

**MINUTES  
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  
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 P.M.  
AUGUST 22, 2006**

**CALL TO ORDER** - The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:34 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was led by Council Member West

**INVOCATION** - Dr. Albert F. Peyrefitte, Pastor, House of the Lord

**ROLL CALL**

Council:

Bonnie Flickinger	Mayor
Charles R. White	Mayor Pro Tem
William H. Batey, II	Council Member
Frank West	Council Member

Absent: Richard A. Stewart      Council Member

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Robert Gutierrez	City Manager
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
Linda Guillis	Community Development Director
William Di Yorio	Police Chief
Stan Lake	Fire Chief
Chris Vogt	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services
George Guayante	Interim Parks and Recreation Director
Denese Wilson	Human Resources Director

Barry Foster  
Angela Rushen

Economic Development Director  
Interim Administrative Services Director

Library Director Pirtle introduced a new addition to the library, Loes Knutson, Librarian.

**JOINT CONSENT CALENDARS (SECTIONS A-D) 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**

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, there being none, public comments were closed.

**A. CONSENT CALENDAR - CITY COUNCIL**

- A1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- A2. MINUTES - REGULAR MEETING OF JULY 11, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- A3. 2006 LEGISLATIVE UPDATE (Report of: Assistant City Manager)  
Recommendation: Receive and file the informational report.
- A4. WARRANT REPORT (Report of: Finance Department)  
Recommendation: Adopt Resolution No. 2006-87, approving the Warrant Report, dated June 2006, in the total amount of \$22,910,095.79.

Resolution No. 2006-87

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated June 30, 2006

- A5. PA04-0028 – APARTMENT COMPLEX – ACCEPT THE AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PERRIS BOULEVARD AND DELPHINIUM AVENUE, SUBDIVIDER - MICHAEL BROS. REAL ESTATE, INC., RIVERSIDE, CA (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 amendments to the agreement if the required public improvements are not completed within said timeframe.
- A6. APPROVE TRACT MAP 31424 – SINGLE FAMILY RESIDENTIAL - ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF QUINCY STREET AND EUCALYPTUS AVENUE, SUBDIVIDER – PINNACLE MORENO VALLEY 72, LLC, ALISO VIEJO, CA (Report of: Public Works Department)  
Recommendation:
1. Approve Tract Map 31424, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;
  2. Accept the Agreement and Bonds for Public Improvements;
  3. Authorize the Mayor to execute the Agreement;
  4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
  5. 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.
- A7. TRACT MAP 30467 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2006-88, A RESOLUTION OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING SKYLAND DRIVE AND HUBBARD STREET INTO THE CITY'S MAINTAINED STREET SYSTEM, SUBDIVIDER – JAGDISH PATEL AND KUMUD PATEL, ORANGE, CA (Report of: Public Works Department)  
Recommendation:
1. Adopt Resolution No. 2006-88 authorizing the acceptance of the public improvements for Tract Map 30467 as complete and accepting Skyland Drive and Hubbard Streets into the City's maintained street system; and

Resolution No. 2006-88

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 30467, and Accepting Skyland Drive and Hubbard Street 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.

- A8. TRACT MAP 26901 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2006-89, A RESOLUTION OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING GREYSON ROAD, TYLER ROAD, CHAUCER STREET, AND TENNYSON ROAD INTO THE CITY'S MAINTAINED STREET SYSTEM, SUBDIVIDER – SWC BOX SPRINGS, LLC, RIVERSIDE, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-89 authorizing the acceptance of the public improvements for Tract Map 26901 as complete and accepting Greyson Road, Tyler Road, Chaucer Street, and Tennyson Road into the City's maintained street system; and

Resolution No. 2006-89

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 26901, and Accepting Greyson Road, Tyler Road, Chaucer Street, and Tennyson Road 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 the clearances are received.

- A9. APPROVE PARCEL MAP 33930 – COMMERCIAL - ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF

ELSWORTH STREET AND ALESSANDRO BOULEVARD, SUBDIVIDER – MORENO VALLEY HEALTH, LLC, DENVER, CO (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.

A10. TRACT MAP 30319 – SINGLE FAMILY RESIDENTIAL – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), WEST SIDE OF LASSELLE STREET, NORTH OF OLEANDER AVENUE EXTENSION, SUBDIVIDER – KB HOME GREATER LOS ANGELES, INC., POMONA, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 30319;
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. TRACT MAP 29860 – SINGLE FAMILY RESIDENTIAL – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTH SIDE OF FIR AVENUE, EAST OF LASSELLE STREET, SUBDIVIDER – TRACT 29860, LLC, RANCHO CUCAMONGA, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 29860;

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.

A12. TRACT MAP 29860-1 – SINGLE FAMILY RESIDENTIAL – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTH SIDE OF FIR AVENUE, EAST OF LASSELLE STREET, SUBDIVIDER – TRACT 29860, LLC, RANCHO CUCAMONGA, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 29860-1;
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.

A13. TRACT MAP 29860-2 – SINGLE FAMILY RESIDENTIAL – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTH SIDE OF FIR AVENUE, EAST OF LASSELLE STREET, SUBDIVIDER – TRACT 29860, LLC, RANCHO CUCAMONGA, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 29860-2;
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 improvements are not completed within said timeframe.

- A14. ORDINANCE NO. 723 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING CHAPTER 7.03 AND REPEALING AND REENACTING CHAPTER 2.21 THEREBY COMBINING THE CULTURAL PRESERVATION BOARD AND ECOLOGICAL PROTECTION BOARD AND CREATING THE ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD; AND AMENDING SECTION 7.05.020 OF CHAPTER 7.05 REGARDING THE DESIGNATION OF LANDMARKS – PLANNING CASE NO. PA06-0094 (RECEIVED FIRST READING AND INTRODUCTION ON JULY 11, 2006, AS AMENDED ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation: Adopt Ordinance No. 723.

Ordinance No. 723

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Chapter 7.03 and Repealing and Reenacting Chapter 2.21 Thereby Combining the Cultural Preservation Board and Ecological Protection Board and Creating the Environmental Preservation Board; and Amending Section 7.05.020 of Chapter 7.05 Regarding the Designation of Landmarks – Planning Case No. PA06-0094

- A15. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR INDIAN AVENUE, LLC BALLOTTED ITEM NPDES, ELSWORTH PLAZA, LLC BALLOTTED ITEM NPDES, TENTATIVE TRACT 32515 BALLOTTED ITEM NPDES AND TENTATIVE TRACT 33436 BALLOTTED ITEM NPDES (Report of: Public Works Department)

Recommendation: Accept public comments regarding the mail ballot proceeding for Indian Avenue, LLC, Elsworth Plaza, LLC, and Tentative Tracts 32515 and 33436 (and all their affected phases) for approval of the appropriate National Pollutant Discharge Elimination System (NPDES) regulatory rate schedule.

- A16. APPROVE THE PRIORITIZATION OF FOUR (4) 2005 LEASE REVENUE BOND STREET IMPROVEMENT PROJECTS CONSISTING OF: (1) LASSELLE STREET - ALESSANDRO BOULEVARD TO JOHN F. KENNEDY DRIVE; (2) KITCHING STREET - ALESSANDRO BOULEVARD TO GENTIAN AVENUE; (3) IRONWOOD AVENUE SIDEWALK - HEACOCK STREET TO PERRIS BOULEVARD; (4) IRONWOOD AVENUE/BOX SPRINGS ROAD - BARCLAY DRIVE TO 500' WEST OF CLARK STREET (Report of: Public Works Department)

Recommendation:

1. Approve the prioritization of the four 2005 Lease Revenue Bond street improvement projects as follows: (1) Lasselle Street – Alessandro Boulevard to John F. Kennedy Drive; (2) Kitching Street – Alessandro Boulevard to Gentian Avenue; (3) Ironwood Avenue Sidewalk – Heacock Street to Perris Boulevard; (4) Ironwood Avenue/Box Springs Road – Barclay Drive to 500' west of Clark Street;
2. Amend the Fiscal Year 2006/2007 Budget to redistribute the approved appropriations for the three (3) top priority projects; and
3. Authorize the Finance Director to redistribute the appropriations for the three (3) top priority street improvement projects.

A17. TRACT 29038 - SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), SOUTHEAST CORNER OF KRAMERIA AVENUE AND SADDLEBROOK LANE, SUBDIVIDER – WL HOMES, LLC, CORONA, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 29038;
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.

A18. PA02-0109 - LA PACIFICA APARTMENTS - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTHWEST CORNER OF HEMLOCK AVENUE AND GRAHAM STREET, SUBDIVIDER – M. TIMM DEVELOPMENT, INC., SANTA BARBARA, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for PA02-0109;
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 improvements are not completed within said timeframe.

A19. TRACT 29732 - SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), EAST OF OLIVER STREET, NORTH OF IRIS AVENUE, SOUTH OF JOHN F. KENNEDY DRIVE, AND WEST OF MORENO BEACH DRIVE, SUBDIVIDER – GREYSTONE HOMES, INC., TEMECULA, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 29732;
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.

A20. TRACT 29732 – OFFSITE IMPROVEMENTS - SINGLE FAMILY RESIDENTIAL – 2ND AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), EAST OF OLIVER STREET, NORTH OF IRIS AVENUE, SOUTH OF JOHN F. KENNEDY DRIVE, AND WEST OF MORENO BEACH DRIVE, SUBDIVIDER – GREYSTONE HOMES, INC., TEMECULA, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the 2<sup>nd</sup> Amendment to Agreement for Public Improvements for Tract Map 29732 Offsite Improvements;
2. Instruct the City Clerk to forward the completed 2<sup>nd</sup> 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.

A22. TRACT 32835 - APPROVE FINAL MAP, EAST SIDE OF NASON STREET, SOUTH OF FIR AVNUE, AND WEST OF EUCALYPTUS AVENUE, SUBDIVIDER – BEAZER HOMES OF SOUTHERN CALIFORNIA (Report of: Public Works Department)

Recommendation: Approve Tract 32835; and authorize the City Clerk to sign the map and transmit said map to the County Recorder's office for recordation.

A23. PA02-0120 - IDI WAREHOUSE - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), EAST OF PERRIS BOULEVARD, SOUTH OF GLOBE STREET, NORTH OF THE PERRIS VALLEY STORM DRAIN, SUBDIVIDER – INDUSTRIAL DEVELOPMENT INTERNATIONAL, INC., IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for PA02-0120;
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.

A24. AUTHORIZE THE FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR STATE ROUTE 60/MORENO BEACH DRIVE INTERCHANGE AND NASON STREET OVERCROSSING IMPROVEMENTS, PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Authorize the First Amendment to Agreement for Professional Consultant Services to Parsons Transportation Group, Inc., 2201 Dupont Drive, Suite 200, Irvine, California 92612, to provide additional Planning/Project Approval and Environmental Document (Planning/PA&ED) phase services;
2. Authorize the Mayor to execute the First Amendment to Agreement for Professional Consultant Services with Parsons Transportation Group, Inc.;
3. Authorize an increase to Purchase Order No. 30209 to Parsons

Transportation Group, Inc., in the amount of \$103,069 (\$93,699 for the proposal amount plus \$9,370 for contingency) when the First Amendment has been signed by all parties (415.70024);

4. Authorize the City Manager to execute any subsequent related minor amendments to the Agreement for Professional Consultant Services with Parsons Transportation Group, Inc. up to, but not to exceed the Purchase Order contingency authorized amount of \$75,587 (\$66,217 for the Agreement contingency plus \$9,370 for the First Amendment contingency), subject to approval of the City Attorney.

A25. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNALS AT INDIAN STREET AND BAY AVENUE, AND AT LASSELLE STREET AND JOHN F. KENNEDY DRIVE, PROJECT NOS. 03-13766123 AND 03-13768123 (Report of: Public Works Department)

Recommendation:

1. Ratify Contract Change Order Nos. 1, 2 and 3 (final);
2. Accept the work as complete for the traffic signals at Indian Street and Bay Avenue and at Lasselle Street and John F. Kennedy Drive, constructed by New West Signal, 14055 Foothill Boulevard, Fontana, California 91730;
3. Direct the City Clerk to record the Notice of Completion within ten (10) calendar 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 New West Signal, Inc., 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.

A26. NOTICE OF COMPLETION AND ACCEPTANCE OF THE TRAFFIC SIGNALS AT IRONWOOD AVENUE AND NASON STREET (PROJECT NO. 03-12566923) AND AT IRONWOOD AVENUE AND MORENO BEACH DRIVE (PROJECT NO. 03-12566723) (Report of: Public Works Department)

Recommendation:

1. Ratify Contract Change Orders No. 1 and 2 (Final) for Project No. 03-12566923 Traffic Signal at Ironwood Avenue and Nason Street and

Contract Change Order No. 1 (Final) for Project No. 03-12566723, Traffic Signal at Ironwood Avenue and Moreno Beach Drive;

2. Accept the work as complete for the traffic signals and road improvements at Ironwood Avenue and Nason Street and at Ironwood Avenue and Moreno Beach Drive, constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;
3. Direct the City Clerk to record the Notice of Completion within ten (10) calendar 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 Hillcrest Contracting, Inc. 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.

A27. SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH NORRIS-REPKE (Report of: Public Works Department)

Recommendation:

1. Approve the Second Amendment to Agreement for Professional Consultant Services with Norris-Repke, 400 North Tustin Avenue, Suite 230, Santa Ana, CA 92705 to provide Professional Consultant Services;
2. Authorize the Mayor to execute said Second Amendment to Agreement for Professional Consultant Services with Norris-Repke; and
3. Authorize an increase in the Purchase Order to Norris-Repke in the amount of \$231,000.00 when the Second Amendment to Agreement has been signed by all parties.

A28. ACCEPT AND APPROVE AGREEMENT FOR THE REIMBURSEMENT OF TRANSPORTATION UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM IRONWOOD AVENUE TO MANZANITA AVENUE - PROJECT NO. 11-41570225 (Report of: Public Works Department)

Recommendation:

1. Accept and approve the Agreement for the Reimbursement of Transportation Uniform Mitigation Fee (TUMF) Funds between Riverside County Transportation Commission (RCTC) and the City of Moreno Valley for Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue; and
2. Authorize the Mayor to execute the Agreement for the Reimbursement of TUMF Funds between RCTC and City of Moreno Valley for Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue.

A29. ACCEPT AND APPROVE AGREEMENT FOR THE REIMBURSEMENT TO TRANSPORTATION UNIFORM MITIGATION FEE FUNDS BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND CITY OF MORENO VALLEY FOR PERRIS BOULEVARD WIDENING FROM RAMONA EXPRESSWAY TO CACTUS AVENUE - PROJECT NO. 11-41570125 (Report of: Public Works Department)

Recommendation:

1. Accept and approve the Agreement for the Reimbursement of Transportation Uniform Mitigation Fee (TUMF) Funds between Riverside County Transportation Commission (RCTC) and City of Moreno Valley for Perris Boulevard Widening from Ramona Expressway to Cactus Avenue; and
2. Authorize the Mayor to execute the Agreement for the Reimbursement of TUMF Funds between RCTC and City of Moreno Valley for Perris Boulevard Widening from Ramona Expressway to Cactus Avenue.

A30. AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND PURCHASE TWO TWENTY-EIGHT MEGAVOLT AMP (MVA) TRANSFORMERS FOR THE MORENO VALLEY UTILITIES SUBSTATION (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to negotiate and purchase two 28 megavolt amp transformers for the Moreno Valley Utilities substation located at the southwest corner of Moreno Beach Drive and Cottonwood Avenue; and
2. Adopt a Negative Declaration for the proposal.

A31. TRACT 31591 – ACCEPT IMPROVEMENT CREDIT AGREEMENT

DEVELOPMENT IMPACT FEES FOR ARTERIAL STREETS AND TRAFFIC SIGNALS, WESTBOUND EUCALYPTUS AVENUE ¼ MILE EAST OF LASSELLE STREET TO MORRISON STREET, DEVELOPER – MVGH 2004, LLC, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Accept the Improvement Credit Agreement Development Impact Fees for Arterial Streets and Traffic Signals (DIF Agreement) for Tract 31591;
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.

A32. NOTICE OF COMPLETION AND ACCEPTANCE OF THE IRIS AVENUE 12KV ELECTRICAL CABLE IN EXISTING CONDUIT IN IRIS AVENUE (PERRIS BOULEVARD TO LASSELLE STREET) PROJECT NO. 06-00200 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Iris Avenue 12kV Electrical Cable in Existing Conduit in Iris Avenue (Perris Boulevard to Lasselle Street) constructed by DeYoung Power Systems, Inc., 2011 West Park Avenue, Redlands, California 92373;
2. 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; and
3. Authorize the Director of Finance to release the retention to DeYoung Power Systems, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

A33. PARCEL MAP 34604 - APPROVE FINAL MAP, EAST SIDE OF VETERAN'S WAY BETWEEN GOLDENCREST DRIVE AND CALLE SAN JUAN DE LOS LAGOS, SUBDIVIDER – RECHEY ENTERPRISES, NEWPORT BEACH, CA (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 34604; and
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

- A34. PARCEL MAP 33930 - ACCEPT IMPROVEMENT CREDIT/REIMBURSEMENT AGREEMENT TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM, ELSWORTH STREET AND ALESSANDRO BOULEVARD, SUBDIVIDER – MORENO VALLEY HEALTH, LLC, DENVER, CO 80228 (Report of: Public Works Department)  
 Recommendation:
1. Accept the Improvement Credit/Reimbursement Agreement Transportation Uniform Mitigation Fee Program (TUMF Agreement) for Parcel Map 33930;
  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.
- A35. PUBLIC WORKS LOAN AGREEMENT TO FINANCE ELECTRICAL DISTRIBUTION SYSTEM (Report of: Economic Development Department)  
 Recommendation: Adopt Resolution No. 2006-90, a resolution of the City of Moreno Valley approving and authorizing the execution of a Public Works Agreement with the Community Redevelopment Agency of the City of Moreno Valley.

Resolution No. 2006-90

A Resolution of the City Council of the City of Moreno Valley Approving and Authorizing the Execution of a Public Works Loan Agreement with the Community Redevelopment Agency of the City of Moreno Valley and Making Certain Findings in Connection with the Provision of Public Improvements and Authorizing Such Improvements in Connection therewith

- A36. APPOINTMENT OF COUNCIL MEMBER FRANK WEST AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2006 ANNUAL CONFERENCE BUSINESS MEETING TO BE HELD SATURDAY, SEPTEMBER 9, 2006 (ORAL PRESENTATION ONLY – NO WRITTEN MATERIAL PROVIDED) (Report of: City Clerk's Department)
- A37. APPROVAL FOR THE FOURTH AMENDMENT TO POLICE CONTRACT (Report of: Police Department)  
 Recommendation: Approve the Fourth Amendment to the police contract.
- A39. RESOLUTION TEMPORARILY FORBEARING THE ISSUANCE OF

PERMITS FOR THE CONSTRUCTION OF CERTAIN  
TELECOMMUNICATION FACILITIES IN THE PUBLIC RIGHTS-OF-WAY  
(Report of: Administrative Services Department)

Recommendation: Adopt the proposed resolution, temporarily forbearing the issuance of permits for the construction of certain telecommunication facilities in the public rights-of-way.

Resolution No. 2006-92

A Resolution of the City Council of the City of Moreno Valley, California,  
Temporarily Forbearing the Issuance of Permits for the Construction of  
Certain Telecommunication Facilities in the Public Rights-of-Way

**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 JULY 11, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- B3. NAMING OF THE AQUEDUCT LINEAR PARK LOCATED WITHIN TRACT 32215 (Report of: Parks & Recreation Department)  
Recommendation: Adopt the name as recommended and submitted by the Parks and Recreation Commission for the new aqueduct linear park located within Tract 32215 (Scottish Village) as "Pan Am Linear Park."
- B4. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 33436 - BALLOTTED ITEMS CSD ZONE B AND CSD ZONE D (Report of: Public Works Department)  
Recommendation: Accept public comments regarding the mail ballot proceedings for Tentative Tract 33436 (and all affected phases) for inclusion into and approval of the annual parcel charge for CSD Zone B (Residential Street Lighting) and CSD Zone D (Parkway Landscape Maintenance).
- B5. PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE PREVIOUSLY APPROVED ANNUAL PARCEL CHARGE FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACT 31424 AND ASSESSOR PARCEL NUMBER (APN) 478-020-007 IN TRACT 31269



(Report of: Public Works Department)

Recommendation: Accept public comments regarding the mail ballot proceedings for the proposed increase in the CSD Zone D annual parcel charge for Tract 31424 and APN 478-020-007 in Tract 31269.

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

- C1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- C2. MINUTES - REGULAR MEETING OF JULY 11, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- C3. PUBLIC WORKS LOAN AGREEMENT TO FINANCE ELECTRICAL DISTRIBUTION SYSTEM (Report of: Economic Development Department)  
Recommendation: Adopt Resolution No. RDA 2006-05, a resolution of the Community Redevelopment Agency of the City of Moreno Valley approving and authorizing the execution of a Public Works Agreement with the City of Moreno Valley.

Resolution No. RDA 2006-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving and Authorizing the Execution of a Public Works Loan Agreement with the City of Moreno Valley and Making Certain Findings in Connection with the Provision of Public Improvements and Authorizing such Improvements in Connection therewith

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

- D1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- D2. MINUTES - REGULAR MEETING OF JULY 11, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

**Joint Consent Calendar Items A2-D2 approved by a 4-0-1 vote except for item A21 which was pulled off of the agenda & A38 which was pulled for separate discussion/action. m/White, s/Batey, Stewart absent.**

**E. PUBLIC HEARINGS**

E1. QUASI-JUDICIAL HEARING REGARDING AN APPEAL OF CITY MANAGER'S DECISION TO APPROVE A PASS-THROUGH PAYMENT TO RESIDENTS OF COUNTRY SQUIRE MOBILE ESTATES (Report of: Economic Development Department)  
Recommendation: That the City Council, after conducting a quasi-judicial hearing:

1. Uphold the City Manager's June 30, 2006 decision to approve a capital replacement pass-through payment of \$231.85 per month, per space for sixty months to be collected from space tenants at Country Squire Mobile Estates by the owner, Country Squire Mobile Estates, LLC; and
2. Increase the pass-through amount by \$16,095.00 from \$1,229,709 to \$1,245,804 thereby increasing the monthly pass-through payment by \$2.86 to \$234.71 per month, per space for sixty months.

**Approved by a 4-0-1 vote to continue the item to an Adjourned City Council meeting to be held on August 23, 2006. m/White, s/Batey, Stewart absent.**

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

A38. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING RULES AND PROCEDURES FOR CONDUCT OF THE HEARING REGARDING THE APPEAL OF DECISION OF THE CITY MANAGER RELATING TO THE COUNTRY SQUIRE MOBILE ESTATES CAPITAL REPLACEMENT PASS-THROUGH (Report of: Economic Development Department)  
Recommendation: Approve the resolution adopting rules and procedures to conduct an appeal hearing concerning the City Manager's decision to allow a pass-through to be charged to the residents of Country Squire Mobile Estates.

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Rules and Procedures for Conduct of the Hearing Regarding the Appeal of Decision of the City Manager Relating to the Country Squire Mobile Estates Capital Replacement Pass-Through

**Approved by a 4-0-1 vote to continue the item to an Adjourned City Council meeting to be held on August 23, 2006. m/White, s/Batey, Stewart absent.**

## G. REPORTS

### G1. REPORTS ON REGIONAL AND REIMBURSABLE ACTIVITIES

- a) Report on March Joint Powers Commission by Council Member Stewart – None given as Council Member Stewart was absent

Council Member West and Mayor Flickinger reported their reimbursable activities.

### G2. TEMPORARY ENHANCEMENT OF HIGH VISIBILITY PATROL COVERAGE (Report of: Police Department)

Recommendation: Approve an appropriation to fund the temporary enhancement of high visibility patrol coverage.

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

**Approved by a 4-0-1 vote to approve Alternative #1 – “Approve overtime to staff four more proactive patrols until the beginning of the Thanksgiving holiday, November 24, 2006, and two neighborhood patrols through the end of the year, 2006.” m/White, s/West, Stewart absent.**

## 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 ARE AS FOLLOWS - NONE

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY**

Council Member Batey

- 1) Had the opportunity to speak with the kids at the Parks & Recreation day camp at March Air Reserve Base – had a good time
- 2) WINCO store will be opening soon
- 3) Asked the residents to drive carefully as schools are getting ready to open
- 4) Advised the Public Works Director of large pothole on westbound Day & Eucalyptus and asked him to investigate

Mayor Pro Tem White

- 1) Quoted Michael Geller's comments made to the Press Enterprise newspaper on August 12 regarding Moreno Valley's lack of a library. Council Member White stated Mr. Geller knows the City has a temporary store front library and is in the process of renovating the existing library which was closed due to mold and also that the City has plans for a new 65,000 square foot library and the City was counting heavily on the bond measure that failed last June. Stated this Council has been very responsive to the library needs. Council Member White called for Mr. Geller's immediate resignation from the Planning Commission due to his recent statements and his intention to dismantle our City government.

Council Member West

- 1) Announced that 1,500 signatures were gathered on the petition to rebalot for the Zone E-3 landscaping at Moreno Valley Ranch – thanked all the volunteers that worked so hard gathering signatures – the new ballot will be forthcoming
- 2) Proud to announce the Governor is signing the bill to increase the minimum wage

Mayor Flickinger

- 1) Kudos to the MVTV-3 crew for another outstanding video – stated the City Manager and Mayor of the City of Peoria, Illinois requested to use a MVTV-3 video script
- 2) Riverside Transit Authority bus service – route 17 now serves the east end of the City – route 18A is also going to be changing its route – a public hearing will be held on August 29, 2006 at 2pm in the Council Chamber regarding the change to route 18A

**CLOSED SESSION - NONE**

**REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY - NONE**

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:00 p.m. to an Adjourned Regular City Council meeting to be held on August 23, 2006 at 6:00 p.m. by a 4-0-1 vote, m/Batey, s/West, Stewart absent.

Submitted by:

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Alice Reed, City Clerk  
Secretary, Moreno Valley Community Services District  
Secretary, Community Redevelopment Agency of the City of Moreno Valley  
Secretary, Board of Library Trustees

Approved by:

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Bonnie Flickinger, Mayor  
President, Moreno Valley Community Services District  
Chairperson, Community Redevelopment Agency of the City of Moreno Valley  
Chairperson, Board of Library Trustees

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