



**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**

**March 24, 2009**

**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.*

Bonnie Flickinger, Mayor Pro Tem  
Jesse L. Molina, Council Member

Richard A. Stewart, Mayor

Robin N. Hastings, Council Member  
William H. Batey II, Council Member

**REVISED AGENDA  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
March 24, 2009**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS**

1. Proclamation Recognizing March 17-23, 2009 as International DeMolay Week
2. Proclamation Recognizing Autism Awareness Month - April 2009
3. Proclamation Recognizing Child Abuse Prevention Month - April 2009

**REVISED 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 PM**  
**MARCH 24, 2009**

**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 Arnold L. Espinoza, Praise Chapel Christian Fellowship

**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**

### **A .1 ORDINANCES - READING BY TITLE ONLY**

**Recommendation:** Waive reading of all Ordinances.

### **A .2 FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH RLZ ENGINEERING (Report of: Public Works Department)**

**Recommendation:**

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with RLZ Engineering (RLZ), PO Box 623, Corona, CA 92881, to provide Professional Consultant Services and increase the agreement amount by the "not to exceed" fee of \$275,000;
2. Authorize the City Manager to execute said "First Amendment to Agreement for Professional Consultant Services" with RLZ; and
3. Authorize a Purchase Order to RLZ in the amount of \$275,000 when "First Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 226.79728).

### **A .3 FINAL MAP 33256--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN CITY OF MORENO VALLEY AND BEECHWOOD 100 HOMEOWNERS ASSOCIATION (Report of: Public Works Department)**

**Recommendation:**

1. Approve the Maintenance Agreement by and between the City of Moreno Valley (City) and Beechwood 100 Homeowners Association
2. Authorize the Mayor to execute the Maintenance Agreement;
3. Authorize the City Attorney to work with Beechwood 100

Homeowners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;

4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 7 of the Maintenance Agreement;
5. Authorize the City Manager to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and
6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

A .4 APPROVAL OF THE 2009/2010 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 2009/2010 in the amount of \$538,848; and
2. Authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2009/2010.

A .5 RESOLUTION PERTAINING TO INITIATING PROCEEDINGS FOR ATTACHMENT TO THE CITY OF MORENO VALLEY AND THE COMMUNITY SERVICES DISTRICT AND DETACHMENT FROM CITY OF RIVERSIDE CONSISTING OF A TOTAL OF NO MORE THAN 17.32 ACRES WITHIN THE EXISTING RIGHT-OF-WAY OF DAY STREET AND STATE HIGHWAY 60 LOCATED BOTH NORTH AND SOUTH OF STATE HIGHWAY 60 AND GENERALLY EAST OF DAY STREET (Report of: Community Development Department)

**Recommendation:**

1. RECOGNIZE that the project qualifies as exempt under Section 15061 b.3 of the California Environmental Quality Act (CEQA) in that the proposed activity does not have the potential for causing

a significant effect on the environment; and

2. ADOPT Resolution No. 2009-19, requesting that the Local Agency Formation Commission initiate proceedings for the attachments, as identified in Exhibit A.

Resolution No. 2009-19

A Resolution of the City Council of the City of Moreno Valley, California Requesting the Riverside Local Agency Formation Commission to Initiate Proceedings for Sphere of Influence Amendments Consisting of Additions to the City of Moreno Valley and Moreno Valley Community Services District and Removal from the City of Riverside, and Reorganization (Located in the Vicinity of Day Street at State Highway 60) to Include Detachments from the City of Riverside and Concurrent Annexations to the City of Moreno Valley and the Moreno Valley Community Services District

- A .6 CUP 3060, PLOT PLAN 1635 - INDUSTRIAL - AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS (ASSOCIATED WITH STREET IMPROVEMENT PLANS FOR PA04-0159 PM 32961) NORTHWEST CORNER OF PERRIS BOULEVARD AND GROVE VIEW ROAD - DEVELOPER: WASTE MANAGEMENT COLLECTION, MORENO VALLEY, CA. 92551 (Report of: Public Works Department)

**Recommendation:**

1. Accept the Agreement and Bonds for Public Improvements;
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.

- A .7 RESOLUTION ADOPTING MORENO VALLEY EMERGENCY

OPERATIONS PLAN (Report of: Human Resources)

**Recommendation:**

Adopt Resolution No. 2009-20, adopting the Moreno Valley Emergency Operations Plan.

Resolution No. 2009-20

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Emergency Operations Plan

- A .8 PA02-0013 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF CACTUS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM - DEVELOPER - WALTER EMBREE DBA EMBREE CONSTRUCTION, WALNUT CREEK, CA. 94596 (Report of: Public Works Department)

**Recommendation:**

1. Adopt Resolution No. 2009-23 authorizing the acceptance of the public improvements for PA02-0013 as complete and accepting the portion of Cactus Avenue associated with the project into the City’s maintained street system; and

Resolution No. 2009-23

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA02-0013, and Accepting the Portion of Cactus 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 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.

- A .9 TRACT MAP 31326 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING

SYDNEY AVENUE, HOBART CIRCLE, BRISBANE COURT, FIELD STREET, CANBERRA WAY AND THE PORTION OF BAY AVENUE, DARWIN DRIVE AND MORRISON STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: WESTERN PACIFIC HOUSING, INC., CORONA, CA. 92880 (Report of: Public Works Department)

**Recommendation:**

1. Adopt Resolution No. 2009-24 authorizing the acceptance of the public improvements for Tract Map 31326 as complete and accepting Sydney Avenue, Hobart Circle, Brisbane Court, Field Street, Canberra Way and the portion of Bay Avenue, Darwin Drive and Morrison Street associated with the project into the City's maintained street system; and

Resolution No. 2009-24

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 31326, and Accepting Sydney Avenue, Hobart Circle, Brisbane Court, Field Street, Canberra Way and the Portion of Bay Avenue, Darwin Drive and Morrison 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.

A .10 LEGISLATIVE UPDATE (Report of: City Manager's Office)

**Recommendation:**

Receive and file this informational report.

A .11 APPROVE PROJECT RECOMMENDATIONS FOR PROPOSITION 1B - TRANSPORTATION BOND PROGRAM FUNDING (Report of: Public Works Department)

**Recommendation:**

1. Approve project recommendations for Proposition 1B funding;

2. Authorize the City Engineer to submit the Proposition 1B Project Accountability Plan to the State Department of Finance in order for the City to receive the designated Proposition 1B funds; and
3. Authorize the appropriation of the Proposition 1B funds in the Capital Improvement Plan budget and create the necessary project accounts when monies are received from the State.

A .12 RESOLUTION SUPPORTING THE NAME OF THE RIVERSIDE COMMUNITY COLLEGE – MORENO VALLEY CAMPUS UPON OBTAINING COLLEGE STATUS AS MORENO VALLEY COLLEGE (Report of: City Clerk's Department)

**Recommendation:**

Adopt Resolution No. 2009-25, supporting the name of the Riverside Community College – Moreno Valley Campus upon obtaining college status as Moreno Valley College.

Resolution No. 2009-25

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Name of the Riverside Community College - Moreno Valley Campus upon Obtaining College Status as Moreno Valley College

A .13 RESOLUTION NO. 2009-26 AND CSD RESOLUTION NO. 2009-03 TO AMEND THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS AND CSD RESOLUTION NO. 2009-04 TO AMEND COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE C (ARTERIAL STREET LIGHTING) POLICY (Report of: Public Works Department)

**Recommendation:**

1. Approve and adopt Resolution No. 2009-26 amending Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings; and

Resolution No. 2009-26

A Resolution of the City Council of the City of Moreno Valley, California, to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of

Proposition 218

- A .14 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES AND ELECTRIC SERVICE RULES, FEES, AND CHARGES FOR THE MORENO VALLEY UTILITY (Report of: Public Works)

**Recommendation:**

Approve Resolution No. 2009-27 amending the Electric Rates and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

Resolution No. 2009-27

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

- A .15 ADOPT A MITIGATED NEGATIVE DECLARATION FOR IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625-2 AND INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS/IRONWOOD AVENUE IMPROVEMENTS (SOUTH SIDE) FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726 (Report of: Public Works Department)

**Recommendation:**

Adopt a Mitigated Negative Declaration for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard, and the Indian Detention Basin Drainage Improvements/Ironwood Avenue Improvements (south side) from Heacock Street to Nita Drive.

- A .16 MINUTES - REGULAR MEETING OF MARCH 10, 2009 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

- A .17 CONSIDERATION OF AMENDMENT NO. 3 TO THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE WESTERN RIVERSIDE REGIONAL CONSERVATION AUTHORITY (Report of: City Manager's Office)

**Recommendation:**

Approve Amendment No. 3 to the Joint Exercise of Powers Agreement and authorize the Mayor to execute the proposed document.

A .18 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 March 4-17, 2009.

A .19 RESOLUTION TO ADOPT THE CITY'S "WHERE DREAMS SOAR"  
LOGO AS THE OFFICIAL LOGO OF THE CITY OF MORENO  
VALLEY (Report of: City Manager's Office)

**Recommendation:**

Approve Resolution No. 2009-22 adopting the City's "Where Dreams Soar" logo as the official logo of the City of Moreno Valley.

Resolution No. 2009-22

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the City's "Where Dreams Soar" Logo as the Official Logo of the City of Moreno Valley

A .20 AUTHORIZATION TO ISSUE A PURCHASE ORDER FOR  
PROFESSIONAL CONSULTANT SURVEY SERVICES FOR THE  
LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE  
TO ALESSANDRO BOULEVARD IMPROVEMENTS PROJECT NO.  
06-50182725 (Report of: Public Works Department)

**Recommendation:**

1. Authorize the issuance of a Purchase Order to PSOMAS, in the amount of \$122,070 (\$101,725 proposal amount plus 20% contingency amount of \$20,345) for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements (Account No. 501.82725); and
2. Authorize the Public Works Director/City Engineer to execute any subsequent related Change Orders to the Purchase Order with PSOMAS up to but not to exceed Purchase Order contingency authorized amount of \$20,345 for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements.

## **B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

### **B .1 ORDINANCES - READING BY TITLE ONLY**

**Recommendation:** Waive reading of all Ordinances.

### **B .2 RESOLUTION PERTAINING TO INITIATING PROCEEDINGS FOR ATTACHMENT TO THE CITY OF MORENO VALLEY AND THE COMMUNITY SERVICES DISTRICT AND DETACHMENT FROM CITY OF RIVERSIDE CONSISTING OF A TOTAL OF NO MORE THAN 17.32 ACRES WITHIN THE EXISTING RIGHT-OF-WAY OF DAY STREET AND STATE HIGHWAY 60 LOCATED BOTH NORTH AND SOUTH OF STATE HIGHWAY 60 AND GENERALLY EAST OF DAY STREET (Report of: Community Development Department)**

**Recommendation:**

Acting in the capacity as the Members of the Moreno Valley Community Services District, ADOPT Resolution CSD No. 2009-02, requesting that the Local Agency Formation Commission initiate proceedings for the expansion of the Community Services District in conjunction with the identified attachments as identified in Exhibit B.

Resolution No. CSD 2009-02

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to Request the Riverside Local Agency Formation Commission to Initiate Proceedings for Sphere of Influence Amendments (Additions and Removals) to Moreno Valley Community Services District, and Reorganization (Located in the Vicinity of Day Street at State Highway 60) to Include Detachments from the City of Riverside and Concurrent Annexations to the Moreno Valley Community Services District and Detachment from Moreno Valley Community Services District and Concurrent Annexation to the City of Riverside

### **B .3 RESOLUTION NO. 2009-26 AND CSD RESOLUTION NO. 2009-03 TO AMEND THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS AND CSD RESOLUTION NO. 2009-04 TO AMEND COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE C (ARTERIAL STREET LIGHTING) POLICY (Report of: Public Works Department)**

**Recommendation:**

1. Approve and adopt:

a) Resolution No. CSD 2009-03 amending Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings; and

Resolution CSD No. 2009-03

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California, to Adopt an Amended Policy for Community Services District Zone B (Residential Street Lighting) and Zone C (Arterial Street Lighting) to Provide Program Guidelines and Funding Requirements

b) Resolution No. CSD 2009-04 amending General Management Policy #2.34, Community Services District Zone B (Residential Street Lighting) and Zone C (Arterial Street Lighting) Policy.

Resolution CSD No. 2009-04

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California, to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

B .4 MINUTES - REGULAR MEETING OF MARCH 10, 2009 (Report of: City Clerk's Department)

**Recommendation:**  
Approve as submitted.

**C CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

C .1 ORDINANCES - READING BY TITLE ONLY  
**Recommendation:** Waive reading of all Ordinances.

C .2 MINUTES - REGULAR MEETING OF MARCH 10, 2009 (Report of: City Clerk's Department)

**Recommendation:**  
Approve as submitted.

**D CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

D .1 ORDINANCES - READING BY TITLE ONLY  
**Recommendation:** Waive reading of all Ordinances.

- D .2 MINUTES - REGULAR MEETING OF MARCH 10, 2009 (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.

- E .1 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 - BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

**Recommendation: That the City Council:**

1. Staff recommends that the Mayor and Members of the City of Moreno Valley City Council, after conducting the public hearing and accepting public testimony:
  - a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for identified properties within Tentative Parcel Map (TPM) 35629;
  - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached Assessor Parcel Number (APN) listing;
  - c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
  - d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the identified properties within TPM 35629; and
2. Staff recommends that the President and Members of the Board of Directors of the Moreno Valley CSD (CSD Board), after conducting the public hearing and accepting public testimony:
  - a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for identified properties within TPM

35629;

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and attached APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to the identified properties within TPM 35629.

E .2 A COMPREHENSIVE UPDATE TO THE MORENO VALLEY MUNICIPAL CODE 9.17 (LANDSCAPE REQUIREMENTS) AND THE LANDSCAPE STANDARDS. THE UPDATE CONSIDERS THE OVERALL VISUAL APPEAL AS WELL AS REDUCED WATER USAGE TO ENSURE COMPLIANCE WITH STATE OF CALIFORNIA WATER EFFICIENCY REGULATIONS. (Report of: Community Development Department)

**Recommendation: That the City Council:**

1. RECOGNIZE that PA09-0002 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and
2. Introduce Ordinance No. 786 approving PA09-0002, amending Section 9.17 of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 786

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 Section 9.17, Landscape Requirements and the Landscape Standards

E .3 FY 2009/10 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROPOSED PROJECTS (Report of: Economic Development Department)

**Recommendation: That the City Council:**

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service

programs for FY 2009/10; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2009/10 Annual Action Plan.

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

**G REPORTS**

- G .1 PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDING FOR PARKCREST CARWASH - APN 292-250-015 BALLOTING FOR NPDES (Report of: Public Works Department)

**Recommendation: That the City Council:**

Accept public comments regarding the mail ballot proceeding for Parkcrest Carwash – Assessor Parcel Number (APN) 292-250-015 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

- G .2 DRAFT ADVISORY BALLOT MEASURE RE DIRECTLY ELECTED MAYOR (Request of Council Members Flickinger and Molina) (Materials Provided by City Attorney)

**Recommendation: That the City Council:**

Review the materials, including the draft ballot measure language and provide direction.

- G .3 APPOINTMENTS TO THE PLANNING COMMISSION (Report of: City Clerk)

**Recommendation: That the City Council:**

1. Appoint four (4) members for terms expiring March 31, 2013
2. If the appointments are not made, authorize the City Clerk to re-notice the positions as vacant.

- G .4 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

- a) Report by Council Member William H. Batey II on Riverside

County Habitat Conservation Agency (RCHCA)

G .5 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

**H LEGISLATIVE ACTIONS**

H .1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H .2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H .3 ORDINANCES - URGENCY ORDINANCES - NONE

H .4 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

3      SECTION 54956.9(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION \*

- a)    Case:            *Community Asset Management/Country Squire Mobile Estates v. City of Moreno Valley*  
         Court:        Riverside Superior Court  
         Case No.:      RIC465600

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

## **ADJOURNMENT**

