



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

MAY 13, 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
MAY 13, 2008**

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Proclamation Recognizing National Public Works Week - May 14-18, 2008
2. Proclamation Recognizing Mental Health Month - May 2008
3. Employee of the Quarter – Lori Miller
4. Officer of the Quarter – Robert Duckett

**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.
MAY 13, 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 – Dr. Dale Lacquement, Faith Baptist 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 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.

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 APRIL 22, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

A3. TRACT MAP 30319 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING AVENIDA CLASSICA, CALLE DE AMIGOS, AVENIDA ESPALDAR, CALLE RIO VISTA, MAGNIFICA COURT, FUENTE COURT, HACIENDA COURT, AND AVENIDA DE PLATA INTO THE CITY'S MAINTAINED STREET SYSTEM; DEVELOPER - KB HOME GREATER LOS ANGELES, INC., WILDOMAR, CA 92595 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-44 authorizing the acceptance of the public improvements for Tract Map 30319 as complete and accepting Avenida Classica, Calle De Amigos, Avenida Espaldar, Calle Rio Vista, Magnifica Court, Fuente Court, Hacienda Court, and Avenida De Plata into the City's maintained street system; and

Resolution No. 2008-44

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 30319, and Accepting Avenida Classica, Calle De Amigos, Avenida

Espaldar, Calle Rio Vista, Magnifica Court, Fuente Court, Hacienda Court, and Avenida De Plata 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.

- A4. TRACT MAP 30320-1 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING CAMINO QUINTANA, CORTE ANTIGUA, CALLE ENSENADA, AND THE PORTIONS OF CALLE DE AMIGOS, AVENIDA CLASSICA, CAMINO SONRISA, AND CAMINO ROSADA ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM; DEVELOPER – WL HOMES LLC DBA JOHN LAING HOMES, CORONA, CA 92879 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2008-45 authorizing the acceptance of the public improvements for Tract Map 30320-1 as complete and accepting Camino Quintana, Corte Antigua, Calle Ensenada, and the portions of Calle de Amigos, Avenida Classica, Camino Sonrisa, and Camino Rosada associated with the project into the City's maintained street system; and

Resolution No. 2008-45

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 30320-1, and Accepting Camino Quintana, Corte Antigua, Calle Ensenada, and the Portions of Calle de Amigos, Avenida Classica, Camino Sonrisa, and Camino Rosada 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.

- A5. 2008 LEGISLATIVE UPDATE (Report of: Assistant City Manager)

Recommendation: Receive and file the report.

- A6. PROJECT ASSISTANCE AGREEMENT FOR CITY INTERCHANGES (PUBLIC WORKS) AT SR-60/REDLANDS BOULEVARD, SR-60/THEODORE STREET, AND SR-60/GILMAN SPRINGS ROAD (Report of: Public Works Department)

Recommendation:

1. Approve the "Project Assistance Agreement for City Interchanges" with Highland Fairview Operating Co., 14225 Corporate Way, Moreno Valley, CA 92552, for reimbursement of City staff support and related expenses;
2. Authorize the City Manger to execute the "Project Assistance Agreement for City Interchanges" with Highland Fairview Operating Co.;
3. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the "Project Assistance Agreement for City Interchanges" subject to approval of the City Attorney;
4. Authorize the Finance Director to recognize deposits from Highland Fairview Operating Co. in a Revenue Trust Account (359.359.2240.26) and appropriate the initial \$50,000 to account for the cost of staff and related facility and support services (Fund 011.52913); and
5. Authorize the Finance Director to appropriate additional funds in the Expenditure Account (Fund 011.52913) as additional deposit monies are received from Highland Fairview Operating Co.

- A7. AUTHORIZATION TO ISSUE PURCHASE ORDER FOR CONSTRUCTION SURVEY SERVICES FOR PIGEON PASS ROAD STREET IMPROVEMENTS FROM IRONWOOD AVENUE TO NORTH CITY LIMITS - PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation:

1. Authorize the Finance Director to issue a Purchase Order to PSOMAS, 2110 Iowa Avenue, Suite 101, Riverside, CA 92507 in the amount of \$112,680 (\$93,900 plus 20% contingency) for construction survey services (Account No. 415.70324).
- A8. PARCEL MAP 35027 – APPROVE FINAL MAP, SOUTHWEST CORNER OF IRONWOOD AVENUE AND NASON STREET, DEVELOPER - DAVID LANTZ, MORENO VALLEY, CA 92555 (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 35027; and
 2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
- A9. PA04-0058 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF EUCALYPTUS AVENUE FROM PERRIS BOULEVARD TO APPROXIMATELY 600' EAST FOR THE CONSTRUCTION OF SUNNYMEAD MASTER DRAINAGE PLAN LINE P-6 AND CORRESPONDING STREET IMPROVEMENTS FROM MAY 19, 2008 - JULY 23, 2008, DEVELOPER: PERRIS ISLE LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, MERCED, CA 95348 (Report of: Public Works Department)

Recommendation:

1. Authorize a full road closure of Eucalyptus Avenue from Perris Boulevard to approximately 600' east for the construction of Sunnymead Master Drainage Plan Line P-6 and corresponding street improvements from May 19, 2008 – July 23, 2008; and
 2. Authorize the City Engineer to allow for an additional 30 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.
- A10. 2007 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. Receive and file the 2007 Annual Report of the Planning Commission; and

2. Authorize transmittal to the California State Office of Planning and Research in accordance with the California Government Code Section 65040.5.

A11. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR PART 1, PHASE 1 OF THE BOX SPRINGS ROAD IMPROVEMENTS PROJECT FROM 500 FEET WEST OF CLARK STREET TO DAY STREET, PROJECT NO. 10-41570027(Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Professional Consultant Services for Project Approval and Environmental Documentation (PA&ED), Part 1, Phase 1 only, of the Box Springs Road improvements project, from 500 feet west of Clark Street to Day Street, with AEI-CASC Engineering, Inc., 937 South Via Lata, Suite 500, Colton, California 92324;
2. Authorize the City Manager to execute said Agreement for Professional Consultant Services for Project Approval and Environmental Documentation (PA&ED), Part 1, Phase 1 only, of the Box Springs Road improvements project, from 500 feet west of Clark Street to Day Street, with AEI-CASC Engineering, Inc.;
3. Authorize the Finance Director to issue a Purchase Order to AEI-CASC Engineering, Inc. for the Box Spring Road improvements project from 500 feet west of Clark Street to Day Street in the amount of \$229,699.00 (\$191,391.00 proposal amount for Part 1, Phase 1, plus 20% contingency) when the Agreement has been signed by all parties (Account No. 415.70027); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent Amendments to the Agreement for Professional Consultant Services with AEI-CASC Engineering, Inc., up to but not to exceed the Purchase Order contingency amount of \$38,278.00, subject to the approval of the City Attorney.

A12. ACCEPT AND APPROVE THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) AND THE CITY OF MORENO VALLEY FOR THE

ALESSANDRO BOULEVARD STREET IMPROVEMENTS PROJECT, FROM THE WEST CITY LIMITS AT OLD 215 TO FREDERICK STREET, PROJECT NO. 10-41572627 (Report of: Public Works Department)

Recommendation:

1. Accept and approve the Transportation Uniform Mitigation Fee (TUMF) Program agreement between the Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley for Project Approval and Environmental Documentation (PA&ED) services for the Alessandro Boulevard Street Improvements; and
2. Authorize the City Manager to execute the Transportation Uniform Mitigation Fee (TUMF) Program agreement between the Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley.

A13. WARRANT REPORT- MARCH 31, 2008 (Report of: Finance Department)

Recommendation: Adopt Resolution No. 2008-46, approving the Warrant Report, dated March 2008, in the total amount of \$20,515,792.16.

Resolution No. 2008-46

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated March 31, 2008

A14. TELECOMMUNICATIONS LICENSE AGREEMENT WITH NEW CINGULAR WIRELESS, PCS, LLC, A DELAWARE LIMITED LIABILITY COMPANY (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute a Telecommunications License Agreement with New Cingular Wireless PCS, LLC, a Delaware limited liability company, for approximately 1,248 square feet of ground space on the property known as Weston Park.

A15. APPROVE RESOLUTION AUTHORIZING THE ELECTRIC UTILITY MANAGER TO ESTABLISH GUIDELINES AND TARGETS FOR MORENO VALLEY ELECTRIC UTILITY

RESOURCE ADEQUACY REQUIREMENTS (Report of: Public Works Department)

Recommendation: Approve Resolution No. 2008-47 which authorizes the Electric Utility Manager to establish guidelines and targets for Moreno Valley Electric Utility's compliance with the California Independent System Operator (CAISO) Tariff's Resources Adequacy Requirement applicable to electric loads that are under local jurisdiction.

Resolution No. 2008-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Electric Utility Manager to Establish Guidelines and Targets for Moreno Valley Electric Utility (MVU) Resource Adequacy Requirements

A16. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR INDIAN STREET AND CACTUS AVENUE INTERSECTION AND STORM DRAIN IMPROVEMENTS - PROJECT NO. 03-12567123 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Indian Street and Cactus Avenue Intersection and Storm Drain Improvements 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 \$690,000 (the bid amount plus 10% 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 All American Asphalt, up to, but not exceeding, the Purchase Order contingency amount of \$63,000, subject to the approval of the City Attorney.

A17. REVISED CITY COUNCIL EMERGENCY NOTIFICATION POLICY
(Report of: Assistant City Manager)

Recommendation: Approve the revised City Council Emergency Notification Policy.

A18. REPLACEMENT OF THE MORENO VALLEY POLICE DEPARTMENT SPECIAL ENFORCEMENT TEAM RAPID DEPLOYMENT VEHICLE (RAID VAN) (Report of: Police Department)

Recommendation:

1. Approve the replacement of the raid van that was re-deployed in 2005;
2. Find that it is in the best interest of the City to purchase a Sprinter van from the single-source provider, Moss Bros. Dodge of San Bernardino, rather than require a competitive-purchasing process. The Sprinter van, currently available at Moss Bros. Dodge, is one of few available in the United States. Ordering and delivery of a similar van will take approximately eight months with no set price available at this time;
3. Approve the use of approximately \$61,058.47 of the \$71,368.98 in available asset forfeiture monies to purchase a multi-personnel raid van;
4. Approve the purchase of (1) Dodge Sprinter extended cargo van with 170" wheelbase and high roof, for use by the Moreno Valley Police Department special teams as a raid van from the single-source provider Moss Bros. Dodge of San Bernardino for \$52,058.47;
5. Award a second purchase requisition for the rear interior conversion of the van; with insulation, rear seating benches/storage and safety rails from the sole-source vendor ThunderWorks in San Diego, CA at a cost of about \$9,000.00; and
6. Appropriate \$61,059 in account #010.62710.6641.645 for the purchase of a multi-personnel rapid-deployment vehicle (raid van) with special equipment.

- A19. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR SR-60/MORENO BEACH DRIVE INTERCHANGE AND NASON STREET OVERCROSSING IMPROVEMENTS, PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Authorize the "Agreement for Professional Consultant Services" with Parsons Transportation Group Inc., 1133 Fifteenth Street NW, Washington, DC 20005-2701, to provide design and construction support services for a total contract not to exceed \$3,387,611;
2. Authorize the City Manager to execute the "Agreement for Professional Consultant Services" with Parsons Transportation Group Inc.;
3. Authorize the issuance of two purchase orders with Parsons Transportation Group Inc. totaling \$3,051,393 (\$2,773,994 plus 10% contingency) to be funded from Account Nos. 415.70024 (\$2,451,393) and 415.70327 (\$600,000) when the agreement has been signed by all parties;
4. Authorize an increase to the purchase order with Parsons Transportation Group for \$674,979 (\$613,617 plus 10% contingency), pending City Council approval of the Fiscal Year 08/09 budget (Account 415.70327); and
5. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Parsons Transportation Group Inc., up to but not to exceed the 10% contingency amount of \$338,761 subject to approval by the City Attorney.

- A20. REQUEST SUPPLEMENTAL APPROPRIATION TO COMPLETE CONSTRUCTION OF FIRE STATION #58 -- PROJECT NO. 05-43472523 (Report of: Public Works Department)

Recommendation:

1. Appropriate an additional \$164,000 in Account #501.82025 to complete construction of Fire Station #58 and authorize a transfer from the General Fund Capital Reserve to fund this appropriation; and

2. Authorize an increase to Purchase Order No. 31320 with Tovey/Schultz Construction for \$58,000 for additional costs associated with unanticipated utility installation work.

A21. AUTHORIZE INCREASE TO PURCHASE ORDER WITH VALI COOPER & ASSOCIATES, INC. FOR FIRE STATION #58; PROJECT NO. 05-43472523 (Report of: Public Works Department)

Recommendation: Authorize an increase to the Purchase order with Vali Cooper & Associates, Inc. in the amount of \$17,000 for additional inspection services.

A22. APPROVE THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH STK ARCHITECTURE FOR FIRE STATION #58; PROJECT NO. 05-43472523 (Report of: Public Works Department)

Recommendation:

1. Approve the "Third Amendment to Agreement for Professional Consultant Services" with STK Architecture (STK), Inc., 2575 South Jacinto Avenue, San Jacinto, California 92583-5318 and authorize the City Manager to execute said "Third Amendment to Agreement for Professional Consultant Services"; and
2. Authorize an increase to the Purchase Order with STK Architecture, Inc., in the amount of \$54,000 when the Third Amendment has been signed by all parties.

A23. AUTHORIZATION TO APPROVE THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH HDR ENGINEERING AND AUTHORIZATION TO INCREASE PURCHASE ORDER WITH HDR ENGINEERING, FOR PIGEON PASS ROAD STREET IMPROVEMENTS FROM IRONWOOD AVENUE TO NORTH CITY LIMITS; PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation:

1. Approve the "Third Amendment to Agreement for Professional Consultant Services" with HDR Engineering, Inc., 3230 El Camino Real, Suite 200, Irvine, CA 92602 for construction design support services, and authorize the City Manager to execute said "Third Amendment to Agreement

for Professional Consultant Services” with HDR Engineering, Inc.;

2. Authorize an increase to the Purchase Order with HDR Engineering, Inc., in the amount of \$57,840 (\$48,200 plus 20% contingency) when the Third Amendment has been signed by all parties (Account No. 415.70324); and
3. Authorize the City Engineer to execute any subsequent amendments to the Agreement for the 20% contingency amount of \$9,640, subject to the approval of the City Attorney.

A24. APPROVE THE CITY OF MORENO VALLEY'S FISCAL YEAR 2009-2013 MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN AND MAINTENANCE OF EFFORT CERTIFICATION STATEMENT (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Fiscal Year (FY) 2009-2013 Measure "A" Local Streets and Roads Capital Improvement Plan (CIP) and the Maintenance of Effort (MOE) Certification Statement.

A25. AUTHORIZATION FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR PIGEON PASS ROAD STREET IMPROVEMENTS FROM IRONWOOD AVENUE TO NORTH CITY LIMITS; PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Construction Management and Inspection Consultant Services with Berg and Associates, Inc., 112 S. Euclid Avenue, Suite 210, Ontario, CA 91762 to provide construction management and inspection services and authorize the City Manager to execute said Agreement;
2. Authorize issuance of a Purchase Order to Berg & Associates in the amount of \$366,809 (\$305,674 plus 20% contingency from Account No. 415-70324) for construction management and inspection services; and
3. Authorize the Public Works Director/City Engineer to execute

any subsequent related minor amendments to the contract with Berg and Associates, Inc. up to but not exceeding the contingency amount of \$61,135, subject to the approval of the City Attorney.

- A26. ORDINANCE NO. 773, AMENDING TITLE 9, CHAPTER 9.03 (SECTION 9.03.040) OF THE MORENO VALLEY MUNICIPAL CODE ENTITLED "RESIDENTIAL SITE DEVELOPMENT STANDARDS" FOR RURAL AND HILLSIDE RESIDENTIAL DEVELOPMENT AND CHAPTER 9.16, ARTICLE IV "APPLICATIONS FOR HILLSIDE DEVELOPMENT" RELATING TO MINOR MODIFICATIONS OF GENERAL AND DESIGN GUIDELINES FOR RURAL AND HILLSIDE RESIDENTIAL DEVELOPMENT CITYWIDE AND FINDING THAT THE AMENDMENT (PA06-0053) IS EXEMPT UNDER SECTION 15061 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 22, 2008 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation: Adopt Ordinance No. 773.

Ordinance No. 773

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9, Chapter 9.03 (Section 9.03.040) of the Moreno Valley Municipal Code Entitled "Residential Site Development Standards" for Rural and Hillside Residential Development and Chapter 9.16, Article IV "Applications for Hillside Development" Relating to Minor Modifications of General and Design Guidelines for Rural and Hillside Residential Development Citywide and Finding that the Amendment (PA06-0053) is Exempt under Section 15061 of the California Environmental Quality Act (CEQA) Guidelines

- A27. ORDINANCE NO. 774, APPROVING A ZONE CHANGE (PA07-0095) TO CHANGE THE LAND USE FROM RESIDENTIAL 5 TO PUBLIC AT MARCH MIDDLE SCHOOL, FROM RESIDENTIAL 5 TO RESIDENTIAL 15 AND FROM RESIDENTIAL 20 TO RESIDENTIAL 15 FOR THE PROPERTIES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-220-006, -007, -008, -009, -012, -014, -015, -016, AND -017, LOCATED EAST OF INDIAN STREET, SOUTH OF SANTIAGO DRIVE, NORTH OF IRIS AVENUE, AND WEST OF PERRIS BOULEVARD (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 22, 2008 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation: Adopt Ordinance No. 774

Ordinance No. 774

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PA07-0095) to Change the Land Use from Residential 5 to Public at March Middle School, From Residential 5 to Residential 15 and from Residential 20 to Residential 15 for the Properties Located within Assessor's Parcel Numbers 485-220-006, -007, -008, -009, -012, -014, -015, -016, and -017, Located East of Indian Street, South of Santiago Drive, North of Iris Avenue, and West of Perris Boulevard

- A28. ORDINANCE NO. 775, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA07-0135 (ZONE CHANGE) TO CHANGE THE LAND USE FOR 5.87 – NET ACRES LOCATED WITHIN PORTIONS OF ASSESSOR'S PARCEL NUMBERS 487-060-005, -006, AND -008 FROM R3 TO COMMUNITY COMMERCIAL IN ORDER TO DEVELOP A 176,112 SQUARE FOOT RETAIL CENTER ON 14.2 NET ACRES (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 22, 2008 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation: Adopt Ordinance No. 775.

Ordinance No. 775

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA07-0135 (Zone Change) to Change the Land Use for 5.87 – Net Acres Located within Portions of Assessor's Parcel Numbers 487-060-005, -006, and -008 from R3 to Community Commercial in Order to Develop a 176,112 Square Foot Retail Center on 14.2 Net Acres

- A29. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)
Recommendation: Receive and file the Reports on Reimbursable Activities for the period of April 16 – May 6, 2008.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.
- B2. MINUTES - REGULAR MEETING OF APRIL 22, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

- B3. AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON FRIDAY, JULY 4, 2008 (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2008.
 - a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
 - b. Frederick Street between Centerpointe Drive and Cactus Avenue;
 - c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
 - d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
 - e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
 - f. Atlantic Circle east of Frederick Street;
 - g. Brabham Street between Frederick Street and Andretti Street;
 - h. TownGate Boulevard between Frederick Street and Heritage Way;
 - i. Bay Avenue between Kristina Court and Courage Street;
 - j. Alessandro Boulevard between Chagall Court and Elsworth Street;
 - k. Resource Way between Frederick Street and Corporate Way;
 - l. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
 - m. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
 - n. Veterans Way between Cactus Avenue and Alessandro Boulevard;
 - o. New Hope between Veterans Way and Elsworth; and
 - p. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2008.
 - a. Petaluma Avenue between Napa Valley and Morrison Street;
 - b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
 - c. Lakeport Drive at Cottonwood Avenue;
 - d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
 - e. Rockport Drive between Yuba Pass Road and Morrison Street;
 - f. Dracaea Avenue between Morrison Street and Nason Street;
 - g. Letterman Street at Cottonwood Avenue;
 - h. Athletics Drive at Cottonwood Avenue; and
 - i. Mascot Lane at Dracaea Avenue.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.
- C2. MINUTES - REGULAR MEETING OF APRIL 22, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

- C3. ADOPT THE RESOLUTION APPROVING THE RELOCATION PLAN FOR ELIGIBLE TENANTS FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation: Adopt Resolution No. RDA 2008-08 approving the Relocation Plan for Eligible Tenants.

Resolution No. RDA 2008-08

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California, Approving the Relocation Plan for the Alessandro and Day Street Project

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D2. MINUTES - REGULAR MEETING OF APRIL 22, 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. PUBLIC HEARING REGARDING THE COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) MAIL BALLOT PROCEEDINGS FOR TWENTY-ONE TRACTS (Report of: Public Works Department)

Recommendation: That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (the "CSD Board"), after conducting the public hearing:

1. Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D parcel charge for Tracts 11848, 12773, 16769, 16770, 17387, 17457, 17867, 19141, 19496, 19500, 19509, 19551, 19685, 20301, 20525, 20660, 20869, 24721, 27526, 29038, and 30027;
2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor's Parcel Number (APN) listing;
3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet and APN listing; and
4. If approved, authorize and impose the proposed increase in the CSD Zone D annual parcel charge for Tracts 11848, 12773, 16769, 16770, 17387, 17457, 17867, 19141, 19496,

19500, 19509, 19551, 19685, 20301, 20525, 20660, 20869, 24721, 27526, 29038, and 30027.

- E2. PUBLIC HEARING FOR THE CDBG AND HOME PROGRAMS TO ADOPT THE CONSOLIDATED PLAN FOR FISCAL YEARS 2008-2013, THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2008-2009 AND THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND FAIR HOUSING ACTION PLAN (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 FY 2008-2013 Consolidated Plan, the FY 2008-09 Annual Action Plan and the Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan; and
2. Adopt the FY 2008-2013 Consolidated Plan, the FY 2008-09 Annual Action Plan and the Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan.

- E3. ADOPTION OF FY 2008-09 FEE RESOLUTION AND FEE SCHEDULE (Report of: Finance Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the Proposed FY 2008-09 Fee Schedule; and
2. Adopt Resolution No. 2008-48, approving the Fee Schedule for FY 2008-09.

Resolution No. 2008-48

A Resolution of the City Council of the City of Moreno Valley, California, Increasing and Establishing Specified Fees for Various Services; Maintaining the Present Level of Certain Fees; Reducing the Level of Certain Fees; and Incorporating Certain Prior Enactments

- E4. PUBLIC HEARING TO DISCUSS THE REDEVELOPMENT AGENCY'S 2005-2010 MID-CYCLE REVIEW OF THE IMPLEMENTATION PLAN AND TO REVIEW AND APPROVE THE SECOND AMENDMENT TO THE 2005-2010 IMPLEMENTATION PLAN (Report of: Economic Development Director)

Recommendation: That the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Conduct a Public Hearing to review and discuss the 2005-2010 Mid-Cycle Review of the Implementation Plan;
2. Conduct a Public Hearing to review and discuss the second amendment to the 2005-2010 Implementation Plan; and
3. Approve the second amendment to the 2005-2010 Implementation Plan to incorporate additional projects and improved development projections as applicable to the Redevelopment Project Area.

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

- a) Report on Riverside Transit Authority (RTA) by Council Member Flickinger
- b) Report on Riverside County Transportation Commission (RCTC) by Mayor Pro Tem West

G2. SPECIAL DISTRICT FINANCING POLICY AMENDMENTS (Report of: Public Works Department)

Recommendation: That the City Council approve and adopt Resolution No. 2008-49 to amend the Special District Financing Policy (the "Policy"). The proposed changes shall ensure stronger credit and security of the City's Special District bond issues, ensure special assessments or taxes are reasonable and equitable to future residents/taxpayers and address other minor changes and updates to reflect changes in the real estate market and industry best practices.

Resolution No. 2008-49

A Resolution of the City Council of the City of Moreno Valley, California, Adopting an Amended Special District Financing Policy for the Public Financing of Public Facilities through the Establishment of Assessment Districts or Community Facilities

Districts

G3. FORMATION PROCEEDINGS FOR COMMUNITY FACILITIES DISTRICT (CFD) NO. 7 (Report of: Public Works Department)

Recommendation: That the City Council:

1. Approve and adopt Resolution No. 2008-50: approving a boundary map showing the boundaries of the territory proposed to be included in proposed Community Facilities District No. 7 of the City of Moreno Valley and the improvement areas proposed to be designated therein;

Resolution No. 2008-50

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. 7 of the City of Moreno Valley and the Improvement Areas Proposed to be Designated therein

2. Approve and adopt Resolution No. 2008-51: declaring its intention to establish Community Facilities District No. 7 of the City of Moreno Valley, to designate three improvement areas therein and to authorize the levy of a separate special tax within each such improvement area to finance the acquisition or construction of certain public facilities;

Resolution No. 2008-51

A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Establish Community Facilities District No. 7 of the City of Moreno Valley, to Designate Three Improvement Areas therein and to Authorize the Levy of a Separate Special Tax within Each Such Improvement Area to Finance the Acquisition or Construction of Certain Public Facilities

3. Approve and adopt Resolution No. 2008-52: a Resolution of the City Council of the City of Moreno Valley, California, declaring the necessity of Community Facilities District No. 7 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. 2008-52

A Resolution of the City Council of the City of Moreno Valley, California, Declaring the Necessity of Community Facilities District No. 7 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

4. Approve and adopt Resolution No. 2008-53: 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. 7 of the City of Moreno Valley; and

Resolution No. 2008-53

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. 7 of the City of Moreno Valley

5. Approve and adopt Resolution No. 2008-54: a Resolution of the City Council of the City of Moreno Valley, California, declaring intention to provide for future annexation of territory to Community Facilities District No. 7 of the City of Moreno Valley.

Resolution No. 2008-54

A Resolution of the City Council of the City of Moreno Valley, California, Declaring Intention to Provide for Future Annexation of Territory to Community Facilities District No. 7 of the City of Moreno Valley

- G4. PUBLIC MEETING REGARDING A MAIL BALLOT PROCEEDING FOR THE WEBSTER APARTMENTS - ASSESSOR PARCEL NUMBER (APN) 481-140-021 FOR APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE (Report of: Public Works Department)

Recommendation: That the Mayor and Members of the City of Moreno Valley City Council accept public comments regarding the

mail ballot proceeding for the Webster Apartments – APN 481-140-021 for the approval of the NPDES maximum commercial/industrial regulatory rate.

- G5. STAFF PRESENTATION ON FY 2008-09 PROPOSED BUDGET SUMMARY (Report of: Finance Department)

Recommendation: That the City Council receive and file the FY 2008-09 Proposed Budget Summary.

- G6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, RECOGNIZING COMMUNITY AND NEIGHBORHOOD DESIGNATIONS WITHIN THE CITY OF MORENO VALLEY (Report of: City Attorney Department)

Recommendation: This item was requested by the City Council at a prior meeting.

Resolution No. 2008-55

A Resolution of the City Council of the City of Moreno Valley, California, Recognizing Community and Neighborhood Designations within the City of Moreno Valley

- G7. 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**

****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.***

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