

**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.  
FEBRUARY 27, 2007**

**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 6:32 p.m. by Mayor White in the Council Chamber located at 14177 Frederick Street.

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

**INVOCATION** - Pastor Marc Raphael, Imani Praise Fellowship

**ROLL CALL**

Council:

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

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
Steve Elam	Administrative Services Director
Linda Guillis	Community Development Director
Rick Hall	Police Chief
Stan Lake	Fire Chief
Chris Vogt	Public Works Director/City Engineer
George Guayante	Interim Parks and Recreation Director
Denese Wilson	Human Resources Director
Barry Foster	Economic Development Director

**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 White opened the agenda items for the Consent Calendars for public comments. Public comments were received from Yoshio Ohno and Bill Sawyer (both speaking on item B4).

**AGENDA ORDER**

B4. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT AND PURCHASE OF EQUIPMENT FOR MORENO VALLEY COMMUNITY PARK SOCCER FIELD ENHANCEMENTS, PROJECT NO. 06-46165325 (Report of: Parks and Recreation Department)

Recommendation:

1. Adopt plans and specifications for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325, on file in the office of the City Engineer;
2. Appropriate an additional \$1,877,221 in Quimby Fees from Fund 206 for the Moreno Valley Community Park Soccer Field Renovation Site Improvements;
3. Award the construction contract for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325 to 4-Con Engineering, Inc., the lowest responsible bidder;
4. Authorize the Mayor to execute a contract agreement with 4-Con Engineering, Inc.;
5. Authorize the issuance of a Purchase Order for 4-Con Engineering, Inc. in the amount of \$4,588,025 (the bid amount plus 10% contingency) for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325 (Account No. 461.65325);
6. Authorize the Director of Public Works/City Engineer to execute any subsequent related minor change orders to the contract with 4-Con Engineering, Inc. up to, but not exceeding, the contingency amount of \$417,093, subject to the approval of the City Attorney; and
7. Authorize the Parks and Recreation Department to initiate a purchase order for the direct purchase of the project's MUSCO sports field lighting,

DELTA security lighting, and a RAINBIRD irrigation pump, in a total amount not to exceed \$450,400.

**Approved by a 5-0 vote to reject all bids and re-bid the project. m/Stewart, s/Flickinger.**

**A. CONSENT CALENDAR - CITY COUNCIL**

- A1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.
- A2. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)  
Recommendation: Receive and file.
- A3. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED DECEMBER 31, 2006 (Report of: Finance Department)  
Recommendation: Approve and accept the quarterly investment report, in compliance with the Investment Policy.
- A4. REVIEW AND CONTINUE THE EMERGENCY ACTION REGARDING THE DESIGN AND CONSTRUCTION OF THE MORENO VALLEY UTILITIES (MVU) 115 KILOVOLT (KV) SUBSTATION AND SWITCHYARD FACILITY (Report of: Public Works Department)  
Recommendation: Review and continue the Emergency Action taken by the Council during the September 26, 2006 Council Meeting under Resolution 2006-113 Making Findings of an Emergency and Authorizing the Execution of the Design-Build Agreement for the Moreno Valley Utilities Substation and Switchyard Project between the City of Moreno Valley, as Owner, and ABB, Inc., a Delaware Corporation, as Design-Builder in accordance with Public Contract Code Sections 20168, 22050, and Government Code Section 5956.
- A5. TRACT MAP 29860-1 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING TWINBERRY DRIVE, CANDLEWOOD LANE, AND THE PORTIONS OF FIR AVENUE, BEECH DRIVE, PRIMROSE WAY, AND CHESTNUT DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – TRACT 29860, LLC, RANCHO CUCAMONGA, CA 91730 (Report of: Public Works Department)  
Recommendation:

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

Resolution No. 2007-18

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

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.
- A6. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JP GROUP CIVIL, INC. (Report of: Public Works Department)  
Recommendation:
1. Approve the Amendment to Agreement for Professional Consultant Services with JP Group Civil, Inc., 40570 Calle Fiesta, Temecula, CA 92591 to provide Professional Consultant Services on various budgeted projects of the Capital Projects Division;
  2. Authorize the Mayor to execute said Amendment to Agreement for Professional Consultant Services with JP Group Civil, Inc.; and
  3. Authorize an increase in the Purchase Order to JP Group Civil, Inc. in the amount of \$250,000.00, when the Amendment to Agreement for Professional Consultant Services has been signed by all parties.
- A7. APPROVE AND EXECUTE THE PURCHASE AGREEMENT FOR THE PARTIAL ACQUISITION OF 24534 FILAREE AVENUE (APN 485-074-002) FOR THE AQUEDUCT BIKE TRAIL PROJECT FROM INDIAN STREET TO FAY AVENUE AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW AND AUTHORIZE THE CITY CLERK TO CERTIFY TO THE ACCEPTANCE OF THE GRANT DEED (Report of: Public Works Department)

Recommendation:

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

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

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 30300-1;
2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and
3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A9. REQUEST FOR "NO PARKING ZONE" TO BE INSTALLED ON BOTH SIDES OF MORTON ROAD, NORTH OF BOX SPRINGS ROAD AND ENDING AT JENNINGS COURT (Report of: Public Works Department)

Recommendation: Authorize 3,237 feet in length of "No Parking Zone" to be installed on both sides of Morton Road, starting 600 feet north of Box Springs Road and ending at Jennings Court.

- A10. 2007 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)  
Recommendation: Receive and file the informational report.

- A11. MINUTES - REGULAR MEETING OF FEBRUARY 13, 2007 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

- A12. REVIEW AND APPROVAL OF RESOLUTIONS PERTAINING TO INITIATING PROCEEDINGS FOR AN ANNEXATION AND SPHERE OF INFLUENCE CHANGE, AND AN EXPANSION OF THE COMMUNITY SERVICES DISTRICT FOR APPROXIMATELY 15 ACRES NORTH OF ALESSANDRO BOULEVARD AND SOUTH OF EUCALYPTUS AVENUE (Report of: Community Development Department)

Recommendation:

1. Recognize that the project qualifies as an exemption under 15061(b)(3) of the CEQA Guidelines in that the proposed activity does not have the potential for a significant impact on the environment; and
2. Adopt Resolution No. 2007-20, requesting that the Riverside Local Agency Formation Commission initiate proceedings for the expansion of the sphere of influence and the City's boundary, as identified in Exhibit A.

Resolution No. 2007-20

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

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

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

Resolution No. CSD 2007-05

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

**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 FEBRUARY 13, 2007 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

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

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

**Joint Consent Calendar Items A2 – D2 approved by a 5-0 vote with the exception of items B4 & B5 which were pulled for separate discussion/action. m/Flickinger, s/Batey.**

**E. PUBLIC HEARINGS**

- E1 A PUBLIC HEARING ON THE FOLLOWING LANDS USE PROPOSALS: ZONE CHANGE NO. PA06-0149 FROM (O) OFFICE TO (OC) OFFICE COMMERCIAL FOR THE PURPOSES OF CONVERTING EXISTING MEDICAL OFFICE SPACE INTO A PHARMACY AT THE LAGUNA VISTA MEDICAL PLAZA. NO ADDITIONAL SQUARE FOOTAGE WILL BE ADDED TO THE MEDICAL COMPLEX. THE SITE IS LOCATED AT 11441 HEACOCK STREET, SOUTH OF PARKLAND AVENUE, WESTSIDE OF HEACOCK STREET (Report of: Community Development Department)  
Recommendation: That the City Council:  
Mayor White opened the public testimony portion of the public hearing; there

being none, public testimony was closed.

1. Conduct a public hearing for review of a Zone Change (PA06-0149);
2. Recognize that the project qualifies for Categorical Exemption Section 15301 Existing Facilities under the California Environmental Quality Act (CEQA) Guidelines; Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project, individually and cumulatively, will not result in a significant effect on the environment; and

**Approved by a 5-0 vote. m/Stewart, s/Batey.**

3. Introduce Ordinance No. 739 approving Zone Change (PA06-0149) from (O) Office to (OC) Office Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas Page as attached to the Ordinance as Exhibit A.

Ordinance No. 739

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

**Approved by a 5-0 vote. m/Stewart, s/Batey.**

- E2. A PUBLIC HEARING ON THE PLANNING COMMISSION'S NOVEMBER 9, 2006 DENIAL OF VARIANCE APPLICATION P06-100. THE REQUESTED VARIANCE WAS FOR APPROVAL OF A ROOM ADDITION TO BE PLACED ON OR NEAR THE PROPERTY LINE FOR A HOME LOCATED AT 26156 CORONADA DRIVE (SOUTHWEST CORNER OF CORONADA DRIVE AND ELIOT AVENUE). THE PROPERTY IS LOCATED WITHIN THE R5 ZONE WHICH HAS A REQUIRED STREET SIDE YARD SETBACK OF 15-FEET (Report of: Community Development Department) Recommendation: That the City Council conduct a public hearing for review of the action taken by the Planning Commission to deny Variance Application P06-100, and subsequent to the public hearing;



Mayor White opened the public testimony portion of the public hearing.

A presentation was made by Arturo R. Benitez, the appellant.

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

Resolution No. 2007-19

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

**Approved by a 5-0 vote. m/Stewart, s/Flickinger.**

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

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

Recommendation:

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

Resolution No. CSD 2007-06

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California, to Request the Riverside Local Agency Formation Commission to Initiate Proceedings for the Expansion of the Community Services District in Conjunction with a Related Expansion of the Sphere of Influence and Annexation for Approximately 15.2 Acres of Land Area Located Within the Existing Old Highway 215 Right-of-Way Extending from the Centerline of the Old Highway 215 East to the Existing City Limits, North of Alessandro Boulevard, and South of Eucalyptus Avenue

**Approved by a 5-0 vote. m/Flickinger, s/Batey.**

**G. REPORTS**

**G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES**

- a) Report on March Joint Powers Commission by Council Member Stewart
  - 1) Council Member Stewart stated the March Joint Powers Commission has submitted a letter to the Federal Aviation Administration and the Air Force requesting test flights on a possible different departure route;
  - 2) Announced the Governor of Guam will be coming to visit the DHL facility at March Air Reserve Base and he will be attending the dinner

**G2. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action) - None given this evening.**

**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:**

Jan Beyers

- 1) Objected to the re-naming of the east end to “Rancho Belago”
- 2) Would like to re-name her area “Pigeon Pass”

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

Mayor Pro Tem Batey

- 1) Inquired when “speed hump” issue will come back to the Council. Public Works Director Vogt responded that more work needs to be done by staff on this issue
- 2) Questioned who is handling the water leak at Brabham & Frederick. The Public Works Director responded Eastern Municipal Water District will be addressing the problem – hopefully soon
- 3) Commented the soccer fields are coming soon

Council Member Stewart

- 1) Announced the Citrus Wind Ensemble will be presenting “Pop Goes the Music” at the Conference and Recreation Center on March 1<sup>st</sup> at 7 p.m. – tickets are free and anyone interested can contact the Chamber of Commerce or Council office for tickets
- 2) Stated “Rancho Belago” is a community name and this can be done to delineate the different areas of town – the post office goes by the zip code
- 3) Questioned why the speed hump signs in Moreno Valley are labeled at 25 mph and in Riverside they are 15 mph
- 4) Need more enforcement for noise and boom boxes
- 5) Asked when the Public Safety Subcommittee will be dealing with the issue of increasing the amount of police officers – Chief Hall stated there will be an additional 20 officers coming

Council Member Flickinger

- 1) Stated the number of police officers increased by double digits last year and the year before and it looks like in this budget year it will be the same thing – this Council is interested in maintaining the City as a safe City
- 2) Commented to Ms. Beyers that she supports her idea to change the name of her community to “Pigeon Pass” if that is what she would like to do
- 3) Newspaper articles quoted parents as saying there is nothing for kids to do here in Moreno Valley – stated there is a skateboard park, roller hockey rink, after-school programs, open play basketball, etc. – there are many options for the kids of Moreno Valley

- 4) Recreational Trails Advisory Board would like to be involved in proposed trails – stated she supports this and asked for a second to agendaize for a future Study Session- Council Member Stewart seconded

Mayor White

- 1) Asked staff if there is an approved project by the name of “Rancho Belago”

Council Member West – no comments

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:54 p.m. by unanimous informal consent.

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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Charles R. White, 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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