



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 13, 2010

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 Mel Alonzo, ADA Coordinator at 951.413.3027 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.

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member

Bonnie Flickinger, Mayor

Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

**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 13, 2010**

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 - Reverend Marvin Thomas, Crosspoint 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 MARCH 23, 2010 \(Report of: City Clerk\)](#)

Recommendation:

Approve as submitted.

A.3 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk\)](#)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 [APPROVAL OF THE 2010/2011 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 2010/2011 in the amount of \$586,696; and
2. Authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 [PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

- A.6 [TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and
2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

- A.7 [TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 \(Report of: Public Works Department\)](#)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 [2009 ANNUAL REPORT OF THE PLANNING COMMISSION \(Report of: Community Development Department\)](#)

Recommendation:

1. RECEIVE AND FILE the 2009 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.9 [ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE \(RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE\) \(Report of: Community Development Department\)](#)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 [CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION \(Report of: City Clerk's Department\)](#)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 [PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL](#)

[SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK \(MATERIAL TO BE PROVIDED UNDER SEPARATE COVER\) \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the Agreement for Erosion Control Security;
2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 [PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK \(MATERIAL TO BE PROVIDED UNDER SEPARATE COVER\) \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the Agreement for Rough Grading Security;
2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

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 MARCH 23, 2010 \(Report of: City Clerk\)](#)

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 MARCH 23, 2010 \(Report of: City Clerk\)](#)

Recommendation:

Approve as submitted.

C.3 [SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET \(Report of: Economic Development Department\)](#)

Recommendation:

Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing 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.

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 MARCH 23, 2010 \(Report of: City Clerk\)](#)

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 MUNICIPAL CODE AMENDMENT \(PA07-0005\) AND A GENERAL PLAN AMENDMENT \(PA10-0004\) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9](#)

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

Resolution No. 2010-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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 Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 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 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

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

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

ADJOURNMENT