



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**

NOVEMBER 28, 2006

**SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.**

City Council Closed Session

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

City Council Study Sessions

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

City Council Meetings

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

City Hall Council Chamber – 14177 Frederick Street

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

Bonnie Flickinger, Mayor

Charles R. White, Mayor Pro Tem
Richard A. Stewart, Council Member

Frank West, Council Member
William H. Batey, II, Council Member

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
NOVEMBER 28, 2006**

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Firefighter of the Quarter - Richard Bruning, Engineer
2. Officer of the Quarter – Investigator Jon Wade

**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.
NOVEMBER 28, 2006**

CALL TO ORDER (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 - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Lacy Sykes, Jr. – CrossWord Christian Church

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.) 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.

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) 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

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 Items withdrawn for report/discussion will be heard after public hearing items.

A. CONSENT CALENDAR - CITY COUNCIL

- A1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- A2. MINUTES - REGULAR MEETING OF NOVEMBER 14, 2006
(Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A3. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED SEPTEMBER 30, 2006 (Report of: Finance Department)
Recommendation: Approve and accept the quarterly investment report, in compliance with the Investment Policy.
- A4. REVIEW AND CONTINUE THE EMERGENCY ACTION REGARDING THE DESIGN AND CONSTRUCTION OF THE MORENO VALLEY UTILITIES (MVU) 115 KILOVOLT (KV) SUBSTATION AND SWITCHYARD FACILITY (Report of: Public Works Department)
Recommendation: Review and continue the Emergency Action taken by the Council during the September 26, 2006 Council Meeting under Resolution 2006-113 Making Findings of an Emergency and Authorizing the Execution of the Design-Build Agreement for the Moreno Valley Utilities Substation and Switchyard Project between the City of Moreno Valley, as Owner, and ABB, Inc., a Delaware Corporation, as Design-Builder in accordance with Public Contract Code Sections 20168, 22050, and Government Code Section 5956.

- A5. TRACT 29143-2 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING ACACIA AVENUE, HONEYLOCUST AVENUE, SILVERBELL LANE, YELLOWWOOD STREET, AND THOSE PORTIONS OF DRACAEA AVENUE, ARBOR PARK LANE, AND ELSWORTH STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-126 authorizing the acceptance of the public improvements for Tract 29143-2 as complete and accepting Acacia Avenue, Honeylocust Avenue, Silverbell Lane, Yellowwood Street, and those portions of Dracaea Avenue, Arbor Park Lane, and Elsworth Street associated with the project into the City's maintained street system; and

Resolution No. 2006-126

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29143-2, and Accepting Acacia Avenue, Honeylocust Avenue, Silverbell Lane, Yellowwood Street, and those Portions of Dracaea Avenue, Arbor Park Lane, and Elsworth Street Associated with the Project into the City's Maintained Street System

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

- A6. TRACT 29732-2 – SINGLE FAMILY RESIDENTIAL PROJECT – 2ND AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTHEAST CORNER OF IRIS AVENUE AND OLIVER STREET, DEVELOPER – GREYSTONE HOMES, INC. (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the 2nd Amendment to Agreement for Public Improvements for Tract 29732-2;

2. Instruct the City Clerk to forward the completed 2nd 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.
- A7. TRACT 30708 – SINGLE FAMILY RESIDENTIAL – ACCEPT AMENDMENT TO AGREEMENT AND SUBSTITUTION BONDS FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), SOUTHWEST CORNER OF IRIS AVENUE AND LASSELLE STREET, SUBDIVIDER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA (Report of: Public Works Department)
Recommendation:
1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 30708;
 2. Accept the substitution bonds issued by Safeco Insurance Company of America for Tract 30708 submitted by K. Hovnanian Forecast Homes, Inc.;
 3. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation;
 4. Authorize the City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by K. Hovnanian Forecast Homes, Inc. and issued by National Farmers Union Standard Insurance Company upon acceptance of the substitution bonds; 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.
- A8. TRACT MAP 30967 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THOSE PORTIONS OF KRAMERIA AVENUE, TARANO LANE, ORION WAY, LIBRA LANE, POLARIS LANE, TAURUS LANE AND INDIAN STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S

MAINTAINED STREET SYSTEM, DEVELOPER – MORENO VALLEY MEADOWS, LLC, ESCONDIDO, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-127 authorizing the acceptance of the public improvements for Tract Map 30967 as complete and accepting those portions of Krameria Avenue, Tarano Lane, Orion Way, Libra Lane, Polaris Lane, Taurus Lane, and Indian Street associated with the project into the City's maintained street system; and

Resolution No. 2006-127

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Acceptance of the Public Improvements as Complete within Tract 30967, and Accepting those portions of Krameria Avenue, Tarano Lane, Orion Way, Libra Lane, Polaris Lane, Taurus Lane and Indian Street Associated with the Project into the City's Maintained Street System

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

A9. TRACT 31212 - SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), SOUTHEAST CORNER OF COTTONWOOD AVENUE AND MORRISON STREET, SUBDIVIDER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 31212;
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 31327 - SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND MORRISON STREET, SUBDIVIDER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)
Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 31327;
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 31889 – CONDOMINIUM PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), SOUTHWEST CORNER OF CACTUS AVENUE AND MORENO BEACH DRIVE, DEVELOPER – WESTERN PACIFIC HOUSING, INC., IRVINE, CA (Report of: Public Works Department)
Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 31889;
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 31890 – CONDOMINIUM PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTHWEST CORNER OF JOHN F. KENNEDY DRIVE AND MORENO BEACH DRIVE, DEVELOPER –

WESTERN PACIFIC HOUSING INC., IRVINE, CA (Report of:
Public Works Department)
Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 31890;
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 32625 – SINGLE FAMILY RESIDENTIAL - ACCEPT FINAL MAP, AGREEMENT, AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHWEST CORNER OF COTTONWOOD AVENUE AND REDLANDS BOULEVARD, SUBDIVIDER – MERITAGE HOMES OF CALIFORNIA, INC. (Report of: Public Works Department)

Recommendation:

1. Approve Tract 32625, 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.

A14. PA05-0042 – REDUCE FAITHFUL PERFORMANCE CASH DEPOSIT AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THOSE PORTIONS OF DAY STREET, COMMERCE CENTER DRIVE, AND GOLDEN CREST DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S

MAINTAINED STREET SYSTEM, DEVELOPER – CACTUS COMMERCE, LLC, GARDENA, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-128 authorizing the acceptance of the public improvements for PA05-0042 as complete and accepting those portions of Day Street, Commerce Center Drive, and Golden Crest Drive associated with the project into the City's maintained street system;

Resolution No. 2006-128

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Acceptance of the Public Improvements as Complete Within PA05-0042 , and Accepting those Portions of Day Street, Commerce Center Drive, and Golden Crest Drive Associated with the Project into the City's Maintained Street System

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

- A15. PA02-0115 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PROJECT FRONTAGE ON IRONWOOD AVENUE INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – TRINITY BAPTIST CHURCH OF SUNNYMEAD, MORENO VALLEY, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-129 authorizing the acceptance of the public improvements for PA02-0115 as complete and accepting the project frontage on Ironwood Avenue into the City's maintained street system; and

Resolution No. 2006-129

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Acceptance of the Public Improvements as Complete Within PA02-0115, and Accepting the Project

Frontage on Ironwood Avenue Associated with the Project into the City's Maintained Street System

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

A16. TRACT 30318 SPORTS PARK – 2nd AMENDMENT TO AGREEMENT FOR PARK IMPROVEMENTS (TIME EXTENSION), EAST OF LASSELLE STREET, SOUTH OF KRAMERIA AVENUE IN THE MORENO VALLEY RANCH SPECIFIC PLAN AREA, DEVELOPER – EMPIRE LAND, LLC. (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the 2nd Amendment to Agreement for Public Improvements for Tract 30318 Sports Park;
2. Instruct the City Clerk to forward the completed 2nd 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.

A17. RIVERSIDE COUNTY BOARD OF SUPERVISOR'S MEETING REPLAY SCHEDULE ON MVTV-3 (Report of: Assistant City Manager)

Recommendation: Approve replaying the Riverside County Board of Supervisor's Meetings on MVTV-3 each Sunday at 6 a.m.

A18. RESOLUTION OF FINDINGS REGARDING THE QUASI-JUDICIAL HEARING REGARDING AN APPEAL OF THE CITY MANAGER'S DECISION TO APPROVE A PASS-THROUGH PAYMENT TO RESIDENTS TO COUNTRY SQUIRE MOBILE ESTATES (Report of: Economic Development Department)

Recommendation: Approve Resolution 2006-130, a resolution of findings regarding the quasi-judicial hearing regarding an appeal of the City Manager's decision to approve a pass-through payment to residents of Country Squire Mobile Estates.

Resolution No. 2006-130

A Resolution of the City Council of the City of Moreno Valley, California, Regarding Quasi-Judicial Hearing Regarding an Appeal of City Manager's Decision to Approve a Pass-Through Payment to Residents of Country Squire Mobile Estates

- A19. AUTHORIZE SUBMISSION OF GRANT APPLICATIONS FOR THE 2007/2008 BICYCLE TRANSPORTATION ACCOUNT (BTA) PROGRAM (Report of: Public Works Department)

Recommendation: Authorize the Public Works Director/City Engineer to submit the grant applications to the California Department of Transportation, District 8, Local Assistance Engineer for the 2007/2008 Bicycle Transportation Account (BTA) program.

- A20. APPROPRIATE FUNDS AND AUTHORIZE THE CITY MANAGER TO APPROVE AND EXECUTE THE PURCHASE AGREEMENT FOR THE ACQUISITION OF 14331 FREDERICK STREET (APN 297-220-023) AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW AND AUTHORIZE THE CITY CLERK TO CERTIFY TO THE ACCEPTANCE OF THE GRANT DEED (Report of: Assistant City Manager)

Recommendation:

1. Appropriate \$1,582,500 in account number 412.99626.6621.621 from the City Hall Development Impact Fee Fund for the acquisition of 14331 Frederick Street (APN 297-220-023) and associated escrow costs;
2. Authorize the City Manager to approve and execute the purchase agreement for the acquisition of 14331 Frederick Street (APN 297-220-023);
3. Authorize the Finance Director to wire transfer funds into escrow for the acquisition of 14331 Frederick Street (APN 297-220-023); and
4. Authorize the City Clerk to certify to the acceptance of the grant deed for the acquisition of 14331 Frederick Street (APN 297-220-023).

- A21. ORDINANCE NO. 730 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, SECTION 12.22.030 RELATING TO THE DESIGNATION OF THROUGH STREETS (RECEIVED FIRST READING AND

INTRODUCTION ON NOVEMBER 14, 2006 ON A 5-0 VOTE)
(Report of: Public Works Department)
Recommendation: Adopt Ordinance No. 730.

Ordinance No. 730

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code, Section 12.22.030 Relating to the Designation of Through Streets

A22. AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR STREET IMPROVEMENT FOR IRONWOOD AVENUE FROM HEACOCK STREET TO PERRIS BOULEVARD. PROJECT NO. 06-50182625 (Report of: Public Works Department)
Recommendation:

1. Approve the Agreement for Professional Consultant Services with Lim And Nascimento Engineering Corporation, 1836 Commerce Center Circle, Suite L, San Bernardino, CA 92408;
2. Authorize the Mayor to execute said Agreement for Professional Consultant Services with Lim and Nascimento Engineering Corporation;
3. Authorize the issuance of a Purchase Order to Lim And Nascimento Engineering Corporation, in the amount of \$205,162.55 (\$186,511.40 for the proposal amount, plus \$18,651.15 for the contingency) for Ironwood Avenue from Heacock Street to Perris Boulevard (Account No. 501.82625); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor Amendments to the Agreement for Professional Consultant Services with Lim and Nascimento Engineering Corporation, up to but not to exceed the Purchase Order contingency authorized amount of \$18,651.15 for Ironwood Avenue from Heacock Street to Perris Boulevard.

A23. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE ALESSANDRO LIBRARY BUILDING REHABILITATION (PROJECT NO. 07-41276326) (Report of: Public Works Department)
Recommendation:

1. Accept the Bid withdrawal from Inland Building Companies, due

to a major mathematical error in accordance with Public Contract Code 5101 and 5103;

2. Award the construction contract for the Alessandro Library Building Rehabilitation to Thomco Construction, Inc., the lowest responsible bidder;
3. Authorize the Mayor to execute a contract agreement with Thomco Construction, Inc.;
4. Authorize the issuance of a Purchase Order to Thomco Construction, Inc. in the amount of \$348,330.00 (the bid amount plus 15% contingency) for the Alessandro Library Building Rehabilitation; and
5. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Thomco Construction, Inc. up to, but not exceeding, the contingency amount of \$45,435.00, subject to the approval of the City Attorney.

- A24. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES
(Report of: City Clerk's Department)
Recommendation: Receive and file.

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 NOVEMBER 14, 2006
(Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- B3. PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR THE PROPOSED INCREASE IN THE PREVIOUSLY APPROVED ANNUAL PARCEL CHARGE FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACT 27251 (AND ALL AFFECTED PHASES) (Report of: Public Works Department)
Recommendation: Accept public comments regarding the mail ballot proceeding for the proposed increase in the CSD Zone D annual parcel charge for Tract 27251 (and all affected phases).

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- C2. MINUTES - REGULAR MEETING OF NOVEMBER 14, 2006
(Report of: City Clerk's Department)
Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D1. ORDINANCES - FIRST READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- D2. MINUTES - REGULAR MEETING OF NOVEMBER 14, 2006
(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 PROCEEDING FOR TRACT 12608 FOR INCLUSION INTO THE COMMUNITY SERVICES DISTRICT (CSD) ZONE D STREET TREE PROGRAM AND APPROVAL OF ANNUAL PARCEL CHARGE (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"), after conducting the public hearing:
1. Tabulate the mail ballots for Tract 12608 for inclusion into the CSD Zone D Street Tree Program and approval of the annual parcel charge;
 2. Verify and accept the results of the mail ballot proceeding as

identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;

3. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
4. If approved, authorize and impose the proposed CSD Zone D annual parcel charge to each parcel in Tract 12608.

E2. AN ASSUMPTION OF JURISDICTION BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY FOR A COMMERCIAL RETAIL CENTER WITH TWO BUILDINGS TOTALING 14,000 SQUARE FEET AND ONE ADDITIONAL PAD FOR A FUTURE BUILDING UP TO 2,600 SQUARE FEET. THE PROJECT PARCEL IS ZONED COMMERCIAL (C) AND LOCATED WITHIN THE MORENO VALLEY RANCH SPECIFIC PLAN (SP 193) (Report of: Community Development Department)

Recommendation: Staff recommends that the City Council:

1. Adopt a Negative Declaration for a Negative Declaration for application PA04-0222 (Plot Plan). The projects, individually and cumulatively, will not result in a significant effect on the environment; and
2. Approve Resolution No. 2006-131 thereby approving PA04-0222 (Plot Plan) based on the findings included in the Resolution and conditions of approval, attached as Exhibit A to the Resolution.

Resolution No. 2006-131

A Resolution of the City Council of the City of Moreno Valley, California, Approving Plot Plan (PA04-0222) for a Commercial Retail Center Situated on a 2.5 Acre Parcel of Land Located at the Southwest Corner of John F. Kennedy Drive and Moreno Beach Drive. The Proposed Project Is Zoned C (Commercial) and Part of the Moreno Valley Ranch Specific Plan (SP193)

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. APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER) (Report of: City Clerk's Department)

Recommendation: That the City Council:

- 1. Appoint Brittney Carrio, an incumbent, as a teenage member to the Parks and Recreation Commission for a term expiring November 25, 2009, or until high school graduation, whichever comes first;
- 2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G3. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS – NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,

**COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT
AGENCY**

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

- 1) SECTION 54956.9(b) (1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: 2
- 2) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Number of Cases: 2

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

ADJOURNMENT