

**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.
APRIL 10, 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 6:30 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 West

INVOCATION - Pastor Walter Rogers, New Foundation Church of God in Christ (COGIC)

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
Robert Gutierrez	City Manager
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
Steve Elam	Administrative Services Director
Linda Guillis	Community Development Director
John Anderson	Police Lieutenant
Stan Lake	Fire Chief
Chris Vogt	Public Works Director/City Engineer
Cynthia Pirtle	Director of Library Services
Steve Kupsak	Parks Maintenance Division Manager

Barry Foster
Angela Rushen

Economic Development Director
Assistant to the City Manager

Public Works Director Vogt introduced Sue Maxinowski, Special Districts Division Manager and Larry Williams, Maintenance & Operations Division Manager

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, 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. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)
Recommendation: Receive and file.
- A3. 2007 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)
Recommendation: Receive and file the informational report.
- A4. WARRANT REPORT – FEBRUARY 28, 2007 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2007-34, approving the Warrant Report, dated February 2007, in the total amount of \$21,175,285.64.

Resolution No. 2007-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated February 28, 2007

- A5. 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.

A7. NOTICE OF COMPLETION AND ACCEPTANCE OF PERRIS BOULEVARD MEDIAN PROJECT - PROJECT NO. 06-12583425 (Report of: Public Works Department)

Recommendation:

1. Ratify Contract Change Order No. 1 (Final) for the Perris Boulevard Median Project;
2. Accept the work as complete for Perris Boulevard Median Project, constructed by C.S. Legacy Construction, Inc., 13263 Yorba Avenue, Chino, CA 91710;
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 C.S. Legacy Construction, 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.

A8. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH LPA, INC. PROJECT NO. 06-41278424 (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to Agreement for Professional Consultant Services with LPA, Inc., 5161 California Avenue, Suite 100, Irvine, California 92617 to provide professional consultant services;
2. Authorize the Mayor to execute an Amendment to Agreement for Professional Consultant Services with LPA, Inc.; and
3. Authorize an increase to the Purchase Order with LPA, Inc. by the amount of \$25,000 when the Amendment to Agreement for Professional Consultant Services has been signed by all parties (Account No. 412.78424).

- A9. TRACT 27523-1 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING ANNADALE DRIVE, ANNALEIGH COURT, MARYKNOLL COURT, MORNINGSIDE DRIVE, AND THOSE PORTIONS OF ARBORGLENN DRIVE, AND BRODIAEA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM – DEVELOPER – MORENO VALLEY CACTUS RANCH, LLC, TEMECULA, CA 92592 (Report of: Public Works Department)
Recommendation:

1. Adopt Resolution No. 2007-35 authorizing the acceptance of the public improvements for Tract 27523-1 as complete and accepting Annadale Drive, Annaleigh Court, Maryknoll Court, Morningside Drive, and those portions of Arborglenn Drive, and Brodiaea Avenue associated with the project into the City's maintained street system;

Resolution No. 2007-35

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 27523-1, and Accepting Annadale Drive, Annaleigh Court, Maryknoll Court, Morningside Drive, and those Portions of Arborglenn Drive, and Brodiaea Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the amount of the Faithful Performance Bond identified by the City Engineer as complete, reduce 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 associated with the partial reduction in one year when all clearances are received; and
 3. Authorize the City Engineer to execute the reduction of the remaining Faithful Performance security upon completion of the water quality basin, release of the remaining Material and Labor Bond if there are no stop notices or liens on file with the City Clerk, and the exoneration of the final 10% of the Faithful Performance Bond in one year when all clearances are received.
- A10. ADOPT RESOLUTION NO. 2007-36 TO RESCIND RESOLUTION OF NECESSITY NO. 2004-73 DATED OCTOBER 12, 2004 WHICH EARLIER RESOLUTION HAD AUTHORIZED EMINENT DOMAIN PROCEEDINGS FOR APN 291-100-025 FOR THE WIDENING OF DAY STREET, NORTH

OF STATE ROUTE 60 TO IRONWOOD AVENUE - PROJECT NO. 04-41678724 (Report of: Public Works Department)

Recommendation: Adopt Resolution No. 2007-36 to Rescind Resolution of Necessity No. 2004-73 dated October 12, 2004 which earlier Resolution had authorized eminent domain proceedings for APN 291-100-025 for the widening of Day Street, north of State Route 60 to Ironwood Avenue, in that a voluntary conveyance has been finalized.

Resolution No. 2007-36

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding Resolution No. 2004-73 Which Made Certain Findings and Determinations and Which Authorized Proceedings to be Commenced in Eminent Domain to Acquire Certain Easement Interests in Property for Public Street and Highway Purposes, Due to an Agreement Reached with the Property Owner for Conveyance of said Easement Interests to the City Which Thereby Eliminates the Need to Proceed with Eminent Domain Proceedings

- A11. TRACT 22709-1 (PARK) – RECOMMEND ACCEPTANCE OF CELEBRATION PARK LOCATED WITHIN TRACT 22709-1 AND REDUCE THE FAITHFUL PERFORMANCE BOND, NORTH OF JOHN F. KENNEDY DRIVE AND EAST OF OLIVER STREET, DEVELOPER – WESTERN PACIFIC HOUSING, INC., A DELAWARE CORPORATION, IRVINE, CA 92606 (Report of: Public Works Department) **(Also listed as Item B2 under CSD Consent Calendar)**

Recommendation:

1. The City Council adopt Resolution No. 2007-37 authorizing the acceptance of the improvements for Celebration Park within Tract 22709-1 into the City's maintained system;

Resolution No. 2007-37

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of Celebration Park Within Tract 22709-1, and Accepting it into the City's Maintained System

2. The City Council 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; and
3. The City Council issue a Quitclaim Deed to the Community Services

District for any interest the City has on the property.

- A12. AFFORDABLE HOUSING AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, THE CITY OF MORENO VALLEY, AND RIVERSIDE HOUSING DEVELOPMENT CORPORATION (RHDC) FOR 22801 ADRIENNE AVENUE AND 22898 ALLIES PLACE **(Also listed as item C2 under the Community Redevelopment Agency Consent Calendar)** (Report of: Economic Development Department)
Recommendation:

1. That the City Council adopt Resolution No. 2007-38 and approve the Affordable Housing Agreement by and between the Community Redevelopment Agency of the City of Moreno Valley, the City of Moreno Valley and Riverside Housing Development Corporation;

Resolution No. 2007-38

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Affordable Housing Agreement by and Among the City, the Community Redevelopment Agency of the City of Moreno Valley and Riverside Housing Development Corporation, a California Nonprofit Public Benefit Corporation

2. That the City Council authorize funding the project from HOME Investment Partnership fund balance; and
 3. That the City Council and the Board of Directors of the Community Redevelopment Agency authorize the City Manager and the Agency Executive Director to execute the necessary documents.
- A13. TRACT 27593 – SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTHEAST CORNER OF FIR AVENUE AND MORRISON STREET – SUBDIVIDER, MVGH 2004, LLC, IRVINE, CA 92614 (Report of: Public Works Department)
Recommendation:
1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 27593;
 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.
- A14. PA02-0120 – EASTGATE TEMPORARY DRIVEWAY – EXONERATION OF FAITHFUL PERFORMANCE BOND, EAST SIDE OF PERRIS BOULEVARD, SOUTH OF GLOBE STREET, AND NORTH OF THE PERRIS VALLEY STORM DRAIN – DEVELOPER - GALENA STREET DEVELOPMENT, LLC, IRVINE, CA 92612 (Report of: Public Works Department)
Recommendation: Authorize the City Engineer to exonerate the Faithful Performance Bond, and exonerate the Material and Labor Bond in 90 days, if there are no stop notices of liens on file with the City Clerk.
- A15. APPROVAL OF THE 2007/2008 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)
Recommendation:
1. Approve the County Service Area (CSA) 152 Budget for FY 2007/2008 in the amount of \$510,525; and
 2. Authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2007/2008.
- A16. PARCEL MAP 22701 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET BETWEEN YANEZ TRAIL AND THE SOUTHERN CITY LIMITS INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – EMPIRE LAND, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, ONTARIO, CA 91764 (Report of: Public Works Department)
Recommendation:
1. Adopt Resolution No. 2007-39 authorizing the acceptance of the public improvements for Parcel Map 22701 as complete and accepting the portion of Lasselle Street between Yanez Trail and the southern City Limits into the City's maintained street system; and

Resolution No. 2007-39

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Parcel Map 22701, and Accepting the Portion of Lasselle Street between Yanez Trail and the Southern City Limits 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.

A17. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES (Report of: Public Works Department)
Recommendation:

1. Approve the Amendment to Agreement for Professional Consultant Services with SA Associates, 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services;
2. Authorize the Mayor to execute the Amendment to Agreement for Professional Consultant Services with SA Associates; and
3. Authorize an increase in the Purchase Order to SA Associates by the amount of \$200,000.00 for a total contract not to exceed \$299,000.00, when the Amendment to Agreement for Professional Consultant Services has been signed by all parties.

A18. 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 \$154,500. Because this expenditure is over \$100,000, City Council approval is required per the City's procurement policy.

A19. ABC GRANT ASSISTANCE PROGRAM (GAP) (Report of: Police Department)

Recommendation:

1. Approve the grant application and authorize the acceptance (if granted) for the ABC Grant Assistance Program in the amount of \$119,138.00 for a twelve-month period beginning July 1, 2007, ending June 30, 2008, from the Department of Alcohol Beverage Control, State of California.
- A20. MINUTES - REGULAR MEETING OF MARCH 27, 2007 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.
- A21. RESOLUTION DESIGNATING POSTING PLACES FOR ORDINANCES, CERTAIN NOTICES AND RESOLUTIONS (Report of: City Clerk's Department)
Recommendation: Adopt Resolution No. 2007-40 rescinding Resolution No. 2006-27 designating the public places where posting of all ordinances, City Council meeting agendas, and such notices and resolutions as are required by law shall be posted; and authorizing the City Clerk to continue to prepare summaries of all ordinances adopted by the City Council.

Resolution No. 2007-40

A Resolution of the City Council of the City of Moreno Valley, Rescinding Resolution No. 2006-27 and Determining that all Ordinances and Certain Notices and Resolutions Shall be Posted Rather than Published, Designating the Public Places Where Such Posting Shall be Accomplished

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. TRACT 22709-1 (PARK) – RECOMMEND ACCEPTANCE OF CELEBRATION PARK LOCATED WITHIN TRACT 22709-1 AND REDUCE THE FAITHFUL PERFORMANCE BOND, NORTH OF JOHN F. KENNEDY DRIVE AND EAST OF OLIVER STREET, DEVELOPER – WESTERN PACIFIC HOUSING, INC., A DELAWARE CORPORATION, IRVINE, CA 92606 (Report of: Public Works Department) **(Also listed as Item A11 under City Council Consent Calendar)**
Recommendation: The Board of Directors authorize the President of the Board of Directors to execute the Acceptance Certification for the Quitclaim Deed, which allows the transfer of real property located at Celebration Park, Lot HH of Tract 22709-1 from the City of Moreno Valley, a Municipal Corporation, to the Moreno Valley Community Services District.

- B3. NAMING OF THE AQUEDUCT BIKEWAY (Report of: Parks & Community Services)
Recommendation: Adopt the name as recommended and submitted by the Parks and Recreation Commission for the aqueduct bikeway located along the California Aqueduct as "Aqueduct Bikeway."
- B4. PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING MAIL BALLOT PROCEEDINGS FOR THE PROPOSED INCREASE IN THE CSD ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) ANNUAL PARCEL CHARGE FOR ZONE E-2 (HIDDEN SPRINGS) AND ZONE E-7 (CENTERPOINTE) (Report of: Public Works Department)
Recommendation: Accept public comments regarding the mail ballot proceedings for the proposed increase in the CSD Zone E annual parcel charge for Zone E-2 (Hidden Springs) and Zone E-7 (Centerpointe) landscaped areas.
- B5. PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR SEVEN (7) TRACTS (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 tracts 17033, 19208, 19210, 19363, 19434, 20859, and 21597.
- B6. FINAL MAP 31424--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN MORENO VALLEY COMMUNITY SERVICES DISTRICT AND VALLEY SPRINGS HOMEOWNERS ASSOCIATION (Report of: Public Works Department)
Recommendation:
1. Approve the Maintenance Agreement by and between the CSD and Valley Springs Homeowners Association;
 2. Authorize the Mayor in his capacity as President of the CSD to execute the Maintenance Agreement;
 3. Authorize the City Attorney to act on behalf of the CSD to work with Valley Springs Homeowners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;
 4. Authorize the City Treasurer to invest the required Trust Funds pursuant

to Section 7 of the Maintenance Agreement;

5. Authorize the City Manager to act on behalf of the CSD to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and
6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the County Recorder for the County of Riverside for recordation.

**B7. FINAL MAP 33437--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN MORENO VALLEY COMMUNITY SERVICES DISTRICT AND MAYFAIR OWNERS ASSOCIATION (Report of: Public Works Department)
Recommendation:**

1. Approve the Maintenance Agreement by and between the CSD and Mayfair Owners Association;
2. Authorize the Mayor in his capacity as President of the CSD to execute the Maintenance Agreement;
3. Authorize the City Attorney to act on behalf of the CSD to work with Mayfair Owners Association to draft modifications or amendments to the Maintenance Agreement as necessary from time to time to clarify the intent and effectuate the provisions of said Agreement;
4. Authorize the City Treasurer to invest the required Trust Funds pursuant to Section 7 of the Maintenance Agreement;
5. Authorize the City Manager to act on behalf of the CSD to execute modifications or amendments to the Maintenance Agreement as prepared by the City Attorney; and
6. Authorize the City Clerk to transmit the executed Maintenance Agreement to the Office of the Recorder for the County of Riverside for recordation.

**B8. EXTENSION OF CONTRACT - PROJECT NO. E-3/04 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH WEST (Report of: Public Works Department)
Recommendation:**

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-3/04 to extend the term of the contract for an additional one-year

period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of Santa Ana, California; and
3. Authorize the Purchasing Manager, at the start of Fiscal Year 2007/08, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:
 - a.) One Hundred Seventy-Three Thousand Five Hundred Sixty-Nine and 54/100 (\$173,569.54) for twelve months of base maintenance service; and
 - b.) Fourteen Thousand Seven Hundred Sixty and 00/100 (\$14,760.00) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement.

- B9. MINUTES - REGULAR MEETING OF MARCH 27, 2007 (Report of: City Clerk's Department)
Recommendation: Approve as submitted.

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. AFFORDABLE HOUSING AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, THE CITY OF MORENO VALLEY, AND RIVERSIDE HOUSING DEVELOPMENT CORPORATION (RHDC) FOR 22801 ADRIENNE AVENUE AND 22898 ALLIES PLACE (**Also listed as item A12 under the City Council Consent Calendar**) (Report of: Economic Development Department)
Recommendation:
1. That the City Council, in its capacity as Board of Directors of the Community Redevelopment Agency, adopt Resolution No. RDA 2007-01 and approve the Affordable Housing Agreement by and between the Community Redevelopment Agency of the City of Moreno Valley, the City of Moreno Valley and Riverside Housing Development Corporation; and

Resolution No. RDA 2007-01

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Affordable Housing Agreement by and Among the Agency, the City of Moreno Valley and Riverside Housing Development Corporation, a California Nonprofit Public Benefit Corporation

2. That the City Council and the Board of Directors of the Community Redevelopment Agency authorize the City Manager and the Agency Executive Director to execute the necessary documents.

C3. MINUTES - REGULAR MEETING OF MARCH 27, 2007 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

C4. AFFORDABLE HOUSING AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND RIVERSIDE HOUSING DEVELOPMENT CORPORATION (RHDC) FOR 22813 AND 22827 ADRIENNE AVENUE (Report of: Economic Development Department)

Recommendation:

1. That the Board of Directors of the Community Redevelopment Agency adopt Resolution RDA 2007-02 and approve the Affordable Housing Agreement by and between the Community Redevelopment Agency of the City of Moreno Valley and Riverside Housing Development Corporation;

Resolution No. RDA 2007-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California, Approving an Affordable Housing Agreement by and Between the Agency and Riverside Housing Development Corporation, a California Nonprofit Public Benefit Corporation

2. That the Board of Directors of the Community Redevelopment Agency authorize funding the project from the Redevelopment Agency Housing Set Aside Fund (894); and
3. That the Board of Directors of the Community Redevelopment Agency authorize the Agency Executive Director to execute the necessary documents.

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 MARCH 27, 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 A6 which was pulled for separate discussion/action. m/West, s/Stewart.

E. PUBLIC HEARINGS

- E1. AMENDMENTS TO CHAPTER 3.48 OF THE MUNICIPAL CODE RELATING TO THE MULTI-SPECIES HABITAT CONSERVATION PLAN (MSHCP) MITIGATION FEES (Report of: Community Development Department)
Recommendation: That the City Council:

- 1) Introduce Ordinance No. 742, amending Chapter 3.48 of the Municipal Code relating to the Multi-species Habitat Conservation Plan fees.

Mayor White opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Ordinance No. 742

An Ordinance of the City Council of the City of Moreno Valley Amending Title 3 of the City of Moreno Valley Municipal Code, by Amending Chapter 3.48, Relating to the Local Development Mitigation Fee for Funding the Preservation of Natural Ecosystems in Accordance with the Western Riverside County Multiple Species Habitat Conservation Plan

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

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

- A6. PUBLIC MEETING ON PROPOSED FY 2007-08 FEE SCHEDULE (Report of: Finance Department)

Recommendation:

1. Accept public comments on the proposed FY 2007-08 Fee Schedule; and
Mayor White opened the agenda item for public comments; there being none, public comments were closed.
2. Provide comments and any necessary direction to staff regarding fee policy issues.

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

- a) Report on March Joint Powers Commission by Council Member Stewart
 - 1) Stated the judge in the lawsuit against Tesco warehouse denied the motion for a preliminary injunction and construction will continue on the warehouse
 - 2) April 18th interviews will be held for the permanent Director position of the March Joint Powers Authority – there are three finalists
 - 3) Noise issues are still being addressed
 - 4) JPA is considering relocating their offices to East March

Report on Mobile Source Air Pollution Reduction Review Committee (MSRC) by Council Member West

- 1) Council Member West announced that the City had been chosen to participate in a pilot program to reduce the harmful omissions emitted by off-road construction vehicles. These devices will be used by Highland Fairview on their Aquabella development.

G2. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

City Manager Gutierrez announced the Grand Opening of the Aqueduct Bikeway will be held on Wednesday, April 18th at 3:00 P.M.

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 741 AS AMENDED - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AMENDING SECTIONS 11.40.020 AND 11.40.040 OF CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE PROHIBITION OF SMOKING IN PARKS AND RECREATION FACILITIES (RECEIVED INTRODUCTION AND FIRST READING ON MARCH 27, 2007 BY A 4-1 VOTE, WEST, DISSENTING) (Report of: Parks & Community Services)
Recommendation: Adopt Ordinance No. 741.

Ordinance No. 741

An Ordinance of the City Council of the City of Moreno Valley Amending Sections 11.40.020 and 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, Relating to the Prohibition of Smoking in Parks and Recreation Facilities

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

- H2. ORDINANCE NO. CSD 52 AS AMENDED - AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTIONS 3 AND 5 OF ORDINANCE NO. CSD 42, RELATING TO THE PROHIBITION OF SMOKING IN PARKS AND RECREATION FACILITIES (RECEIVED INTRODUCTION AND FIRST READING ON MARCH 27, 2007 BY A 4-1 VOTE, WEST, DISSENTING) (Report of: Parks & Community Services)
Recommendation: Adopt Ordinance No. CSD 52.

Ordinance No. CSD 52

An Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, Amending Sections 3 and 5 of Ordinance No. CSD 42, Relating to the Prohibition of Smoking in Parks and Recreation Facilities

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

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:

Daryl Terrell

- 1) Moreno Valley has the potential to be a “World Class City” which begins with public safety – “Project Excel” will impose harsher penalties on criminals who use a gun and get the most dangerous criminals out of our community

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

Council Member Stewart

- 1) Applauded the Burglary Suppression Team on the great job they are doing
- 2) Comments made by Don Imus – words can hurt
- 3) Preview opening of Applebee’s will be in early May
- 4) Target still on target for completion July 29th
- 5) Traffic concerns for Sunnymead Ranch are being addressed & asked public to report problems to the Police Department
- 6) Council Member Flickinger will fill in for him at the April 25th meeting of the homeowners at Sunnymead Ranch
- 7) Applications are being accepted for a vacancy in the Traffic Safety Commission – urged the residents to apply

Council Member Flickinger

- 1) Aqueduct Bike Trail Grand Opening will be held on April 18th at 3:00 P.M. at Perham & Sun Valley – enter on Pepper Court
- 2) RTA bus service runs by Moreno Valley High School – Route 19 is running a little early so has been rescheduled to arrive at the school after school is dismissed – the bus runs directly to the mall

Council Member West

- 1) Appreciates the streamlined agenda – thanked the City Manager
- 2) Voter registration very low in Moreno Valley – need more registered voters - working with Grant Stephens on his project to get more residents registered

Mayor Pro Tem Batey

- 1) Deed to property at March ARB to secure soccer fields – need to redo original plans
- 2) Vista del Lago fund raiser and car show to be held on May 12th – will have raffle prizes – will be a good time!

Mayor White

- 1) Will not be able to fill in for Council Member Stewart as he will be at RHNA Appeals Board Committee hearing

CLOSED SESSION - NONE

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:11 p.m. by unanimous informal consent.

Submitted by:

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:

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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