



**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**MORENO VALLEY COMMUNITY SERVICES DISTRICT**  
**COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF**  
**MORENO VALLEY**  
**BOARD OF LIBRARY TRUSTEES**

**FEBRUARY 27, 2007**

**REGULAR MEETING – 6:30 P.M.**

**City Council Closed Session**

First Tuesday of each month – 6:00 p.m.

**City Council Study Sessions**

Third Tuesday of each month – 6:00 p.m.

**City Council Meetings**

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber – 14177 Frederick Street

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

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

Charles R. White, Mayor

Bonnie Flickinger, Council Member  
Frank West, Council Member

**AGENDA  
JOINT MEETING OF THE  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO  
VALLEY, AND THE BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING - 6:30 P.M.  
FEBRUARY 27, 2007**

**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 Marc Raphael, Imani Praise 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 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/discussion will be heard after public hearing items.

### **A. CONSENT CALENDAR - CITY COUNCIL**

- A1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- A2. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES  
(Report of: City Clerk's Department)  
Recommendation: Receive and file.
- A3. APPROVAL OF QUARTERLY INVESTMENT REPORT –  
QUARTER ENDED DECEMBER 31, 2006 (Report of: Finance  
Department)  
Recommendation: Approve and accept the quarterly investment  
report, in compliance with the Investment Policy.
- A4. REVIEW AND CONTINUE THE EMERGENCY ACTION  
REGARDING THE DESIGN AND CONSTRUCTION OF THE  
MORENO VALLEY UTILITIES (MVU) 115 KILOVOLT (KV)  
SUBSTATION AND SWITCHYARD FACILITY (Report of: Public  
Works Department)  
Recommendation: Review and continue the Emergency Action  
taken by the Council during the September 26, 2006 Council  
Meeting under Resolution 2006-113 Making Findings of an  
Emergency and Authorizing the Execution of the Design-Build  
Agreement for the Moreno Valley Utilities Substation and  
Switchyard Project between the City of Moreno Valley, as Owner,  
and ABB, Inc., a Delaware Corporation, as Design-Builder in  
accordance with Public Contract Code Sections 20168, 22050, and  
Government Code Section 5956.
- A5. TRACT MAP 29860-1 – REDUCE FAITHFUL PERFORMANCE  
BOND AND ADOPT THE RESOLUTION AUTHORIZING  
ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS  
COMPLETE AND ACCEPTING TWINBERRY DRIVE,

CANDLEWOOD LANE, AND THE PORTIONS OF FIR AVENUE, BEECH DRIVE, PRIMROSE WAY, AND CHESTNUT DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – TRACT 29860, LLC, RANCHO CUCAMONGA, CA 91730 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2007-18, authorizing the acceptance of the public improvements for Tract Map 29860-1 as complete and accepting Twinberry Drive, Candlewood Lane, and the portions of Fir Avenue, Beech Drive, Primrose Way, and Chestnut Drive associated with the project into the City's maintained street system; and

Resolution No. 2007-18

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tract 29860-1, and Accepting Twinberry Drive, Candlewood Lane, and the Portions of Fir Avenue, Beech Drive, Primrose Way, and Chestnut Drive Associated with the Project into the City's Maintained Street System

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

- A6. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JP GROUP CIVIL, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to Agreement for Professional Consultant Services with JP Group Civil, Inc., 40570 Calle Fiesta, Temecula, CA 92591 to provide Professional Consultant Services on various budgeted projects of the Capital Projects Division;
2. Authorize the Mayor to execute said Amendment to Agreement for Professional Consultant Services with JP Group Civil, Inc.; and

3. Authorize an increase in the Purchase Order to JP Group Civil, Inc. in the amount of \$250,000.00, when the Amendment to Agreement for Professional Consultant Services has been signed by all parties.

A7. APPROVE AND EXECUTE THE PURCHASE AGREEMENT FOR THE PARTIAL ACQUISITION OF 24534 FILAREE AVENUE (APN 485-074-002) FOR THE AQUEDUCT BIKE TRAIL PROJECT FROM INDIAN STREET TO FAY AVENUE AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW AND AUTHORIZE THE CITY CLERK TO CERTIFY TO THE ACCEPTANCE OF THE GRANT DEED (Report of: Public Works Department)

Recommendation:

1. Approve and execute the purchase agreement for the partial acquisition of 24534 Filaree Avenue (APN 485-074-002);
2. Authorize the Finance Director to wire transfer funds into escrow for the partial acquisition of 24534 Filaree Avenue (APN 485-074-002); and
3. Authorize the City Clerk to certify to the acceptance of the grant deed for the partial acquisition of 24534 Filaree Avenue (APN 485-074-002).

A8. TRACT 30300-1 – SINGLE FAMILY RESIDENTIAL – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), SOUTH SIDE OF KRAMERIA AVENUE, EAST OF LASSELLE STREET, DEVELOPER – MVR – MORENO VALLEY, L.P., CARLSBAD, CA 92010 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 30300-1;
2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and
3. 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.

- A9. REQUEST FOR "NO PARKING ZONE" TO BE INSTALLED ON BOTH SIDES OF MORTON ROAD, NORTH OF BOX SPRINGS ROAD AND ENDING AT JENNINGS COURT (Report of: Public Works Department)  
Recommendation: Authorize 3,237 feet in length of "No Parking Zone" to be installed on both sides of Morton Road, starting 600 feet north of Box Springs Road and ending at Jennings Court.
- A10. 2007 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)  
Recommendation: Receive and file the informational report.
- A11. MINUTES - REGULAR MEETING OF FEBRUARY 13, 2007 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- A12. REVIEW AND APPROVAL OF RESOLUTIONS PERTAINING TO INITIATING PROCEEDINGS FOR AN ANNEXATION AND SPHERE OF INFLUENCE CHANGE, AND AN EXPANSION OF THE COMMUNITY SERVICES DISTRICT FOR APPROXIMATELY 15 ACRES NORTH OF ALESSANDRO BOULEVARD AND SOUTH OF EUCALYPTUS AVENUE (Report of: Community Development Department)  
Recommendation:
1. Recognize that the project qualifies as an exemption under 15061(b)(3) of the CEQA Guidelines in that the proposed activity does not have the potential for a significant impact on the environment; and
  2. Adopt Resolution No. 2007-20, requesting that the Riverside Local Agency Formation Commission initiate proceedings for the expansion of the sphere of influence and the City's boundary, as identified in Exhibit A.

Resolution No. 2007-20

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Riverside Local Formation Commission to Initiate Proceedings for the Expansion of the Sphere of Influence of the City and City Boundary and Detachments from County Service Area 93 and the Riverside County Waste Resources Management District for Approximately 15.2 Acres Located Within the Existing Old Highway 215 Right-of-Way, Extending from the Centerline of the Old Highway 215 East to the Existing City Limits, North of

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

- B1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- B2. MINUTES - REGULAR MEETING OF FEBRUARY 13, 2007  
(Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- B3. RESOLUTION APPROVING TRANSFER OF PROPERTY AT MARCH FIELD PARK (PARCEL I-2) (Report of: Parks and Recreation Department)  
Recommendation: Adopt Resolution CSD 2007-05, a Resolution of the Moreno Valley Community Services District approving the property transfer of Parcel I-2 at the former March Air Force Base under the Early Transfer Authority.

Resolution No. CSD 2007-05

A Resolution of the Moreno Valley Community Services District Approving the Property Transfer of Parcel I-2 at the Former March Air Force Base Under the Early Transfer Authority

- B4. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT AND PURCHASE OF EQUIPMENT FOR MORENO VALLEY COMMUNITY PARK SOCCER FIELD ENHANCEMENTS, PROJECT NO. 06-46165325 (Report of: Parks and Recreation Department)  
Recommendation:
1. Adopt plans and specifications for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325, on file in the office of the City Engineer;
  2. Appropriate an additional \$1,877,221 in Quimby Fees from Fund 206 for the Moreno Valley Community Park Soccer Field Renovation Site Improvements;
  3. Award the construction contract for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325 to 4-Con Engineering, Inc., the lowest responsible bidder;

4. Authorize the Mayor to execute a contract agreement with 4-Con Engineering, Inc.;
5. Authorize the issuance of a Purchase Order for 4-Con Engineering, Inc. in the amount of \$4,588,025 (the bid amount plus 10% contingency) for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325 (Account No. 461.65325);
6. Authorize the Director of Public Works/City Engineer to execute any subsequent related minor change orders to the contract with 4-Con Engineering, Inc. up to, but not exceeding, the contingency amount of \$417,093, subject to the approval of the City Attorney; and
7. Authorize the Parks and Recreation Department to initiate a purchase order for the direct purchase of the project's MUSCO sports field lighting, DELTA security lighting, and a RAINBIRD irrigation pump, in a total amount not to exceed \$450,400.

**B5. REVIEW AND APPROVAL OF RESOLUTIONS PERTAINING TO INITIATING PROCEEDINGS FOR AN ANNEXATION AND SPHERE OF INFLUENCE CHANGE, AND AN EXPANSION OF THE COMMUNITY SERVICES DISTRICT FOR APPROXIMATELY 15 ACRES NORTH OF ALESSANDRO BOULEVARD AND SOUTH OF EUCALYPTUS AVENUE (Report of: Community Development Department)**

Recommendation:

1. Recognize that the project qualifies as an exemption under 15061(b)(3) of the CEQA Guidelines in that the proposed activity does not have the potential for a significant impact on the environment; and
2. Adopt Resolution No. CSD 2007-06, requesting that the Riverside Local Agency Formation Commission initiate proceedings for the expansion of the Community Services District in conjunction with a related expansion of the sphere of influence and annexation as identified in Exhibit A.

Resolution No. CSD 2007-06

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 the Expansion of the Community Services District in Conjunction with a Related Expansion of the Sphere of Influence and Annexation for Approximately 15.2 Acres of Land Area Located Within the Existing Old Highway 215 Right-of-Way Extending from the Centerline of the Old Highway 215 East to the Existing City Limits, North of Alessandro Boulevard, and South of Eucalyptus Avenue

**C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

- C1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- C2. MINUTES - REGULAR MEETING OF FEBRUARY 13, 2007  
(Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

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

- D1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- D2. MINUTES - REGULAR MEETING OF FEBRUARY 13, 2007  
(Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

**E. PUBLIC HEARINGS**

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

- E1 A PUBLIC HEARING ON THE FOLLOWING LAND USE PROPOSALS: ZONE CHANGE NO. PA06-0149 FROM (O) OFFICE TO (OC) OFFICE COMMERCIAL FOR THE PURPOSES OF CONVERTING EXISTING MEDICAL OFFICE SPACE INTO A PHARMACY AT THE LAGUNA VISTA MEDICAL PLAZA. NO ADDITIONAL SQUARE FOOTAGE WILL BE ADDED TO THE MEDICAL COMPLEX. THE SITE IS LOCATED AT 11441 HEACOCK STREET, SOUTH OF PARKLAND AVENUE,

WESTSIDE OF HEACOCK STREET (Report of: Community Development Department)

Recommendation: That the City Council:

1. Conduct a public hearing for review of a Zone Change (PA06-0149);
2. Recognize that the project qualifies for Categorical Exemption Section 15301 Existing Facilities under the California Environmental Quality Act (CEQA) Guidelines; Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project, individually and cumulatively, will not result in a significant effect on the environment; and
3. Introduce Ordinance No. 739 approving Zone Change (PA06-0149) from (O) Office to (OC) Office Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas Page as attached to the Ordinance as Exhibit A.

Ordinance No. 739

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA06-0149 (Zone Change) to Change the Land Use from (O) Office to (OC) Office Commercial for the Purposes of Converting 8,410 Square Feet of Existing Medical Office Space into a Pharmacy on Approximately 3.15 Acres of Land, Assessor's Parcel Number 264-060-009, Located at 11441 Heacock Street, South of Parkland Avenue, Westside of Heacock Street

- E2. A PUBLIC HEARING ON THE PLANNING COMMISSION'S NOVEMBER 9, 2006 DENIAL OF VARIANCE APPLICATION P06-100. THE REQUESTED VARIANCE WAS FOR APPROVAL OF A ROOM ADDITION TO BE PLACED ON OR NEAR THE PROPERTY LINE FOR A HOME LOCATED AT 26156 CORONADA DRIVE (SOUTHWEST CORNER OF CORONADA DRIVE AND ELIOT AVENUE). THE PROPERTY IS LOCATED WITHIN THE R5 ZONE WHICH HAS A REQUIRED STREET SIDE YARD SETBACK OF 15-FEET (Report of: Community Development Department)

Recommendation: That the City Council conduct a public hearing for review of the action taken by the Planning Commission to deny

Variance Application P06-100, and subsequent to the public hearing;

1. Approve Resolution No. 2007-19, denying application P06-100 for a variance subject to the findings contained in said City Council Resolution.

Resolution No. 2007-19

A Resolution of the City Council of the City of Moreno Valley, California, Denying Application P06-100 for a Variance from the Required Street Side Yard Setback to Allow a Room Addition, Built Without Approved Plans or Permits, to be Built on or Near the Property Line Along Eliot Avenue for a Property Located Within the R5 Zone at 26156 Coronada Drive (Assessor's Parcel Number 477-582-008)

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

**G. REPORTS**

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

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

G2. 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**

## **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**