



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 22, 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

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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.
MAY 22, 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 Cornell Davis, Covenant Christian Center

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS **ON MATTERS ON THE AGENDA** WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS **ON MATTERS NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report/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. 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 May 2-15, 2007.

- A3. WARRANT REPORT - MARCH 31, 2007 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2007-52, approving the Warrant Report, dated March 2007, in the total amount of \$22,826,794.38.

Resolution No. 2007-52

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated March 31, 2007

- 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. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTION OF DAY STREET AND DRACAEA AVENUE PROJECT NO. 06-41779025 (Report of: Public Works Department)
Recommendation:

1. Adopt the plans and specifications for Traffic Signal Improvements at the Intersection of Day Street and Dracaea Avenue that are on file in the office of the City Engineer;
2. Award the construction contract for Traffic Signal Improvements at the Intersection of Day Street and Dracaea Avenue to New West Signal, 14055 Foothill Blvd., Fontana, CA 92335, the lowest responsible bidder;
3. Authorize the Mayor to execute a contract agreement with New West Signal;
4. Authorize the issuance of a Purchase Order for New West Signal in the amount of \$248,063.00 (the bid amount plus 10% contingency) for Traffic Signal Improvements at the Intersection of Day Street and Dracaea Avenue (Account No. 417.79025); and
5. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with New West Signal up to, but not exceeding, the contingency amount of \$22,551.00, subject to the approval of the City Attorney.

A6. PA03-0020 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF ALESSANDRO BOULEVARD, APPLE BLOSSOM LANE, WILLOUGHBY ROAD, AND RIO BRAVO ROAD ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM, DEVELOPER – WNRA MORENO VALLEY, LLC, IRVINE, CA 92614 (Report of: Public Works Department)
Recommendation:

1. Adopt Resolution No. 2007-53 authorizing the acceptance of the public improvements for PA03-0020 as complete and accepting the portions of Alessandro Boulevard, and Apple Blossom Lane associated with the project into the City’s maintained street system;

Resolution No. 2007-53

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA03-0020, and Accepting the Portions of Alessandro Boulevard, and Apple Blossom Lane, Associated with the Project into the City's Maintained Street System, and Accepting the Portions of Willoughby Road and Rio Bravo Road Associated with the Project Once the Easement Allowing Access from Questar Southern Trails Pipeline Company is Recorded by the County of Riverside

2. Accept the portions of Willoughby Road, and Rio Bravo Road associated with the project into the City's maintained street system, once the easement allowing access from Questar Southern Trails Pipeline Company is recorded by the County of Riverside; and
 3. 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.
- A7. PA04-0112 - COMMERCIAL - ACCEPT THE IMPROVEMENT REFUND AGREEMENT DEVELOPMENT IMPACT FEES FOR ARTERIAL STREETS, HEACOCK STREET FROM 660 FEET NORTH OF CARDINAL AVENUE TO 1980 FEET NORTH OF CARDINAL AVENUE, DEVELOPER – HEACOCK AVENUE, LLC A DELAWARE LIMITED LIABILITY CORPORATION, NEWPORT BEACH, CA 92660 (Report of: Public Works Department)
Recommendation:
1. Accept the Improvement Refund Agreement Development Impact Fees (DIF) for Arterial Streets for PA04-0112;
 2. Authorize the Mayor to execute the Improvement Refund Agreement Development Impact Fees for PA04-0112; and
 3. Authorize the Finance Director to process a refund to the Developer in the amount not to exceed \$261,964 from arterial streets development impact fees as the funds become available in accordance with City Resolution 2006-19.

A8. APPROVE PA04-0192 – COMMERCIAL - ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PERRIS BOULEVARD AND IRIS AVENUE, SUBDIVIDER – EVERGREEN DEVCO, INC., PHOENIX, AZ 85016 (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.

A9. PARCEL MAP 31034 - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTH SIDE OF GLOBE STREET BETWEEN PERRIS BOULEVARD AND KITCHING STREET, DEVELOPER – ROCK-IDI MORENO, LLC, IRVINE, CA 92612 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Parcel Map 31034;
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.

A10. TRACT 31284-1 – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), SOUTH SIDE OF COTTONWOOD AVENUE BETWEEN QUINCY STREET AND MORENO BEACH DRIVE, DEVELOPER – MERITAGE HOMES OF CALIFORNIA, INC., IRVINE, CA 92617 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 31284-1;
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.

A11. TRACTS 32834, 32835, 32836, AND PARCEL MAP 34411 - ACCEPT IMPROVEMENT CREDIT/REIMBURSEMENT AGREEMENT TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM, TUMF LOCATION: NASON STREET, DEVELOPERS – BEAZER HOMES HOLDINGS CORP., A DELAWARE CORPORATION, ORANGE, CA 92868, STONERIDGE CENTRE PARTNERS, BOONE, NC 28607 (Report of: Public Works Department)
 Recommendation:

1. Accept the Improvement Credit/Reimbursement Agreement Transportation Uniform Mitigation Fee Program (TUMF Agreement) for Tracts 32834, 32835, 32836, and Parcel Map 34411;
2. Authorize the Mayor to execute the Agreement; and
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

A12. PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 34299 - BALLOTTED ITEM: NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) COMMERCIAL/INDUSTRIAL RATE SCHEDULE; TENTATIVE TRACT 32978 - BALLOTTED ITEM: NPDES RESIDENTIAL RATE SCHEDULE; AND MORENO MARKETPLACE – APNS 486-250-008 AND 486-250-017 - BALLOTTED ITEM: NPDES COMMERCIAL/INDUSTRIAL RATE SCHEDULE (Report of: Public Works Department) **(This item is also listed as item B2)**
 Recommendation: Accept public comments regarding the mail ballot proceedings for:

- a) Tentative Tracts 34299 and 32978 (and all affected phases)

for approval of the National Pollutant Discharge Elimination System (NPDES) residential regulatory rate schedule; and Moreno Marketplace – Assessor Parcel Numbers (APNs) 486-250-008 and 486-250-017 (and any division thereof) for approval of the NPDES commercial/industrial regulatory rate schedule.

A13. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT DESIGN SERVICES FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE - PROJECT NO. 02-89266920 (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to Agreement for Professional Consultant Services with AEI-CASC Engineering, 937 South Via Lata, Suite 500, Colton, California 92324 to provide additional engineering services for street improvements;
2. Authorize the Mayor to execute said Amendment to Agreement for Professional Consultant Services with AEI-CASC Engineering; and
3. Authorize an increase in the Purchase Order to AEI-CASC Engineering, in the amount of \$26,633 from Account No. 892.66920, when the amendment to agreement has been signed by all parties.

A14. PARCEL MAPS 32189, 32189 TRAFFIC SIGNAL ON EUCALYPTUS AVENUE AND ELSWORTH STREET, AND 32189 TRAFFIC SIGNAL ON EUCALYPTUS AVENUE AND ARBOR PARK LANE – REDUCE FAITHFUL PERFORMANCE LETTER OF CREDIT AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE FRONTAGE ON DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, AND EUCALYPTUS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – GATEWAY COMPANY L.C., NEWPORT BEACH, CA 92663 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2007-54 authorizing the acceptance of the Public Improvements for Parcel Maps 32189, 32189 Traffic Signal on Eucalyptus Avenue and Elsworth Street, and 32189 Traffic Signal on Eucalyptus Avenue and Arbor Park Lane as complete and accepting the frontage on Day Street, Gateway

Drive, Memorial Way, and Eucalyptus Avenue associated with the project into the City's maintained street system.

Resolution No. 2007-54

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Parcel Maps 32189, 32189 Traffic Signal on Eucalyptus Avenue and Elsworth Street, and 32189 Traffic Signal on Eucalyptus Avenue and Arbor Park Lane, and Accepting the Frontage on Day Street, Gateway Drive, Memorial Way, and Eucalyptus Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Letter of Credit, exonerate the Material and Labor Letter of Credit 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 Letter of Credit in one year when all clearances are received.

A15. MINUTES - REGULAR MEETING OF MAY 8, 2007 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

A16. RESOLUTION RESCINDING AND RESTATING THE PROVISIONS OF RESOLUTION 2006-49 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AUTHORIZING APPLICATION FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD ACT (Report of: Public Works Department)
Recommendation: Adopt Resolution 2007-55 rescinding and restating the provisions of Resolution 2006-49 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989.

Resolution No. 2007-55

A Resolution Rescinding and Restating the Provisions of Resolution 2006-49 of the City Council of the City of Moreno Valley, California Authorizing Application for all Available Grants under the California Integrated Waste Management Board Act

- A17. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 5 OF THE CITY OF MORENO VALLEY, MAKING AN INTERPRETATION OF THE RATE AND METHOD OF APPORTIONMENT OF THE SPECIAL TAXES APPLICABLE TO SUCH COMMUNITY FACILITIES DISTRICT (Report of: Public Works Department)
Recommendation: Approve and Adopt Resolution No. 2007-56, Resolution of the City Council of the City of Moreno Valley, acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Making an Interpretation of the Rate and Method of Apportionment of the Special Taxes Applicable to such Community Facilities District

Resolution No. 2007-56

A Resolution of the City Council of the City of Moreno Valley, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Making an Interpretation of the Rate and Method of Apportionment of the Special Taxes Applicable to such Community Facilities District

- A18. 2007 LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: Receive and file the informational Report.

- A19. ACCEPTANCE OF THE ANNUAL HOUSING ELEMENT PROGRESS REPORT ON IMPLEMENTATION OF THE CITY OF MORENO VALLEY HOUSING ELEMENT FOR THE REPORTING PERIOD OF JULY 1, 2006 THROUGH DECEMBER 31, 2006 (Report of: Economic Development Department)
Recommendation: Adopt Resolution No. 2007-57, accepting the Annual Element Progress Report on Implementation of the City of Moreno Valley Housing Element for the reporting period of July 1, 2006 through December 31, 2006, in accordance with Government Code Section 65400.

Resolution No. 2007-57

A Resolution of the City Council of the City of Moreno Valley Accepting the Annual Element Progress Report on Implementation of City of Moreno Valley Housing Element for the Reporting Period of July 1, 2006 Through December 31, 2006 to the State of California Department of Housing and Community Development

A20. AWARD OF PUBLIC SAFETY BUILDING CARPET REPLACEMENT (Report of: Police Department)
Recommendation:

1. Authorize additional funding in the amount of \$9,141.02 for the purchase and installation of carpeting; and
2. Award the contract for the purchase and installation of carpeting to Shaw Industries Inc. of Dalton, GA consistent with its competitively bid contract with the Monterey County Office of Education and authorize the Finance Director to issue a purchase order to Shaw Industries Inc. in the amount of \$114,141.02.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

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

B2. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 32978 - BALLOTTED ITEM: COMMUNITY SERVICES DISTRICT (CSD) ZONE B; AND MARKETPLACE – APNS 486-250-008 AND 486-250-017 - BALLOTTED ITEM: CSD ZONE M (Report of: Public Works Department) **(This item is also listed as item A12)**
Recommendation: Accept public comments regarding the mail ballot proceedings for:

- a) Tentative Tract 32978 (and all affected phases) for inclusion into and approval of the annual parcel charge for CSD Zone B (Residential Street Lighting); and Moreno Marketplace – APNs 486-250-008 and 486-250-017 for inclusion into and approval of the annual parcel charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

B3. CERTIFICATION OF COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) ANNEXATIONS 2006-20, 2006-21, 2007-23, 2007-24, 2007-25, AND 2007-26 (Report of: Public Works Department)
Recommendation:

1. Approve and Adopt Resolution No. CSD 2007-07; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1

("CFD No. 1) for Annexation No. 2006-20.

Resolution No. CSD 2007-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

2. Approve and Adopt Resolution No. CSD 2007- 08; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1) for Annexation No. 2006-21.

Resolution No. CSD 2007-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

3. Approve and Adopt Resolution No. CSD 2007-09; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1) for Annexation No. 2007-23.

Resolution No. CSD 2007-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

4. Approve and Adopt Resolution No. CSD 2007-10; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1) for Annexation No. 2007-24.

Resolution No. CSD 2007-10

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District

No. 1

5. Approve and Adopt Resolution No. CSD 2007-11; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1) for Annexation No. 2007-25.

Resolution No. CSD 2007-11

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

6. Approve and Adopt Resolution No. CSD 2007-12; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1) for Annexation No. 2007-26.

Resolution No. CSD 2007-12

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

- B4. AWARD OF CONTRACT - MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-4/07 - MAINTENANCE OF HIGH SERVICE LEVEL PARKWAY LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH EAST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-4/07 (the "Agreement") with Bemus Landscape, Inc., Santa Ana, California;
2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc., and;
3. Authorize the Purchasing Division Manager, at the start of Fiscal Year 2007/2008 to issue open purchase orders to Bemus Landscape, Inc., in the amounts of:

- a. One Hundred Eighty-Three Thousand and 00/100 (\$183,000.00) for twelve months of base maintenance service and;
- b. Thirteen Thousand Three Hundred Seventy-Eight and 00/100 (\$13,378.00) for anticipated Additional Work, per Section 3., paragraph d. of said Agreement.

B5. MINUTES - REGULAR MEETING OF MAY 8, 2007 (Report of: City Clerk's Department)
 Recommendation: Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C1. ORDINANCES - READING BY TITLE ONLY
 Recommendation: Waive reading of all Ordinances.

C2. MINUTES - REGULAR MEETING OF MAY 8, 2007 (Report of: City Clerk's Department)
 Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D1. ORDINANCES - READING BY TITLE ONLY
 Recommendation: Waive reading of all Ordinances.

D2. MINUTES - REGULAR MEETING OF MAY 8, 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. PUBLIC HEARING FOR FISCAL YEAR 2007, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDING ALLOCATION (Report of: Police Department)
 Recommendation: That the City Council:

1. Hold a public hearing to allow public comments on the proposed use of the Justice Assistance Grant;
2. Consider the comments or views received by the public;
3. Adopt the proposed use of the Justice Assistance Grant funding, as appropriate, to address public and Council comments, and;
4. Approve application for the Justice Assistance Grant in the amount of \$84,073 from the U.S. Department of Justice, Bureau of Justice Assistance.

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. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2007/2008 ANNUAL CHARGES (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 (CSD) (the "Board"), accept public comments regarding the CSD proposed fiscal year (FY) 2007/2008 annual charges. The proposed charges shall provide for continued services to parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians and Sunnymead Boulevard improvements during FY 2007/2008, as submitted in the Annual Levy Report on file in the office of the City Clerk.

G3. REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL,

INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT
PROPOSED FISCAL YEAR 2007/2008 ANNUAL RATES (Report
of: Public Works Department)

Recommendation: That the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year (FY) 2007/2008 annual rates.

- G4. RESOLUTION IN SUPPORT OF ASSEMBLY BILL 222 -
UNDOMESTICATED BURROS (Report of: Assistant to the City
Manager)

Recommendation: That the City Council adopt a resolution in support of Assembly Bill 222, conditioned on the bill being amended to satisfactorily address concerns over potential City liability (Resolution No. 2007-58).

Resolution No. 2007-58

A Resolution of the City Council of the City of Moreno Valley, California, in Support of Assembly Bill 222 Granting Local Agencies the Authority to Conduct Activities to Secure the Health and Safety of Undomesticated Burros

- G5. ORDINANCE CREATING AN ARTS COMMISSION (CONTINUED
FROM MAY 8, 2007 ON A 4-0-1 VOTE) (Report of: Parks and
Community Services Department)

Recommendation: That the City Council introduce Ordinance No. 746, amending Title 2 of the City of Moreno Valley Municipal Code, by adding thereto a new Chapter 2.26 creating an Arts Commission (roll call required).

Ordinance No. 746

An Ordinance of the City Council of the City of Moreno Valley, Amending Title 2 of the City of Moreno Valley Municipal Code, by Adding a New Chapter 2.26 Creating an Arts Commission

- G6. 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. 745 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT NO. 2 (PA05-0180) TO THE CACTUS CORRIDOR SPECIFIC PLAN NO. 214 TO REMOVE THREE PARCELS (TOTAL OF 27.36 ACRES) FROM THE SPECIFIC PLAN AND REVERT TO ZONING DISTRICTS THAT HAVE BEEN PREVIOUSLY APPROVED BY AND ARE CONSISTENT WITH THE GENERAL PLAN INCLUDING A RECENTLY APPROVED TOWNHOME PROJECT (8.97 ACRES, APN NO. 486-250-008) ON THE SOUTHWEST CORNER OF MORENO BEACH DRIVE AND BRODIAEA AVENUE WITHIN AN R15 LAND USE DISTRICT, AND TWO ADJACENT SITES, ONE IMMEDIATELY TO THE SOUTH OF THE TOWNHOME PROJECT SITE (8.90 ACRES, APN NO. 486-250-017) LOCATED ON THE NORTHWEST CORNER OF MORENO BEACH DRIVE AND CACTUS AVENUE, INCLUDING A RECENTLY APPROVED COMMERCIAL SHOPPING CENTER WITHIN A CC (COMMUNITY COMMERCIAL) LAND USE DISTRICT AND A VACANT PARCEL (9.39 ACRES, APN #486-250-007) ON THE SOUTH SIDE OF BRODIAEA AVENUE AND WEST OF MORENO BEACH DRIVE INCLUDED IN A R5 (RESIDENTIAL-5) DISTRICT (RECEIVED FIRST READING & INTRODUCTION ON MAY 8, 2007 BY A 4-0-1 VOTE, STEWART ABSENT) (Report of: Community Development Department)
Recommendation: Adopt Ordinance No. 745.

Ordinance No. 745

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Specific Plan Amendment No. 2 (PA05-0180) to the Cactus Corridor Specific Plan No. 214 to Remove Three Parcels (Total of 27.36 Acres) from the Specific Plan and Revert to Zoning Districts that have been Previously Approved by and are Consistent with the General Plan Including a Recently Approved Townhome Project (8.97 Acres, APN No. 486-250-008) on the Southwest Corner of Moreno Beach Drive and Brodiaea Avenue within an R15 Land Use District, and Two Adjacent Sites, one Immediately to the South of the Townhome Project Site (8.90 Acres, APN No. 486-250-017) Located on the Northwest Corner of Moreno Beach Drive and Cactus Avenue, Including a Recently

Approved Commercial Shopping Center within a CC (Community Commercial) Land Use District and a Vacant Parcel (9.39 Acres, APN #486-250-007) on the South Side of Brodiaea Avenue and West of Moreno Beach Drive Included in a R5 (Residential-5) District

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