



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

September 8, 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
September 8, 2009

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Presentation of Certificates by Moreno Valley Friends of the Library to Super Readers of the 2009 Summer Reading Program

**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
SEPTEMBER 8, 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 Paul M. Cunningham, Calvary Baptist 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 AUGUST 25, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

A.3 AUTHORIZATION TO ESTABLISH A PURCHASE AGREEMENT WITH DATA TICKET INCORPORATED FOR FY 2009/2010 (Report of: Community Development Department)

Recommendation:

1. Award the annual purchase agreement to Data Ticket Incorporated in the amount not to exceed \$190,500 and authorize the Mayor to execute the agreement; and
2. Authorize the Code and Neighborhood Services Division Manager to issue a purchase order to Data Ticket Incorporated in the amount of \$190,500 to cover the estimated costs for ticket processing, administrative citation processing and ticket printing costs for FY 2009/2010.

A.4 THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH VAS ASSOCIATES, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the "Third Amendment to Agreement for Professional Consultant Services" with VAS Associates, Inc. (VAS), 571 Ruth Circle, Corona, CA 92879 to provide Professional Consultant Services;
2. Authorize the City Manager to execute said "Third Amendment to Agreement for Professional Consultant Services" with VAS; and
3. Authorize an increase in the purchase order to VAS in the amount of \$250,000 when "Third Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.5 FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR INDIAN DETENTION BASIN, DRAINAGE IMPROVEMENTS, AND IRONWOOD STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Approve the "Fourth Amendment to Agreement for Professional Consultant Services" with Lim and Nascimento Engineering Corporation, 618 North Diamond Bar Boulevard, Diamond Bar, California 91765;
2. Authorize the City Manager to execute said "Fourth Amendment to Agreement for Professional Consultant Services" with Lim and Nascimento Engineering Corporation;
3. Authorize a Change Order to increase the Purchase Order with Lim and Nascimento Engineering Corporation for \$61,560.40 (\$55,964.00 proposal amount plus 10% contingency amount of \$5,596.40) for additional design, right-of-way and environmental services when the Fourth Amendment to Agreement for Professional Consultant Services has been signed by all parties (Account No. 897.91726); and
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendment(s) to the agreement with Lim and Nascimento Engineering Corporation, up to but not exceeding, the 10% contingency amount of \$5,596.40, subject to the approval of the City Attorney.

A.6 FIRST AMENDMENT TO THE AFFORDABLE HOUSING AGREEMENT BETWEEN MV RANCHO DORADO II LIMITED PARTNERSHIP AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY FOR THE RANCHO DORADO APARTMENTS (THIS ITEM IS ALSO LISTED AS ITEM C3) (Report of: Economic Development Department)

Recommendation:

Approve the First Amendment to the Affordable Housing Agreement between Palm Desert Development Company and the Community Redevelopment Agency of the City of Moreno Valley for the Rancho Dorado Apartments

A.7 ORDINANCE NO. 793, APPROVING P08-060 (SPECIFIC PLAN AMENDMENT) TO REALIGN KRAMERIA AVENUE BETWEEN IRIS AVENUE AND HEACOCK STREET AND DOWNGRADE KRAMERIA

AVENUE FROM A MINOR ARTERIAL TO AN INDUSTRIAL COLLECTOR IN THE MORENO VALLEY INDUSTRIAL SPECIFIC PLAN (SP 208) AS DESCRIBED IN THE RESOLUTION, AND THE REVISED SPECIFIC PLAN MAPS ATTACHED TO THE RESOLUTION AS EXHIBITS A, B, C AND D (RECEIVED FIRST READING AND INTRODUCTION AUGUST 25, 2009 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 793 approving a Specific Plan Amendment (P08-060) for the realignment of Krameria Street and amending the Circulation Element in the Moreno Valley Industrial Specific Plan (SP 208) based on the findings in the Ordinance.

Ordinance No. 793

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P08-060 (Specific Plan Amendment) to realign Krameria Avenue between Iris Avenue and Heacock Street and downgrade Krameria Avenue from a Minor Arterial to a Industrial Collector in the Moreno Valley Industrial Specific Plan (SP 208) as described in the Resolution, and the revised Specific Plan Maps attached to the Resolution as Exhibits A, B, C and D

- A.8 ORDINANCE NO. 794, AMENDING SECTION 12.36.010 OF CHAPTER 12.36 OF TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, REVISING THE DESIGNATION OF TRUCK ROUTES (RECEIVED FIRST READING AND INTRODUCTION AUGUST 25, 2009 ON A 5-0 VOTE) (Report of: Public Works Department)

Recommendation:

Adopt Ordinance No. 794, amending Section 12.36.010 of Chapter 12.36 of Title 12 of the Municipal Code to remove Ironwood Avenue from Moreno Beach Drive to Theodore Street, as well as, Moreno Beach Drive from Ironwood Avenue to the SR-60 westbound on/off ramp as designated "Truck Routes." (Roll call required)

Ordinance No. 794

Ordinance No. 794, of the City Council of the City of Moreno Valley, California, Amending Section 12.36.010 of Chapter 12.36 of Title 12 of the City of Moreno Valley Municipal Code, Revising the Designation of Truck Routes

- A.9 AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF APN'S 488-090-031 AND 488-090-051 FOR THE SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve and execute the "Agreement for Conveyance of Property" for the partial acquisition of APN's 488-090-031 and 488-090-051 and authorize the City Manager to execute said Agreement;
2. Authorize a purchase order in the total amount of \$374,600 (\$359,600 for the purchase price and \$15,000 for escrow fees) when the Agreement has been signed by all parties (Account No. 125.89720); and
3. Authorize the Financial & Administrative Services Director to wire transfer funds into escrow in the amount of \$374,600 (\$359,600 for the purchase price and \$15,000 for escrow fees) for the partial acquisition of APN's 488-090-031 and 488-090-051.

- A.10 AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF A PORTION OF APN 488-100-002 FOR THE SR-60/MORENO BEACH DRIVE INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and execute the "Agreement for Conveyance of Property" for the acquisition of a portion of APN 488-100-002 and authorize the City Manager to execute said Agreement;
2. Authorize a Purchase Order in the amount of \$874,550 (\$849,550 for the purchase price plus \$25,000 for escrow fees) when the Agreement has been signed by all parties (Account No. 415.70024); and
3. Authorize the Financial & Administrative Services Director to wire transfer funds into escrow in the amount of \$874,550 (\$849,550 for the purchase price plus \$25,000 for escrow fees) for a portion of APN 488-100-002.

- A.11 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 August 19 – September 1.

- A.12 PM 33152-1 – EXECUTE A GRANT DEED TO ANDLAND PROPERTIES, LLC FOR THAT PORTION OF PARCELS 1, 2 AND THE REMAINDER PARCEL OF PARCEL MAP NO. 33152-1 ASSOCIATED WITH THE OLD

215 FRONTAGE ROAD RIGHT-OF-WAY REDUCTION, AT THE SOUTHEAST CORNER OF OLD 215 FRONTAGE ROAD AND ALESSANDRO BOULEVARD - DEVELOPER: ANDLAND PROPERTIES, LLC, TORRANCE, CA 90505 (MATERIAL NOT AVAILABLE AT TIME OF PRINTING - TO BE PROVIDED UNDER SEPARATE COVER) (THIS ITEM IS ALSO LISTED AS ITEM B3) (Report of: Public Works Department)

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF AUGUST 25, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

B.3 PM 33152-1 – EXECUTE A GRANT DEED TO ANDLAND PROPERTIES, LLC FOR THAT PORTION OF PARCELS 1, 2 AND THE REMAINDER PARCEL OF PARCEL MAP NO. 33152-1 ASSOCIATED WITH THE OLD 215 FRONTAGE ROAD RIGHT-OF-WAY REDUCTION, AT THE SOUTHEAST CORNER OF OLD 215 FRONTAGE ROAD AND ALESSANDRO BOULEVARD - DEVELOPER: ANDLAND PROPERTIES, LLC, TORRANCE, CA 90505 (MATERIAL NOT AVAILABLE AT TIME OF PRINTING - TO BE PROVIDED UNDER SEPARATE COVER) (THIS ITEM IS ALSO LISTED AS ITEM A12) (Report of: Public Works Department)

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 AUGUST 25, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

C.3 FIRST AMENDMENT TO THE AFFORDABLE HOUSING AGREEMENT BETWEEN MV RANCHO DORADO II LIMITED PARTNERSHIP AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY FOR THE RANCHO DORADO APARTMENTS (THIS ITEM IS ALSO LISTED AS ITEM A6) (Report of: Economic Development)

Department)

Recommendation:

Approve the First Amendment to the Affordable Housing Agreement between Palm Desert Development Company and the Community Redevelopment Agency of the City of Moreno Valley for Rancho Dorado Apartments

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 AUGUST 25, 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 A PUBLIC HEARING ON A ZONE CHANGE (PA05-0069) FROM THE RESIDENTIAL 1 (SINGLE FAMILY - UP TO 1 UNIT PER ACRE) LAND USE DISTRICT TO THE RESIDENTIAL 2 (SINGLE FAMILY - UP TO 2 UNITS PER ACRE) DISTRICT, WHICH IS CONSISTENT WITH THE EXISTING RESIDENTIAL 2 GENERAL PLAN LAND USE DESIGNATION; AND A TENTATIVE TRACT MAP NO. 32388 (PA05-0071) TO SUBDIVIDE APPROXIMATELY 9.5 ACRES LOCATED ON THE SOUTH SIDE OF MOUNTAIN RANCH ROAD AT NORTHSORE DRIVE INTO 14 SINGLE FAMILY LOTS (Report of: Community Development Department)

Recommendation: That the City Council:

1. CONDUCT a public hearing for review of a proposed Zone Change from R1 to R2 and Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 single family residential lots;
2. APPROVE Resolution No. 2009-84 ADOPTING a Mitigated Negative Declaration for the Zone Change and Tentative Tract Map No. 32388, in that, as designed and conditioned, this project will not result in significant environmental impacts;

Resolution No. 2009-84

A Resolution of the City Council of the City of Moreno Valley, California, Adopting a Mitigated Negative Declaration for a Zone Change (PA05-0069), and Tentative Tract Map No. 32388 (PA05-0071) to change the land use for 9.5 net acres located within Assessor's Parcel Number 474-250-003 from Residential 1 to Residential 2 in order to develop a 14 lot single family residential subdivision

3. INTRODUCE Ordinance No. 795 thereby APPROVING a Zone Change from Residential 1 (R1) to Residential 2 (R2) for the 9.5 acres of Assessor's Parcel Number 474-250-003 located south of Mountain Ranch Road at Northshore Drive (PA05-0069), based on the findings in the City Council Ordinance (Attachment No. 3); and

Ordinance No. 795

An Ordinance of the City Council of the City of Moreno Valley, California, Approving application PA05-0069 for an Amendment to the official Zoning Atlas from Residential 1 to Residential 2 for the approximately 9.5 net acres of Assessor's Parcel Number 474-250-003 in order to develop a 14 lot single family subdivision

4. APPROVE Resolution No. 2009-85 thereby APPROVING Tentative Tract Map No. 32388 (PA05-0071) to subdivide the 9.5 acres of Assessor's Parcel Number 474-250-003 located south of Mountain Ranch Road at Northshore Drive into 14 single family residential lots.

Resolution No. 2009-85

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map No. 32388 (PA05-0071) to develop a 14 lot single family residential subdivision on 9.5 net acres located on the south side of Mountain Ranch Road at Northshore Drive, within Assessor's Parcel Number 474-250-003

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 Mayor Pro Tem Bonnie Flickinger on Southern California Association of Governments (SCAG)
- b) Report by Council Member Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

G.2 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 - NONE

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: 3

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