



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**

MARCH 25, 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
MARCH 25, 2008**

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Proclamation Recognizing Riverside County Regional Medical Center's 10 Years of Operation in Moreno Valley (CC)
2. Rancho Verde High School Boys Basketball 2007 – 08, CIF Division 2A Championship

**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.
MARCH 25, 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 – Pastor Mark Orellana, Victory Outreach 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 MARCH 11, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

A3. 2008 LEGISLATIVE UPDATE (Report of: Assistant City Manager)

Recommendation: Receive and file the informational report.

A4. FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH NORRIS-REPKE, INC. - CIVIL ENGINEERING PROJECT MANAGEMENT SERVICES (Report of: Public Works Department)

Recommendation:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with Norris-Repke, Inc. (Norris-Repke), 400 N. Tustin Avenue, Suite 230, Santa Ana, CA 92705, to provide Professional Consultant Services;
2. Authorize the City Manager to execute the "Fourth Amendment to Agreement for Professional Consultant Services" with Norris-Repke; and
3. Authorize a Purchase Order to Norris-Repke in the amount of \$250,000.00 when the "Fourth Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

- A5. NOTICE OF COMPLETION AND ACCEPTANCE OF IRONWOOD AVENUE STREET IMPROVEMENTS PIGEON PASS ROAD TO GRAHAM STREET - PROJECT NO. 05-12567423 (Report of: Public Works Department)

Recommendation:

1. Ratify Contract Change Order No. 1 (Final) for Ironwood Avenue Street Improvements Pigeon Pass Road to Graham Street (Project No. 05-12567423);
2. Accept the work as complete for Ironwood Avenue Street Improvements Pigeon Pass Road to Graham Street, constructed by Sully-Miller Contracting Company, 1100 E. Orangethorpe Avenue, Anaheim, CA 92801;
3. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;
4. Authorize the Director of Finance to release the retention to Sully-Miller Contracting Company thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
5. Accept the improvements into the City's maintained road system.

- A6. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNAL IMPROVEMENTS AT DAY STREET AND DRACAEA AVENUE - PROJECT NO. 06-41779025 (Report of: Public Works Department)

Recommendation:

1. Ratify Contract Change Order No. 1 (Final) for the Traffic Signal Improvements at Day Street and Dracaea Avenue;
2. Accept the work as complete for the Traffic Signal Improvements at Day Street and Dracaea Avenue, constructed by New West Signal, 14055 Foothill Blvd, Fontana, CA 92335;
3. Direct the City Clerk to record the Notice of Completion

within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

4. Authorize the Director of Finance to release the retention to New West Signal thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
5. Accept the improvements into the City's maintained road system.

A7. THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES (Report of: Public Works Department)

Recommendation:

1. Approve the "Third Amendment to Agreement for Professional Consultant Services" with SA Associates, 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007, to provide Professional Consultant Services on various budgeted projects of the Capital Projects Division;
2. Authorize the City Manager to execute said "Third Amendment to Agreement for Professional Consultant Services" with SA Associates; and
3. Authorize an increase in the Purchase Order to SA Associates in the amount of \$250,000.00, when the "Third Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A8. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR HEACOCK STREET FROM GENTIAN AVENUE TO POPPYSTONE DRIVE AND FREDERICK STREET - PIGEON PASS ROAD FROM SUNNYMEAD BOULEVARD TO HEMLOCK AVENUE REHABILITATION - PROJECT NO. 06-12567425(Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street – Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation to All American Asphalt, P.O. Box 2229,

Corona, CA 92878, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with All American Asphalt;
 3. Authorize the issuance of a Purchase Order for All American Asphalt, in the amount of \$1,546,750.00 (the bid amount plus 15% contingency) when the contract has been signed by all parties;
 4. Authorize the City Engineer to execute any subsequent change orders to the contract with All American Asphalt, up to, but not exceeding, the Purchase Order contingency amount of \$201,750, subject to the approval of the City Attorney; and
 5. Authorize the closure of Sunnymead Boulevard at Frederick Street and the east-bound off-ramp to Sunnymead Boulevard from Friday night to Monday morning for expedited pavement reconstruction for no more than two consecutive weekends.
- A9. PARCEL MAP 32174 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF HEACOCK STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM , DEVELOPER – HEACOCK COTTONWOOD III LIMITED PARTNERSHIP, PALM DESERT, CA 92261 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-28 authorizing the acceptance of the public improvements for Parcel Map 32174 as complete and accepting the portion of Heacock Street associated with the project into the City's maintained street system; and

Resolution No. 2008-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 32174, and Accepting the Portion of Heacock 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.

- A10. RESOLUTION NO. 2008-29, APPROVE AND AUTHORIZE EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. N023 FOR FEDERAL-AID PROJECT NO. STPL-5441 (043), HEACOCK STREET FROM GENTIAN AVENUE TO POPPYSTONE DRIVE AND FREDERICK STREET-PIGEON PASS ROAD FROM SUNNYMEAD BOULEVARD TO HEMLOCK AVENUE REHABILITATION - PROJECT NO. 06-12567425 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution and approve and authorize execution of Program Supplement Agreement No. N023 for Federal-Aid Project No. STPL-5441 (043), Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street – Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation; and

Resolution No. 2008-29

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement Agreement No. N023, Between the State of California, Acting by and through the Department of Transportation, and the City of Moreno Valley, for Federal-Aid Project No. STPL-5441 (043)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. N023 for Federal-Aid Project No. STPL-5441 (043), Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street - Pigeon Pass from Sunnymead Boulevard to Hemlock Avenue Rehabilitation.

- A11. TRACT 29920-1 – PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE, DEVELOPER – CHT INVESTMENT, LLC, C/O MV HOMES, LLC, NEWPORT BEACH, CA 92660 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and
 2. Authorize the Public Works Director/City Engineer to execute the partial reduction to the amount of the Faithful Performance security.
- A12. TRACT MAP 32210 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING SHUNING COURT AND THE PORTIONS OF TARANO LANE, TAURUS LANE, AND ANGELLA WAY ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – H&L HOMES CORPORATION, LA VERNE, CA 91750 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-30 authorizing the acceptance of the public improvements for Tract Map 32210 as complete and accepting Shuning Court and the portions of Tarano Lane, Taurus Lane, and Angella Way associated with the project into the City's maintained street system; and

Resolution No. 2008-30

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 32210, and Accepting the Portions of Tarano Lane, Taurus Lane, and Angella 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.

- A13. TRACT MAP 31591 TRAFFIC SIGNAL – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE

TRAFFIC SIGNAL AT MORRISON STREET AND EUCALYPTUS AVENUE INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – MVGH 2004, LLC, IRVINE, CA 92614 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-31 authorizing the acceptance of the public improvements for Tract Map 31591 Traffic Signal as complete and accepting the Traffic Signal at Morrison Street and Eucalyptus Avenue into the City's maintained street system; and

Resolution No. 2008-31

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 Traffic Signal, and Accepting the Portions of Morrison Street and Eucalyptus 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. THIRD AMENDMENT TO THE ACQUISITION/FINANCING AGREEMENT FOR COMMUNITY FACILITIES DISTRICT NO. 4 – INFRASTRUCTURE (Report of: Public Works Department)

Recommendation: Approve and adopt Resolution No. 2008-32; a Resolution of the City Council of the City of Moreno Valley, California, approving the form of the Third Amendment to the Acquisition/Financing Agreement for Community Facilities District No. 4 – Infrastructure (CFD No. 4-I).

Resolution No. 2008-32

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

- A15. AMENDED AND RESTATED AFFORDABLE HOUSING AGREEMENT BETWEEN ONE MORENO VALLEY 240, LP AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY FOR THE OAKWOOD APARTMENTS (Report of: Economic Development Department) **(Also listed as Item C3)**

Recommendation:

1. Adopt Resolution No. 2008-33 approving the Amended and Restated Affordable Housing Agreement between One Moreno Valley 240, LP and the Community Redevelopment Agency of the City of Moreno Valley for the Oakwood Apartments.

Resolution No. 2008-33

A Resolution of the City Council of the City of Moreno Valley Consenting to the Approval by the Community Redevelopment Agency of the City of Moreno Valley of an Amended and Restated Affordable Housing Agreement by and between the Agency and One Moreno Valley 240, L.P., A California Limited Partnership

- A16. APPROVAL OF THE 2008/2009 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2008/2009 in the amount of \$540,494; and
2. Authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2008/2009.

- A17. 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 March 5-18, 2008.

- A18. CITY CO-SPONSORSHIP OF VICTIMS' RIGHTS MARCH (Report of: Assistant City Manager)

Recommendation: Approve the City's Co-Sponsorship of National Crime Victims' Week as Observed and Coordinated by the

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.
- B2. MINUTES - REGULAR MEETING OF MARCH 11, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

- B3. RECOMMENDATION TO ENTER INTO AN AGREEMENT WITH MAD SCIENCE GROUP AND NASA LANGLEY CENTER (Report of: Parks and Community Services)

Recommendation: Authorize the City Manager to finalize the terms of and execute an agreement with Mad Science and Langley Center to provide the physical science element covering the next two years for the S.T.A.R.S. (formerly ASES, After School Education and Safety Program) and direct the Finance Director to issue a purchase order in the amount of \$473,072, subject to the approval of the City Attorney as to the form of the Agreement.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.
- C2. MINUTES - REGULAR MEETING OF MARCH 11, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

- C3. AMENDED AND RESTATED AFFORDABLE HOUSING AGREEMENT BETWEEN ONE MORENO VALLEY 240, LP AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY FOR THE OAKWOOD APARTMENTS (Report of: Economic Development Department) **(Also listed as Item A15)**

Recommendation:

- 1. Adopt Resolution No. RDA 2008-05 approving the Amended and Restated Affordable Housing Agreement between One

Moreno Valley 240, LP and the Community Redevelopment Agency of the City of Moreno Valley for the Oakwood Apartments.

Resolution No. RDA 2008-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Amended and Restated Affordable Housing Agreement by and between the Agency and One Moreno Valley 240, L.P., a California Limited Partnership

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D2. MINUTES - REGULAR MEETING OF MARCH 11, 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. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME FY 2008/09 PROPOSED PROJECTS (Report of: Economic Development Department)

Recommendation:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Programs to allow the public an opportunity to comment on the proposed projects and programs, and
2. Review and select programs and projects for funding as part of the City's Annual Action Plan for FY 2008/09.

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

G. REPORTS

- G1. ORDINANCE NO. 768, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 11.10 TO TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE PROHIBITING THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES (CONTINUED FROM 2/12/08) (Report of: City Attorney's Office)

Recommendation: That the City Council introduce Ordinance No. 768, a permanent ordinance banning the establishment of medical marijuana dispensaries in the City of Moreno Valley.

Ordinance No. 768

An Ordinance of the City Council of the City of Moreno Valley, California, Adding Chapter 11.10 to Title 11 of the City of Moreno Valley Municipal Code Prohibiting the Establishment and Operation of Medical Marijuana Dispensaries

- G2. PROPOSED REVISIONS TO PUBLIC NUISANCE AND PENALTY PROVISIONS OF THE MUNICIPAL CODE (Report of: Community Development Department)

Recommendation: That the City Council introduce Ordinance No. 772 amending the penalty provisions of Title 1 of the Municipal Code and the public nuisance provisions of Title 6 of the Municipal Code.

Ordinance No. 772

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 1.01 of the City of Moreno Valley Municipal Code, Relating to General Penalties and Amending Chapter 6.04 of the Moreno Valley Municipal Code, Relating to Public Nuisances

- 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 (CONTINUED FROM FEBRUARY 26, 2008) (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. PALM DESERT DEVELOPMENT COMPANY, INC. RANCHO DORADO APARTMENTS FINANCIAL ASSISTANCE REQUEST AND RESOLUTIONS FOR FINANCING APPLICATIONS (CONTINUED FROM MARCH 11, 2008) (Report of: Economic Development Department)

Recommendation: Staff recommends that:

1. The Redevelopment Agency Board adopts Resolution RDA 2008-06, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments proposed by Palm Desert Development

Company, Inc.; and

Resolution No. RDA 2008-06

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado Apartments Housing Development and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

2. The Redevelopment Agency Board adopts Resolution RDA 2008-07, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding its intention to issue tax-exempt obligations in connection with the construction of the Rancho Dorado Apartments.

Resolution No. RDA 2008-07

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Regarding its Intention to Issue Tax-Exempt Obligations

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

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 770, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA07-0119 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 6.62 ACRES CONSISTING OF ASSESSOR PARCEL NUMBER 486-070-007 FROM THE NEIGHBORHOOD COMMERCIAL (NC) LAND USE DISTRICT TO THE RESIDENTIAL 20 (R20) (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 11, 2008 ON A 4-0-1 VOTE, WEST ABSENT) (Report of: Community Development Department)

Recommendation: Adopt Ordinance No. 770.

Ordinance No. 770

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA07-0119 (Zone Change) to Change the Land Use District for Approximately 6.62 Acres Consisting of Assessor Parcel Number 486-070-007 from the Neighborhood Commercial (NC) Land Use District to the Residential 20 (R20)

- H2. 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 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 MARCH 11, 2008 ON A 4-0-1 VOTE, WEST ABSENT) (Report of: Community Development Department)

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 Retail Use, Towing, Administrative Revocation of Administrative Approvals, Landscaping Setbacks, New Applications Following Denial and Multiple-Family Development Standards

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

**Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.*