



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

May 26, 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
Teleconference: Sheraton Grand Sacramento Hotel
1230 J Street, 13th and J Street
Sacramento, CA 95814

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
May 26, 2009

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Winners of the William H. Batey II Reading Contest
2. Recognition of Rancho Verde High School Track Team
3. 1st Quarter 2009 Employee of the Quarter Award - Vince Giron

**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
MAY 26, 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 Mark Orellana, Victory Outreach 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 NOTICE OF COMPLETION AND ACCEPTANCE OF HEACOCK STREET FROM GENTIAN AVENUE TO POPPYSTONE DRIVE AND FREDERICK STREET - PIGEON PASS ROAD FROM SUNNYMEAD BOULEVARD TO HEMLOCK AVENUE REHABILITATION PROJECT NO. 06-12567425 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street – Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation, constructed by All American Asphalt, P.O. Box 2229, Corona, CA 92878;
2. 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;
3. Authorize the Financial and Administrative Services Director to release the retention to All American Asphalt thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
4. Accept the improvements into the City's maintained road system.

A .3 APPROVE AMENDMENT TO DESIGN COOPERATIVE AGREEMENT WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement No. 8-1163 with Caltrans for the design phase of the State Route 60/Nason Street Interchange Improvements Project;

2. Authorize the City Manager to execute Amendment No.1 to Agreement No. 8-1163; and
3. Authorize the City Manager to execute any subsequent amendments, if needed, subject to the approval of the City Attorney.

A .4 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES AND ELECTRIC SERVICE RULES, FEES, AND CHARGES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2009-43 amending the Electric Rates and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

Resolution No. 2009-43

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A .5 PARCEL MAP 32326 - APPROVE THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT FOR SUNNYMEAD MASTER DRAINAGE PLAN CENTERPOINTE, BRODIAEA AVENUE STORM DRAIN AND GRAHAM STREET STORM DRAIN SYSTEM, BETWEEN RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE CITY OF MORENO VALLEY, RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, NORTH OF CACTUS AVENUE; BETWEEN FREDERICK STREET AND HEACOCK STREET, SUBDIVIDER - RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, LONG BEACH, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, Ridge Moreno Valley, LLC and Ridge Moreno Valley II, LLC for Parcel Map 32326 Sunnymead Master Drainage Plan Centerpointe Brodiaea Avenue and Graham Street Storm Drain;
2. Authorize the Mayor to execute the Second Amended and

Restated Cooperative Agreement; and

3. Direct the City Clerk to forward the signed Second Amended and Restated Cooperative Agreement to Riverside County Flood Control and Water Conservation District.

- A .6 PA08-0135 - APPROVAL OF COOPERATIVE AGREEMENT FOR PERRIS VALLEY – GROVE VIEW ROAD, STAGE 2 STORM DRAIN, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND WASTE MANAGEMENT COLLECTION AND RECYCLING, INC., NORTH SIDE OF GROVE VIEW ROAD BETWEEN PERRIS BOULEVARD AND INDIAN STREET, DEVELOPER - WASTE MANAGEMENT COLLECTION AND RECYCLING, INC., MORENO VALLEY, CA. (Report of: Public Works Department)

Recommendation:

1. Approve the Cooperative Agreement between Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, and Waste Management Collection and Recycling, Inc., for the Perris Valley – Grove View Road, Stage 2 Storm Drain;
2. Authorize the Mayor to execute the Cooperative Agreement; and
3. Direct the City Clerk to forward the signed Cooperative Agreement to Riverside County Flood Control and Water Conservation District.

- A .7 ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY STORM DRAIN LATERAL "B" TO CACTUS AVENUE PROJECT NO. 11-41570125

Recommendation:

Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue, Project No. 11-41570125.

- A .8 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) FOR THE RIVERSIDE COUNTY

TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2010-2014 (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP for the RCTC Measure "A" Local Funds Program, FY 2010-2014;
2. Authorize submittal of the RCTC Measure "A" Local Funds Program, FY 2010-2014;
3. Authorize the City Manager to submit the MOE Certification after RCTC approves the 2009 Measure "A" base year amounts; and
4. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2009-2010 budget approval process.

A .9 APPROVAL OF PARTICIPATION IN CALIFORNIA EMPLOYER'S RETIREE BENEFIT TRUST PROGRAM (Report of: Financial & Administrative Services Department)

Recommendation:

1. Take the following actions with respect to participation in the California Employer's Retiree Benefit Trust (CERBT) program:

Adopt Resolution No. 2009-48, authorizing the Mayor to execute agreements with the California Public Employees' Retirement System to prefund Other Post Employment Benefits and to establish delegation of authority to request disbursements from the Other Post Employment Prefunding Plan; and

Resolution No. 2009-48

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Execution of the Agreement and Election with the California Public Employees' Retirement System to Prefund Other Post Employment Benefits and to Establish Delegation of Authority to Request Disbursements from the Other Post Employment Prefunding Plan

2. Authorize an appropriation of \$1,580,000 from General Fund

designated reserves and current year expenditure accounts to allow the City to fully fund its initial CERBT contribution.

- A .10 APPROVAL OF A RESOLUTION FINDING A SEVERE FISCAL HARDSHIP WILL EXIST IF ADDITIONAL CITY PROPERTY TAX FUNDS ARE SEIZED AND ADDITIONAL UNFUNDED MANDATES ARE ADOPTED BY THE STATE OF CALIFORNIA (Report of: City Manager's Office)

Recommendation:

Adopt the Proposed Resolution Finding a Severe Fiscal Hardship will Exist if Additional City Property Tax Funds are Seized and Additional Unfunded Mandates are Adopted by the State of California.

Resolution No. 2009-47

A Resolution of the City Council of the City of Moreno Valley, California, Finding a Severe Fiscal Hardship Will Exist if Additional City Property Tax Funds are Seized and Additional Unfunded Mandates are Adopted by the State of California

- 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 May 6-19, 2009

- A .12 MINUTES - REGULAR MEETING OF MAY 12, 2009 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- B .2 EXTENSION OF CONTRACT - PROJECT NO. E-3/08 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH-WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-3/08 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 Excel Landscape, Inc. of Corona, California; and
3. Authorize the Purchasing Manager, on July 1, 2009, to issue open purchase orders to Excel Landscape, Inc. in the amounts of:
 - a.) THREE HUNDRED TWENTY THOUSAND NINE HUNDRED TWENTY-FIVE AND 48/100 DOLLARS (\$320,925.48) for twelve months of base maintenance service, and;
 - b.) SEVENTEEN THOUSAND SEVEN HUNDRED EIGHTY-FIVE AND 00/100 DOLLARS (\$17,785.00) for anticipated Additional Work per Section 5. of the Extension Agreement.

- B .3 MINUTES - REGULAR MEETING OF MAY 12, 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 NEGOTIATION AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND PALM DESERT DEVELOPMENT COMPANY FOR AN AFFORDABLE HOUSING DEVELOPMENT PROJECT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

- C .3 MINUTES - REGULAR MEETING OF MAY 12, 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 MAY 12, 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 FOR AN INDUSTRIAL COMPLEX (PA07-0152, PA07-0153, PA07-0154, PA07-0155 AND PA07-0156) WITH FOUR BUILDINGS (1,484,407 TOTAL SQ FT) ON 66.9 NET ACRES. THE TENTATIVE PARCEL MAP 35879 (PA07-0151) WILL CREATE FOUR PARCELS. THE GENERAL PLAN (PA08-0057) AND SPECIFIC PLAN (P08-060) AMENDMENTS ARE REQUIRED FOR THE REALIGNMENT OF KRAMERIA STREET AND WILL AMEND THE CIRCULATION ELEMENT OF THE GENERAL PLAN AND IN THE MORENO VALLEY INDUSTRIAL SPECIFIC PLAN (SP 208) (Report of: Community Development Department)

Recommendation: That the City Council:

1. ADOPT a Mitigated Negative Declaration for PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. APPROVE Resolution No. 2009-44 approving PA08-0057, for the realignment of Krameria Street and amending the Circulation Element of the General Plan based on the findings in the Resolution and maps attached to the Resolution as Exhibits A, B, C, D and E;

Resolution No. 2009-44

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amendment to the General Plan Circulation Element (PA08-0057) to Realign Krameria Avenue Between Iris Avenue and Heacock Street and Downgrade Krameria Avenue from a Minor Arterial to a Industrial Collector, as Described in the Resolution, and the Revised General Plan Maps Attached to the Resolution as Exhibits A, B, C, D and E

3. INTRODUCE 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 and maps attached to the Ordinance as Exhibits A, B, C and D;

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

4. APPROVE Resolution No. 2009-45 approving PA07-0151 (Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), and PA07-0156 (Plot Plan), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No. 2009-45

A Resolution of the City Council of the City of Moreno Valley, California, Approving Plot Plan Applications PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156 and Tentative Parcel Map 35879 (PA07-0151). The Project is Located at the

Southeast Corner of Iris Avenue and Heacock Street

- E .2 PUBLIC HEARING TO CONSIDER FISCAL YEAR 2009-10 FEE SCHEDULE (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2009-10; and
2. Adopt Resolution No. 2009-46, approving the Fee Schedule for FY 2009-10.

Resolution No. 2009-46

A Resolution of the City Council of the City of Moreno Valley, California, Establishing a Fee Schedule of Various Services for Fiscal Year 2009-10 and Repealing Prior Resolutions that May be in Conflict

- E .3 CONTINUATION OF THE PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 - BALLOTING FOR NPDES AND CSD ZONE M (CONTINUED FROM MARCH 24, 2009) (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the public hearing and accepting public testimony:
 - a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (NPDES) ballots for identified properties within Tentative Parcel Map (TPM) 35629;
 - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (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 commercial/industrial regulatory rate to the identified properties within TPM 35629.

2. Acting in their capacities as President and Members of the Board of Directors of the CSD (“CSD Board”), after conducting the public hearing and accepting public testimony:
 - a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for identified properties within TPM 35629;
 - 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 annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to the identified properties within TPM 35629.

E .4 PUBLIC HEARING TO ADOPT FY 2008-2009 ANNUAL ACTION PLAN, SUBSTANTIAL AMENDMENT #4, THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to allow public comment on the proposed 2008-09 Annual Action Plan, Substantial Amendment #4, the Community Development Block Grant - Recovery Program (CDBG-R);
2. Review and adopt the proposed 2008-09 Annual Action Plan Substantial Amendment #4, the Community Development Block Grant - Recovery Program (CDBG-R);
3. Authorize the City Manager to execute any subsequent Agreements related to provision of services under Community Development Block Grant - Recovery Program (CDBG-R); and
4. Due to strict federal program deadlines, authorize City Manager to make ‘non-substantial’ plan adjustments, if necessary.

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 Richard A. Stewart on March Joint Powers Commission (MJPC)

G .2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2009/10 ANNUAL CHARGES (CONTINUED FROM MARCH 24, 2009) (Report of: Public Works Department)

Recommendation: That the City Council:

Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2009/10 annual CSD charges. The proposed charges shall provide for continued services to parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

G .3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDING FOR A PROPOSED INCREASE IN THE CSD ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR ZONE E-3 (MORENO VALLEY RANCH-WEST) (Report of: Public Works Department)

Recommendation: That the City Council:

Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone E (High-Service-Level Parkway Landscape Maintenance) annual charge for Zone E-3 (Moreno Valley Ranch-West).

G .4 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY

LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR NINE TRACTS (Report of: Public Works Department)

Recommendation: That the City Council:

Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 17334, 18512/21322, 18784/20906, 18930, 19852, 20715, 21616, 22277, and 31284.

- G .5 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR A PROPOSED CHARGE INCREASE FOR THE COMMUNITY SERVICES DISTRICT ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Recommendation: That the City Council:

Acting in their capacities as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), conduct a Public Meeting and accept public comments concerning a mail ballot proceeding on a proposed increase in the annual charge for the CSD Zone B (Residential Street Lighting) program.

- G .6 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2009/2010 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2009/2010 annual rates.

- G .7 PALM DESERT DEVELOPMENT COMPANY'S MV RANCHO DORADO II LIMITED PARTNERSHIP (RANCHO DORADO APARTMENTS) AFFORDABLE HOUSING AGREEMENT (Report of: Economic Development Department)

Recommendation: That the City Council and RDA

1. Adopt Resolution No. 2009-49 and RDA No. 2009-05 approving the Affordable Housing Agreement (Agreement) between the Redevelopment Agency (RDA) and MV Rancho Dorado II Limited Partnership (LP), which will provide up to \$4,750,000 in gap financing assistance using the RDA's affordable housing funds;

Resolution No. 2009-49

A Resolution of the City Council of the City of Moreno Valley Consenting to the Approval by the Community Redevelopment Agency of the City of Moreno Valley Approving an Affordable Housing Agreement by and Between the Agency and MV Rancho Dorado II Limited Partnership, a California Limited Partnership

Resolution No. RDA 2009-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Affordable Housing Agreement by and Between the Agency and MV Rancho Dorado II Limited Partnership, a California Limited Partnership

2. Adopt Resolution No. RDA 2009-06, which ratifies certain findings and determinations made under Resolutions 2008-11, regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South

Resolution No. RDA 2009-06

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, A Subsidiary of Palm Desert Development Company, Inc.

3. Adopt Resolution No. RDA 2009-07, which ratifies certain findings and determination made under Resolution 2008-12, regarding conditional financial assistance to the first phase of Rancho Dorado Apartments known as Rancho Dorado North.

Resolution No. RDA 2009-07

A Resolution of the Community Redevelopment Agency of the

City of Moreno Valley Supporting the Rancho Dorado North Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-12 and Affirming its Intention to and Affirming its Intention to Provide Assistance to MV Rancho Dorado II Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G .8 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: 2

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

Number of Cases: 2

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