



REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF
MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 28, 2009

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 Pro Tem
Jesse L. Molina, Council Member

Richard A. Stewart, Mayor

Robin N. Hastings, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 28, 2009

CALL TO ORDER – 6:00 PM

SPECIAL PRESENTATIONS

1. Recognition of Moreno Valley American Youth Soccer Organization (AYSO) Boys Under 10 - 4th Place AYSO California State Champions
2. Proclamation Recognizing Mental Health Month - May 2009
3. Proclamation Recognizing National Fair Housing Month
4. Presentation to Officer of the Quarter - Officer Martineau Belgarde

**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 PM
APRIL 28, 2009**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor O.J. Philpot, Christ Community 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.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A CONSENT CALENDAR - CITY COUNCIL

A .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A .2 MINUTES - REGULAR MEETING OF APRIL 14, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

A .3 PARCEL MAP 36075 – MULTI-FAMILY COMPLEX – ACCEPT FINAL MAP, AGREEMENT, AND BONDS FOR PUBLIC IMPROVEMENTS, EAST SIDE OF PERRIS BOULEVARD, SOUTH SIDE OF JOHN F. KENNEDY DRIVE, DEVELOPER - MV RANCHO DORADO II LIMITED PARTNERSHIP, PALM DESERT, CA. 92261 (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 36075, 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.

A .4 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of April 8-21, 2009.

- A .5 AUTHORIZATION TO ISSUE A PURCHASE ORDER FOR PROFESSIONAL CONSULTANT SERVICES FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Authorize the issuance of a Purchase Order to VA Consulting, Inc., Inland Empire Division, 255 E. Rincon Street, Suite 323, Corona, CA 92879 in the amount of \$187,067 (\$155,889 proposal amount plus 20% contingency amount of \$31,178) for the Moreno Valley Auto Mall Improvements (Account No. 897.91725); and
2. Authorize the Public Works Director/City Engineer to execute any subsequent related Change Orders to the Purchase Order with VA Consulting, Inc., up to but not to exceed the Purchase Order contingency authorized amount of \$31,178 for the Moreno Valley Auto Mall Improvements.

- A .6 FINAL MAPS 32834 AND 32836--APPROVAL OF MAINTENANCE AGREEMENT BY AND BETWEEN CITY OF MORENO VALLEY AND GOLDEN FIELDS AND COBBLESTONE HOMEOWNERS ASSOCIATIONS (Report of: Public Works Department)

Recommendation:

1. Approve the Maintenance Agreement by and between the City of Moreno Valley (City) and Golden Fields and Cobblestone Homeowners Associations;
2. Authorize the Mayor to execute the Maintenance Agreement;
3. Authorize the City Attorney to work with Golden Fields and Cobblestone Homeowners Associations 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 Fund

pursuant to Section 7 of the Maintenance Agreement;

5. Authorize the City Manager 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.

A .7 LEGISLATIVE UPDATE (Report of: City Manager's Office)

Recommendation:

Receive and file this informational report.

A .8 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2008 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2008.

A .9 2008 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. Receive and file the 2008 Annual Report of the Planning Commission; and
2. Authorize transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A .10 APPROVAL OF IDENTITY THEFT PREVENTION POLICY (Report of: Financial & Administrative Services Department)

Recommendation:

Approve the Identity Theft Prevention Policy.

A .11 AWARD THE PURCHASE OF ELECTRICAL CABLE, SWITCH AND RELATED MATERIALS FROM ONE SOURCE DISTRIBUTORS,

INC. FOR THE CONSTRUCTION OF A NEW SUBSTATION FEEDER PROJECT, PROJECT # MVU-005 (Report of: Public Works Department)

Recommendation:

1. Award the purchase contract for electrical cable, switch, and related materials for the construction of a new Substation Feeder Project, Project #MVU-005 to One Source Distributors, Inc., 1865 Ord Way, Oceanside, CA 92056, the lowest responsible bidder; and
2. Authorize the Financial & Administrative Services Director to issue a Purchase Order for One Source Distributors in the amount of \$290,215.96 (\$261,732.16 base bid amount plus 10% contingency) (Account No. 601.61225.7200).

B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B .2 RECOMMENDATION TO PURCHASE AFTER SCHOOL PROGRAM SUPPLIES THROUGH AFTERSCHOOLSTORE.COM FOR THE ASES PROGRAM (Report of: Parks and Community Services)

Recommendation:

Give the City Manager authorization for the purchase of after school program supplies through Afterschoolstore.com to provide an educational and enrichment element for the After School Education and Safety Program Grant (ASES) and direct the Budget Officer to issue a purchase order in the amount of \$144,308.

B .3 MINUTES - REGULAR MEETING OF APRIL 14, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

C CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C .2 MINUTES - REGULAR MEETING OF APRIL 14, 2009 (Report of:

City Clerk's Department)

Recommendation:

Approve as submitted.

D CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D .2 MINUTES - REGULAR MEETING OF APRIL 14, 2009 (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.

E .1 PUBLIC HEARING REGARDING A MAIL BALLOT PROCEEDING FOR TENTATIVE PARCEL MAP 35386 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation:

a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballot for Tentative Parcel Map (TPM) 35386;

b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;

c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

d. If approved, authorize and impose the NPDES maximum residential regulatory rate to TPM 35386.

F ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G REPORTS

G .1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES
(Informational Oral Presentation - not for Council action)

a) Report by Council Member Jesse L. Molina on the Riverside County Transportation Commission (RCTC)

G .2 REPORT IN SUPPORT OF SOCIAL HOST ORDINANCE (Report of: Police Department)

Recommendation: That the City Council:

1. Review and file the information presented in this report; and
2. Introduce Ordinance No. 792, "Social Host Accountability".

Ordinance 792

An Ordinance of the City Council of the City of Moreno Valley, California, Establishing Social Host Accountability and Prohibiting Unruly Parties Where Underage Drinking Occurs

G .3 RECONSIDERATION OF RESOLUTION NO. 2009-26 AND CSD RESOLUTION NO. 2009-03 TO AMEND THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS AND CSD RESOLUTION NO. 2009-04 TO AMEND COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) AND ZONE C (ARTERIAL STREET LIGHTING) POLICY (Report of: Public Works Department)

G .4 CONSIDERATION OF AN ORDINANCE EXTENDING THE EXPIRATION DATE OF CERTAIN DISCRETIONARY PERMITS OR ENTITLEMENTS APPROVED BY THE CITY ON OR AFTER JANUARY 1, 2006 (Report of: City Manager's Office)

Recommendation: That the City Council:

Introduce Ordinance No. 791, extending the expiration date of certain discretionary permits or entitlements approved by the City on or after January 1, 2006.

Ordinance No. 791

An Ordinance of the City Council of the City of Moreno Valley, California, Extending the Expiration Date of Certain Discretionary Permits or Entitlements Approved by the City on or after January 1, 2006

G .5 CONSIDERATION OF A PILOT PROGRAM TO COLLECT CERTAIN

PLAN CHECK AND INSPECTION FEES ON THE ACTUAL COSTS
(TIME AND MATERIAL) OF PROVIDING THE SERVICES (Report of:
City Manager's Office)

- *G .6 CITY MANAGER'S REPORT (Informational Oral Presentation - not
for Council action)

H LEGISLATIVE ACTIONS

H .1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H .2 ORDINANCES - 2ND READING AND ADOPTION

- H .2 .1 ORDINANCE NO. 787 AMENDING THE OFFICIAL
ZONING ATLAS OF SAID CITY, TO INCLUDE A CHANGE
OF ZONE FOR THREE PROPERTIES CITYWIDE
INCLUDING A 0.25 ACRE PARCEL (PA08-0028) FROM
OFFICE COMMERCIAL (OC) TO NEIGHBORHOOD
COMMERCIAL (NC) ON THE NORTHWEST CORNER OF
GINA AVENUE AND DRACAEA AVENUE, A 0.53 ACRE
PARCEL (PA08-0026) FROM BUSINESS PARK (BP) TO
NEIGHBORHOOD COMMERCIAL (NC) ON THE
NORTHWEST CORNER OF EDMONT STREET AND
COTTONWOOD AVENUE, AND A NINE (9) ACRE
PARCEL (PA08-0024) FROM OFFICE COMMERCIAL (OC)
TO NEIGHBORHOOD COMMERCIAL (NC) ON THE
SOUTHWEST CORNER OF LASSELLE STREET AND
ALESSANDRO BOULEVARD (RECEIVED FIRST
READING AND INTRODUCTION ON APRIL 14, 2009 ON A
4-0-1 VOTE, BATEY ABSENT) (Report of: Community
Development Department)

Recommendation:

Adopt Ordinance No. 787 for Project A thereby APPROVING
a change of zone from Office Commercial (OC) to
Neighborhood Commercial (NC) for a 0.25 acre parcel on
northwest corner of Gina Ave. and Dracaea Avenue (PA08-
0028), a change of zone from Business Park (BP) to
Neighborhood Commercial (NC) for a 0.53 acre parcel
located on the northwest corner of Edgemont Street and
Cottonwood Ave (PA08-0026) and a change of zone from
Office Commercial (OC) to Neighborhood Commercial (NC)
for a nine (9) acre parcel on the southwest corner of Lasselle
Street and Alessandro Blvd. (PA08-0024), based on the

findings in the City Council Ordinance.

Ordinance No. 787

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Official Zoning Atlas of Said City, to include a Change of Zone for Three Properties Citywide including a 0.25 Acre Parcel (PA08-0028) from Office Commercial (OC) to Neighborhood Commercial (NC) on the Northwest Corner of Gina Avenue and Dracaea Avenue, a 0.53 Acre Parcel (PA08-0026) from Business Park (BP) to Neighborhood Commercial (NC) on the Northwest Corner of Edgemont Street and Cottonwood Avenue, and a Nine (9) Acre Parcel (PA08-0024) from Office Commercial (OC) to Neighborhood Commercial (NC) on the Southwest Corner of Lasselle Street and Alessandro Boulevard

- H .2 .2 ORDINANCE NO. 788 APPROVING PA06-0027 (ZONE CHANGE) TO CHANGE THE LAND USE FOR 5.85 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 263-120-020, AND -021 FROM OFFICE COMMERCIAL TO COMMUNITY COMMERCIAL IN ORDER TO DEVELOP A 631 UNIT SELF- STORAGE WAREHOUSE FACILITY LOCATED AT THE SOUTHEAST CORNER OF EUCALYPTUS AVENUE AND EDGEMONT STREET (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 14, 2009 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community Development Department)

Recommendation:

Adopt Ordinance No. 788 for Project B thereby APPROVING a change of zone (PA06-0026) from Office Commercial (OC) to Community Commercial (CC) for a 5.85 acre parcel at the southeast corner of Eucalyptus Avenue and Edgemont Street, based on the findings in the City Council Ordinance.

Ordinance No. 788

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA06-0027 (Zone Change) to Change the Land Use for 5.85 Acres Located Within Assessor's Parcel Numbers 263-120-020, and -021 from Office Commercial to Community Commercial in Order to Develop A 631 Unit Self-Storage Warehouse Facility

Located at the Southeast Corner of Eucalyptus Avenue and Edgemont Street

- H .2 .3 ORDINANCE NO. 789 AMENDING MUNICIPAL CODE SECTION 9.09.140 SELF-STORAGE WAREHOUSES, TO ALLOW FOR EXCEPTIONS TO CURRENT DESIGN AND SCREENING REQUIREMENTS FOR SELF-STORAGE WAREHOUSES LOCATED ALONG MAJOR ARTERIALS (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 14, 2009 ON A 4-0-1 VOTE, BATEY ABSENT) (Report of: Community Development Department)

Recommendation:

Adopt Ordinance No. 789 for Project B thereby APPROVING a Municipal Code Amendment (PA08-0006) to Section 9.09.140 Self-storage warehouses, allowing for exceptions to current design and screening requirements for self-storage warehouses located along major arterials, based on the findings in the City Council Ordinance.

Ordinance No. 789

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Municipal Code Section 9.09.140 Self-Storage Warehouses, to Allow for Exceptions to Current Design and Screening Requirements for Self-Storage Warehouses Located along Major Arterials

H .3 ORDINANCES - URGENCY ORDINANCES - NONE

H .4 RESOLUTIONS - NONE

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

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

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

Materials related to an item on this Agenda submitted to the City

Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

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

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

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

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases:

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases:

3 SECTION 54957.6 - LABOR NEGOTIATIONS

- a) Agency Representative: Robert G. Gutierrez
Employee Organization: MVCEA
- b) Agency Representative: Robert G. Gutierrez
Employee Organization: MVMA
- c) Agency Representative: Robert G. Gutierrez
Employee Organization: Moreno Valley Confidential
Management Employees

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

ADJOURNMENT