Business Park Land Use District and to Change the Land Use District for Approximately 10 Acres Consisting of a Portion of Assessor Parcel Number 297-100-007 from the Industrial Land Use District to the Business Park Land Use District

5. Approve Resolution No. 2008-23 approving Tentative Parcel Map No. 33152 (PA05-0108) and Master Plot Plan (PA05-0105) to allow development of a 19-acre business park and to create two parcels for future development, subject to a General Plan Amendment and Zone Change, and based on the findings in the resolution, and the conditions of approval attached to the resolution as Exhibit A

Resolution No. 2008-23

A Resolution of the City Council of the City of Moreno Valley Approving Application Numbers PA05-0105 (Master Plot Plan) And PA05-0108 (Tentative Parcel Map Number 33152) to Allow Development of a 19-Acre Business Park and to Create Two Future Development Parcels, Involving Approximately 25 Acres South of Alessandro Boulevard, East of Old 215 Frontage Road (Assessor's Parcel Numbers 297-100-007 And 297-120-002, 003,. 011, 012 And 016)

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

- a) Report on March Joint Powers Commission by Council Member Stewart

G2. POLICE SERVICES – ZONE DEPLOYMENT – POWERPOINT PRESENTATION (Report of: Police Department) **

G3. RESCISSION OF RESOLUTION NO. 2006-130, A RESOLUTION OF FINDINGS OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REGARDING QUASI-JUDICIAL HEARING REGARDING AN APPEAL OF CITY MANAGER'S DECISION TO APPROVE A PASS-THROUGH PAYMENT TO RESIDENTS OF COUNTRY SQUIRE MOBILE ESTATES; AND, ADOPTION OF RESOLUTION CONTAINING THE CITY COUNCIL'S FINDINGS OF FACT, ANALYSIS, CONCLUSIONS, AND STATEMENT OF DECISION CONCERNING THE REQUESTED PASS-THROUGH COSTS OF THE CAPITAL REPLACEMENT TO THE RESIDENTS OF COUNTRY SQUIRE MOBILE ESTATES (Report of: City Attorney's Office)

Recommendation:

1. That the City Council rescind Resolution No. 2006-130, a Resolution of Findings of the City Council of the City of Moreno Valley, California, regarding quasi-judicial hearing regarding an appeal of City Manager's Decision to approve a pass-through payment to residents of Country Squire Mobile Estates; and
2. Staff recommends that the City Council, per the Order of the Riverside Superior Court, adopt Resolution No. 2008-21 containing the City Council's Findings of Fact, Analysis, Conclusions, and Statement of Decision concerning the requested pass-through costs of the capital replacement to the residents of Country Squire Mobile Estates.

Resolution No. 2008-21

A Resolution of the City Council of the City of Moreno Valley,

California, Containing the City Council's Findings of Fact, Analysis, Conclusions, and Statement of Decision Concerning the Requested Pass Through Costs of the Capital Replacement to the Residents of Country Squire Mobile Estates

- G4. 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

**** Revision to Agenda**

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