



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**

APRIL 22, 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
APRIL 22, 2008**

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Traffic Safety Commission Proclamation Recognizing Robert Del Campo and Val Verde Unified School District – Teen Vision
2. Recognition of Moreno Valley Parks & Community Services Youth Basketball League Champions
3. Proclamation Recognizing Earth Day - April 22, 2008
4. Proclamation Recognizing National Fair Housing Month - April 2008
5. Proclamation Recognizing Child Abuse Prevention Month – April 2008

**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.
APRIL 22, 2008**

CALL TO ORDER (Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Arnold 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

A1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A2. MINUTES - REGULAR MEETING OF APRIL 8, 2008 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

A3. 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 April 2-15, 2008.

A4. 2008 LEGISLATIVE UPDATE (Report of: Assistant City Manager)

Recommendation: Receive and file the informational report.

A5. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY AND SETTLEMENT AGREEMENT FOR THE PARTIAL ACQUISITION OF APNS 264-175-001, 264-175-002 & 264-175-004 FOR THE PIGEON PASS ROAD WIDENING PROJECT FROM CLIMBING ROSE DRIVE TO THE NORTHERN CITY LIMITS AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW (Report of: Public Works Department)

Recommendation:

1. Approve and execute the Agreement for Conveyance of Property and Settlement Agreement for the partial acquisition of APNs 264-175-001, 264-175-002 & 264-175-004; and

2. Authorize the Finance Director to wire transfer funds into escrow in the amount of \$49,500 for the acquisition and an additional amount of \$6,000 for escrow fees for the partial acquisition of APNs 264-175-001, 264-175-002 & 264-175-004.
- A6. APPROVE THE SECOND AMENDMENT TO THE MAINTENANCE AGREEMENT BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF MORENO VALLEY FOR THE PIGEON PASS ROAD STREET IMPROVEMENTS - PROJECT NO. 06-41570324 (Report of: Public Works Department)
1. Approve the Second Amendment to the Maintenance Agreement between the County of Riverside and the City of Moreno Valley; and
 2. Authorize the Public Works Director/City Engineer to execute the Second Amendment to the Maintenance Agreement.
- A7. NOTICE OF COMPLETION AND ACCEPTANCE OF THE CONSTRUCTION FOR THE CITYWIDE ANNUAL PAVEMENT RESURFACING PROGRAM PROJECT NO. 07-12556330 (Report of: Public Works Department)

Recommendation:

1. Ratify Contract Change Order No. 1 (Final);
2. Accept the work as complete for the construction of the Citywide Annual Pavement Resurfacing Program by All American Asphalt, P.O. Box 2229, Corona, California 92878-2229;
3. Direct the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;
4. Authorize the Director of Finance to release the retention to All American Asphalt thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
5. Accept the improvements into the City's maintained road system.

- A8. EXECUTE THE QUITCLAIM DEEDS AND EASEMENT DEEDS TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, FOR A PORTION OF LOTS 48 AND 49 IN TRACT 30318, IN ASSOCIATION WITH THE MORENO-VIA XAVIER STORM DRAIN, EAST OF LASSELLE STREET AND SOUTH OF KRAMERIA STREET (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Quitclaim Deeds transferring the City's fee simple interest in the drainage easement, on a portion of Lots 48 and 49, recorded on Tract Map 30318, filed on March 12, 2004, as Instrument No. 2004-0175257, in the Official Records of Riverside County, California, RCFC Parcel Nos. 4775-503 and 4775-504;
2. Authorize the Mayor to execute the Easement Deeds for a portion of Lots 48 and 49, recorded on Tract Map 30318, granting to Riverside County Flood Control and Water Conservation District a flood control easement for storm drain, access and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of flood control facilities and all appurtenant works, RCFC Parcel Nos. 4775-500, 4775-501, and 477-502; and
3. Direct the City Clerk to forward the signed Quitclaim Deeds and Easement Deeds to Riverside County Flood Control and Water Conservation District for acceptance.

- A9. PA04-0058 - APPROVAL OF COOPERATIVE AGREEMENT FOR SUNNYMEAD MASTER DRAINAGE PLAN LINE P-6 STORM DRAIN, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND PERRIS ISLE LIMITED PARTNERSHIP, AROUND THE NORTHEAST CORNER OF PERRIS BOULEVARD AND EUCALYPTUS AVENUE, DEVELOPER - PERRIS ISLE LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, MERCED, CA 95348 (Report of: Public Works Department)

Recommendation:

1. Approve the Cooperative Agreement between Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, and Perris Isle Limited Partnership for Sunnymead Master Drainage Plan Line P-6 Storm Drain;

2. Authorize the Mayor to execute the Cooperative Agreement; and
3. Direct the City Clerk to forward the signed Cooperative Agreement to Riverside County Flood Control and Water Conservation District.

A10. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF APN 264-312-001 FOR THE PIGEON PASS ROAD WIDENING PROJECT FROM CLIMBING ROSE DRIVE TO THE NORTHERN CITY LIMITS (Report of: Public Works Department)

Recommendation:

1. Approve and execute the Agreement for Conveyance of Property for the partial acquisition of APN 264-312-001.

A11. AGREEMENT FOR PROFESSIONAL DESIGN AND PROJECT MANAGEMENT CONSULTANT SERVICES AND CONSTRUCTION MANAGEMENT CONSULTANT SERVICES FOR ALESSANDRO BOULEVARD STREET IMPROVEMENTS, FROM THE WEST CITY LIMITS AT OLD 215 TO FREDERICK STREET PROJECT NO. 10-41572627 (Report of: Public Works Department)

Recommendation:

1. Approve the “Agreement for Professional Design and Project Management Consultant Services and Construction Management Consultant Services” for Part 1, Phase 1 only, with DMC Design Group, Inc., 170 North Maple Street, Suite 101, Corona, California 92880;
2. Authorize the City Manager to execute said “Agreement for Professional Design and Project Management Consultant Services” for Part 1, Phase 1 only, with DMC Design Group, Inc.;
3. Authorize the Finance Director to issue a Purchase Order to DMC Design Group, Inc., in the amount of \$370,058.00 (\$308,382.00 proposal amount for Part 1, Phase 1, planning, environmental, and preliminary engineering design [PA&ED] services, plus 20% contingency) when the Agreement has been signed by all parties (Account No. 415.72627); and

4. Authorize the City Engineer to execute any subsequent Amendments to the Agreement for Professional Consultant Services with DMC Design Group, Inc., up to but not to exceed the Purchase Order contingency amount of \$61,676.00 subject to the approval of the City Attorney.

A12. CONSIDERATION OF THE 9TH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY (Report of: Deputy City Manager)

Recommendation: Approve the 9th Amendment to the Joint Exercise of Powers Agreement and authorize the Mayor to execute the proposed document.

A13. APPROVAL OF ONE-YEAR RENEWAL OF MICROSOFT LICENSES THROUGH COMPUCOM SYSTEMS, INC., UTILIZING THE COUNTY OF RIVERSIDE'S MICROSOFT ENTERPRISE AGREEMENT (Report of: Administrative Services Department)

Recommendation: Authorize the one-year renewal of Microsoft software licenses utilizing the County of Riverside's Microsoft Enterprise Agreement (a cooperative purchasing agreement) with CompuCom Systems, Inc., a Microsoft Large Account Reseller. The total amount to be paid for the licenses is \$135,600.42. Since this expenditure is over \$100,000, City Council approval is required per the City's procurement policy.

A14. 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 MORENO VALLEY UTILITY, AND RATIFICATION OF ADDITIONAL PAYMENT PROGRAMS (Report of: Public Works Department)

Recommendation:

1. Approve Resolution No. 2008-39 amending the Electric Rates and Electric Service Rules, Fees, and Charges for Moreno Valley Utility; and

Resolution No. 2008-39

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

2. Ratify three additional Moreno Valley Utility Customer Payment Programs (Level Pay Plan, Automatic Payments and Electronic Payments).

A15. SUPPORT OF THE CONTINUED OPERATION OF THE CALIFORNIA CITRUS STATE HISTORIC PARK (Report of: Assistant City Manager)

Recommendation: Adopt Resolution No. 2008-40 supporting the continued operation of the California Citrus State Historic Park.

Resolution No. 2008-40

A Resolution of the City Council of the City of Moreno Valley, California, in Support of the Continued Operation of the California Citrus State Historic Park in the City of Riverside

A16. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR PIGEON PASS ROAD STREET IMPROVEMENTS FROM IRONWOOD AVENUE TO NORTH CITY LIMITS - PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Pigeon Pass Road Street Improvements from Ironwood Avenue to North City Limits to Sukut Construction, Inc., 11840 Pierce Street, #100, Riverside, CA 92505, the lowest responsible bidder;
2. Authorize the City Manager to execute the Agreement with Sukut Construction, Inc.;
3. Authorize the issuance of a Purchase Order for Sukut Construction, Inc. in the amount of \$4,161,614 (\$3,468,012 for the Base Bid and Additive Bid Alternates 1, 2, 3 and 4, plus 20% contingency) for Pigeon Pass Road Street Improvements from Ironwood Avenue to North City Limits (\$3,349,826 from Account No. 415.70324 and \$811,788 from Account No. 416.78725); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Sukut Construction, Inc. up to, but not exceeding, the contingency amount of \$693,602 subject to the approval of the City Attorney.

- A17. SECOND AMENDMENT TO CITY MANAGER'S EMPLOYMENT AGREEMENT (Report Of: Human Resources Department)

Recommendation: Approve the Second Amendment to the Employment Agreement of the City Manager.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

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

- B2. MINUTES - REGULAR MEETING OF APRIL 8, 2008 (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 APRIL 8, 2008 (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 APRIL 8, 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 MAIL BALLOT PROCEEDINGS FOR FRESH AND EASY NEIGHBORHOOD MARKET – ASSESSOR PARCEL NUMBER (APN) 291-242-018 -

BALLOTTED ITEM: NPDES COMMERCIAL/INDUSTRIAL REGULATORY RATE; AND TENTATIVE PARCEL MAP 34044 - BALLOTTED ITEMS: NPDES MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND CSD ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE); AND RETAIL CENTER AND CARWASH – APN 297-130-045 - BALLOTTED ITEMS: NPDES MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND CSD ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) (Report of: Public Works Department)

Recommendation:

1. That the Mayor and Members of the City of Moreno Valley City Council, after conducting the public hearing:
 - a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for Fresh and Easy Neighborhood Market – APN 291-242-018, Tentative Parcel Map 34044, and Retail Center and Carwash – APN 297-130-045;
 - b. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and 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 Fresh and Easy Neighborhood Market – APN 291-242-018, Tentative Parcel Map 34044, and Retail Center and Carwash – APN 297-130-045.
2. Staff Recommends that the President and Members of the Board of Directors of the Moreno Valley CSD, after conducting the public hearing:
 - a. Direct the Secretary to the CSD Board (the “City Clerk”) to tabulate the CSD Zone M ballots for Tentative Parcel Map 34044 and Retail Center and Carwash – APN 297-130-045;
 - b. Verify and accept the results of the mail ballot

proceedings as identified on the Official Tally Sheet;

- c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing;
- e. If approved, authorize and impose the CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) annual charge for Tentative Parcel Map 34044 and Retail Center and Carwash – APN 297-130-045.

E2. PA06-0053 - REVISION OF TITLE 9, CHAPTER 9.03, SECTION 9.03.040 "RESIDENTIAL SITE DEVELOPMENT STANDARDS" AND CHAPTER 9.16, ARTICLE IV "APPLICATION FOR HILLSIDE DEVELOPMENT" OF THE MUNICIPAL CODE RELATING TO MINOR MODIFICATIONS TO RURAL AND HILLSIDE RESIDENTIAL SITE DEVELOPMENT STANDARDS AND ADDITIONAL DESIGN GUIDELINES FOR HILLSIDE RESIDENTIAL DISTRICTS CITYWIDE. APPLICATION SUBMITTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT (PLANNING DIVISION) (Report of: Community Development Department)

Recommendation:

1. Recognize that the proposed amendment is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061 of the CEQA Guidelines; and
2. Introduce Ordinance No. 773, thereby approving PA06-0053 and amendments to Title 9, Chapter 9.03, Section 9.03.040 "Residential Site Development Standards" and Chapter 9.16, Article IV "Applications for Hillside Development" within the City of Moreno Valley Municipal Code.

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

- E3. PUBLIC HEARING REGARDING ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS AND THE ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY FOR RANCHO DORADO APARTMENTS (Report of: Economic Development Department)

Recommendation:

1. That that City Council of the City of Moreno Valley conduct a public hearing as required by Section 147 (f) of the Internal Revenue Code of 1986, as amended, at which it will hear and consider information concerning the issuance by the Community Redevelopment Agency of the City of Moreno Valley (the "Agency") of bonds to finance the acquisition, construction and development of an approximately 150-unit multifamily rental housing project known as Rancho Dorado Apartments; and

Resolution No. 2008-41

A Resolution of the City Council of the City of Moreno Valley, Pursuant to Section 147(f) of the Internal Revenue Code of 1986 Approving the Issuance of Bonds by Community Redevelopment Agency of the City of Moreno Valley for Rancho Dorado Apartments

2. That the City Council of the City of Moreno Valley adopts Resolution 2008-41, pursuant to Section 147(f) of the Internal Revenue Code of 1986 approving the issuance of bonds by the Community Redevelopment Agency of the City of Moreno Valley for Rancho Dorado Apartments.
- E4. A PUBLIC HEARING ON THE FOLLOWING LAND USE PROPOSALS: (Report of: Community Development Department)

Project 1: General Plan Amendment (PA07-0096) and Zoning Change (PA07-0095) from R5 (Residential 5) to P (Public) at March Middle School, from R5 (Residential 5) to R15 (Residential 15) and from R20 (Residential 20) to R15 (Residential 15) for the parcels east of the school properties. The project is located east of Indian Street, south of Santiago Drive, north of Iris Avenue, and west of Perris Boulevard. A plot plan to build multi-family units is not part of this application, this is strictly a zone change and general plan amendment application.

Applicant: Perris at Pentecostal, LLC

Project 2: General Plan Amendment (PA07-0137) and Zone Change (PA07-0135) from R3 (Residential 3) to CC (Commercial) for 5.87 acres. The 14.2 acre project site is currently zoned Community Commercial (8.33-acres) and R3 (5.87-acres). The project also includes a Master Plot Plan (PA07-0138) for a 176,112-square foot commercial center including a 169,112-square foot home improvement store and two outlying pads for future retail buildings of 2,500-square feet and 4,500-square feet. The Master Plot Plan proposes the creation of three (3) parcels for each of the buildings noted above. A Plot Plan application is also proposed for the 169,112 square foot home improvement store. The project is located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

Applicant: Adams Engineering

Recommendation: That the City Council:

1. Conduct a public hearing for review of Project 1 and defer taking action on Project 1 until after the public hearing for Project 2;
2. Conduct a public hearing for review of Project 2;
3. Recognize that Project 1 applications PA07-0096 (General Plan Amendment) and (PA07-0095) Zoning Change qualifies for an Exemption under Section 15061.b.3 of the CEQA Guidelines, which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The applications, individually and cumulatively, will not result in a significant impact on the environment;
4. Adopt a Mitigated Negative Declaration for Project 2 applications PA07-0137 (General Plan Amendment), PA07-0135 (Zone Change), PA07-0138 (Master Plot Plan) and PA07-0136 (Plot Plan). The applications, individually and cumulatively will not result in a significant effect on the environment;
5. Approve Resolution No. 2008-42 approving PA07-0096 and PA07-0137, thereby establishing General Plan Land Use Map designations for Projects 1 and 2 as described in the Resolution, and the revised General Plan Maps as attached

to the Resolution as Exhibits A and B;

Resolution No. 2008-42

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA07-0096) 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 and a General Plan Amendment (PA07-0137) from Residential 3 to Commercial for 5.87 Net Acres of Located Within Portions of Assessor's Parcel Numbers 478-060-005, -006, -007, and -008, Located Near the Northeast Corner of Moreno Beach Drive and Alessandro Boulevard, thereby Establishing General Plan Land Use Map Designations for Certain Properties as Described in the Resolution, and the Revised General Plan Maps Attached to the Resolution as Exhibits A and B

6. Introduce Ordinance No. 774 approving Project 1 Zone Change (PA07-0095) from R5 (Residential 5) to P (Public) at March Middle School, from R5 (Residential 5) to R15 (Residential 15) and from R20 (Residential 20) to R15 (Residential 15) for the parcels east of the school properties, located east of Indian Street, south of Santiago Drive, north of Iris Avenue, and west of Perris Boulevard, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

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

7. Introduce Ordinance No. 775 approving Project 2 Zone

Change (PA07-0135) to change the land use designation from R3 (Residential 3) to CC (Commercial) for 5.87 acres located near the northeast corner of Moreno Beach Drive and Alessandro Boulevard, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the Ordinance as Exhibit A; and

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

8. Approve Resolution No. 2008-43 approving Project 2 Master Plot Plan (PA07-0138) to develop a 176,112-square foot commercial center including a 169,112-square foot home improvement store and two outlying pads for future retail buildings of 2,500-square feet and 4,500 square feet on 14.2 net acres and Plot Plan (PA07-0136) to develop a 169,112 square foot home improvement store, subject to a General Plan Amendment and Zone Change and based on the findings in the Resolution, and the conditions of approval as attached to the Resolution as Exhibit A.

Resolution No. 2008-43

A Resolution of the City Council of the City of Moreno Valley, California, Approving Master Plot Plan (PA07-0138) to Develop a 176,112 Square Foot Retail Center on 14.2 Net Acres and Plot Plan (PA07-0136) for a 169,112 Square Foot Home Improvement Store within the Retail Center

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

G. REPORTS

- G1. PUBLIC MEETING 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 CSD (the "CSD Board"), accept public comments regarding the mail ballot proceedings for 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.

G2. PUBLIC MEETING ON PROPOSED FY 2008-09 USER FEE SCHEDULE (Report of: Finance Department)

Recommendation: That the City Council:

1. Accept public comments on the proposed FY 2008-09 Fee Schedule; and
2. Provide comments and any necessary direction to staff regarding fee policy issues.

G3. APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION AND RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint one member to the Parks and Recreation Commission with a term to expiring June 30, 2008;
2. Appoint one member to the Recreational Trails Board with a term expiring June 30, 2009; and
3. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G4. RECOMMENDED ACTIONS PURSUANT TO NOVEMBER 2008 GENERAL ELECTION BALLOT MEASURE TO MODERNIZE UTILITY USERS TAX ORDINANCE (Report of: Finance Department)

Recommendation: That the City Council:

1. Direct staff to prepare the appropriate resolution prior to August 5, 2008 to place on the November 2008 General Election ballot a City of Moreno Valley measure seeking voter approval to lower the utility users tax by one-quarter (1/4) percent while modernizing the language of the UUT ordinance; and

2. Approve an appropriation of \$90,000 in the General Fund Non-Departmental Business Unit for the development, printing, and mailing of education materials and related professional services.

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

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION - 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