



REVISED 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
BOARD OF LIBRARY TRUSTEES

SPECIAL MEETING OF THE
MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION
(MVPFFC)

May 24, 2011

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.

Richard A. Stewart, Mayor

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

Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 24, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Oasis Community Church 20th Anniversary
2. Sister City San Juan de los Lagos Presentation
3. Employees of the Quarter - Facilities Maintenance Workers, Daphne McKinney, Frank Kim, and Adam Patino
4. Firefighter of the Year - Firefighter II Paramedic Chris Hoggatt

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

SPECIAL MEETING

MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION
(MVPFFC)

REGULAR MEETING - 6:30 PM
MAY 24, 2011

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

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 MAY 10, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

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

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of May 4-17, 2011.

A.4 [APPROVAL OF CHECK REGISTER FOR MARCH, 2011 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2011-37, approving the Check Register for the month of March, 2011 in the amount of \$10,905,638.09.

Resolution No. 2011-37

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2011

A.5 [TRACT MAP 29857-1 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY \(Report](#)

of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-38 authorizing the acceptance of the public improvements within Tract Map 29857-1 as complete and accepting the portion of Iris Avenue associated with the project into the City's maintained street system; and

Resolution No. 2011-38

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 29857-1, and Accepting the Portion of Iris 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 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.

A.6 APPROVE THE AMENDED SOLAR INITIATIVE PROGRAM FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

Recommendation:

1. Approve the amended Moreno Valley Electric Utility (MVU) Solar Initiative Program, and the MVU Solar Incentive Program Overview and Guidelines; and
2. Authorize the Electric Utility Manager to implement and administer the MVU Solar Initiative Program and execute corresponding agreements.

A.7 PA10-0028 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF A PORTION OF BRODIAEA AVENUE WEST OF GRAHAM STREET LOCATED ALONG A PORTION OF PARCEL 3 OF PARCEL MAP 32326 AND A PORTION OF LOT 8 OF MAP 1 OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, NORTH SIDE OF BRODIAEA AVENUE WEST OF GRAHAM STREET, DEVELOPER: RIDGE MORENO VALLEY, LLC, LONG BEACH, CA. 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-40, summarily vacating a portion of the

north side of Brodiaea just west of Graham Street; and

Resolution No. 2011-40

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of Brodiaea Avenue West of Graham Street Located Along a Portion of Parcel 3 of Parcel Map 32326 and a Portion of Lot 8 of Map 1 of the Bear Valley and Alessandro Development Company

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.8 [PURCHASE OF FIRE ENGINE FOR MORRISON PARK FIRE STATION \(Report of: Fire Department\)](#)

Recommendation:

1. Approve the purchase of a Multi-Function Type 1 Fire Engine and award a bid in the amount of \$445,754 to SMEAL Fire Apparatus Company, Snyder Nebraska as being in the best interest of the City;
2. Approve the purchase of \$50,000 in fire equipment from the Riverside County Fire Department for the Multi-Function Type 1 Fire Engine;
3. Approve the transfer of \$200,000 from Fire Operations operating expense account (133.65110.6251.252) to Fire Operations vehicles expense account (133.65110.6641.645) to partially fund the Fire Engine (the \$200,000 is anticipated Fire Department FY 2010/2011 savings);
4. Approve an appropriation in the amount of \$295,754 from General Fund fund balance to Fire Services Operations Fund account number 133.65110.6641.645 in the amount of \$445,754 and 133.65110.66441.648 in the amount of \$50,000 to fund the purchase of the fire engine and fire equipment; and
5. Authorize the Financial & Administrative Services Director to issue a purchase order to SMEAL Fire Apparatus Company in the amount of \$445,754 and issue a second purchase order to Riverside County Fire in the amount of \$50,000 for the purchase of new fire equipment.

A.9 [CITY HALL HEATING VENTILATION AND AIR CONDITIONING \(HVAC\) - ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT AWARD \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

1. Ratify the contract award to Southcoast Heating & Air Conditioning, the lowest bidder, for the installation of the City Hall HVAC equipment, in the amount of \$486,735 (four hundred eighty six thousand seven hundred and thirty five dollars) from EECBG funding in account number 229.80501.7200;
2. Ratify the contract award to Trane in the amount of \$147,809.70 (one hundred forty seven thousand eight hundred and nine and seventy cents) for the purchase of two 75- ton roof top HVAC units and two 6-ton split system units for the MVTV3 City Hall Studio from EECBG funding in account number 229.80501.7200; and
3. Approve the addition of a 10% contingency fund in an amount of \$46,673.00 (forty six thousand six hundred and seventy three dollars) to Southcoast Heating & Air Conditioning from monies in the FY 10/11 budget, account number 754.71425.7400 (will not affect the General Fund).

A.10 [ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE IRONWOOD AVENUE WIDENING FROM PERRIS BOULEVARD TO NASON STREET PROJECT NO. 07-41572727 \(Report of: Public Works Department\)](#)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Ironwood Avenue Widening from Perris Boulevard to Nason Street, Project No. 07-41572727, presented as Attachments B and C, in that mitigation measures included in the Initial Study and ultimately incorporated into the project specifications will reduce all potential environmental impacts to an acceptable level.

A.11 [ANNUAL STATEMENT OF INVESTMENT POLICY \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Annual Statement of Investment Policy

A.12 [RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 2011 \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.13 [ADOPTION OF RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO](#)

[THE CITY OF MORENO VALLEY \(ALSO LISTED AS ITEM C.3\) \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. 2011-41 authorizing accepting the transfer of certain real property (the Moreno Valley Senior Center) from the RDA to the City of Moreno Valley for an amount equal to \$2,686,600.

Resolution No. 2011-41

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Form and Authorizing the Execution of a Substitution of Trustee and Full Reconveyance Relating to a Deed of Trust Executed by the Community Redevelopment Agency of the City of Moreno Valley, as Trustor, for the Benefit of the City, as Beneficiary, and Approving the Transfer of Real Property conveyed by the Agency of the City

A.14 [ADOPTION OF RESOLUTION OF THE CITY COUNCIL OF MORENO VALLEY AUTHORIZING CERTAIN LEASE FINANCING DOCUMENTS IN CONNECTION WITH THE REFUNDING OF THE CITY'S VARIABLE RATE DEMAND CERTIFICATES OF PARTICIPATION \(1997 CITY HALL REFINANCING PROJECT\) \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

1. Adopt Resolution 2011-42 authorizing the execution of certain lease financing documents in connection with the refunding of the City's Variable Rate Demand Certificates of Participation (1997 City Hall Refinancing Project), and authorizing and directing certain actions with respect there to;

Resolution No. 2011-42

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Form and Authorizing the Execution of Certain Lease Financing Documents in Connection with the Refunding of the City's Variable Rate Demand Certificates of Participation (1997 City Hall Refinancing Project), and Authorizing and Directing Certain Actions with Respect Thereto

2. Authorize the City Manager to approve an agreement for financial advisor services, in an amount not to exceed \$28,500, with Fieldman Rolapp & Associates to serve as financial advisor for the recommended private placement debt issue; and
3. Authorize the City Manager to approve an agreement for bond

counsel services, in an amount not to exceed \$30,000 with Quint & Thimmig LLP to serve as Bond Counsel to complete the refunding through a private placement process.

- A.15 [ORDINANCE NO. 824 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 AND 11.80.060 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO CIVIL CITATIONS AND NOISE ENFORCEMENT \(Report of: City Attorney\)](#)

Recommendation:

Adopt Ordinance No. 824.

Ordinance No. 824

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sections 1.10.080 and 11.80.060 of the City of Moreno Valley Municipal Code, Relating to Civil Citations and Noise Enforcement

- A.16 [APPROVE STATE-LOCAL PARTNERSHIP PROGRAM \(SLPP\) FUNDING APPROPRIATION FOR HIGHLAND FAIRVIEW'S EUCALYPTUS AVENUE STREET IMPROVEMENTS PROJECT BETWEEN REDLANDS BOULEVARD AND THEODORE STREET SLPPCL10-5441\(048\) \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept and appropriate both \$1 million State-Local Partnership Program (SLPP) grants, one for the Eucalyptus Avenue Street Improvement Project between Redlands Boulevard and Theodore Street and one for the Cactus Avenue Street Improvement Project between Lasselle Street and Nason Street, from the California Transportation Commission (CTC); and
2. Adopt Resolution No. 2011-43, authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreements (PSA) with Caltrans for the Eucalyptus Avenue Street Improvement Project between Redlands Boulevard and Theodore Street, and the Cactus Avenue Street Improvement Project between Lasselle Street and Nason Street.

Resolution No. 2011-43

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement Agreements to Administering Agency-State Agreements Between the State of California, Acting by and through the

Department of Transportation, and the City of Moreno Valley

- A.17 [AMENDMENT NO. 1 - COOPERATION AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL & WATER DISTRICT, THE CITY OF MORENO VALLEY AND THE REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY \(ALSO LISTED AS ITEM C.4\) \(Report of: Community & Economic Development Department\)](#)

Recommendation:

Approve Amendment No. 1 for the Cooperation Agreement between Riverside County Flood Control, the City of Moreno Valley and the Redevelopment Agency of the City of Moreno Valley.

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 MAY 10, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

- B.3 [SECOND EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS ZONE E-2 \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve the Extension Agreement for CSD Project No. E-2/09 to extend the term of the contract for an additional one-year period;
2. Authorize the President of the CSD Board to execute said Extension Agreement with Tropical Plaza Nursery, Inc., of Villa Park, California; and
3. Authorize the Purchasing Manager, on July 1, 2011, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:
 - a.) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS (\$188,400.00) for twelve months of base maintenance service, and
 - b.) TWENTY NINE THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$29,600.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.4 [FIRST EXTENSION OF CONTRACT - PROJECT NO. E-3/10 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH-WEST \(ZONE E-3\) AND LASSELLE POWERLINE PARKWAY \(ZONE E-3A\)\(Report of: Public Works Department\)](#)

Recommendation:

1. Approve the first Extension Agreement for CSD Project No. E-3/10 to extend the term of the contract for an additional one-year period;
2. Authorize the President of the CSD Board to execute said first Extension Agreement with Bemus Landscape, Inc., San Clemente, California; and
3. Authorize the Purchasing Manager, on July 1, 2011, to issue open purchase orders to Bemus Landscape, Inc., in the amounts of:
 - a.) ONE HUNDRED THIRTY NINE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$139,500.00) for twelve months of base maintenance service, and
 - b.) THIRTEEN THOUSAND TWO HUNDRED SIXTY AND 00/100 DOLLARS (\$13,260.00) for anticipated Additional Work per Section 5 of the first Extension Agreement.

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 MAY 10, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

C.3 [ADOPTION OF RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY \(ALSO LISTED AS ITEM A.13\) \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

Adopt Resolution No. RDA No. 2011-06 authorizing the transfer of certain

real property (the Moreno Valley Senior Center) from the RDA to the City of Moreno Valley for an amount equal to \$2,686,600.

Resolution No. RDA No. 2011-06

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Resolution Authorizing the Transfer of Certain Real Property to the City of Moreno Valley

- C.4 [AMENDMENT NO. 1 - COOPERATION AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL & WATER DISTRICT, THE CITY OF MORENO VALLEY AND THE REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY \(ALSO LISTED AS ITEM A.17\) \(Report of: Community & Economic Development Department\)](#)

Recommendation:

Approve Amendment No. 1 for the Cooperation Agreement between Riverside County Flood Control, the City of Moreno Valley and the Redevelopment Agency of the City of Moreno Valley.

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 10, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

ADJOURNMENT OF THE JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE SPECIAL MEETING OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION (MVPFFC)

**SPECIAL MEETING OF THE
MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION
(MVPFFC)**

CALL TO ORDER

ROLL CALL

**PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE
JURISDICTION OF THE CORPORATION**

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.

SPECIAL ORDER OF BUSINESS

- 1 [ADOPTION OF RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING CORPORATION AUTHORIZING THE EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS IN CONNECTION WITH THE REFUNDING OF THE CITY OF MORENO VALLEY VARIABLE RATE DEMAND CERTIFICATES OF PARTICIPATION \(1997 CITY HALL REFINANCING PROJECT\) \(Report of: Financial & Administrative Services Department\)](#)

Recommendation:

The Board of Directors of the Moreno Valley Public Facilities Financing Corporation adopt Resolution No. MVPFFC 2011-01 authorizing the execution of certain lease financing documents in connection with the refunding of the City of Moreno Valley's Variable Rate Demand Certificates of Participation (1997 City Hall Refinancing Project), and authorizing and directing certain actions with respect there to.

Resolution No. MVPFFC 2011-01

A Resolution of the Moreno Valley Public Facilities Financing Corporation of the City of Moreno Valley, California Approving the Form and Authorizing the Execution of Certain Lease Financing Documents in Connection with the Refunding of the City of Moreno Valley Variable Rate Demand Certificates of Participation (1997 City Hall Refinancing Project), and Authorizing and Directing Certain Actions with Respect Thereto

ADJOURNMENT OF THE MORENO VALLEY PUBLIC FACILITIES FINANCING

CORPORATION (MVPFFC) TO THE 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

RECONVENE JOINT MEETING OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

E. PUBLIC HEARINGS

- *E. 1 [A DEVELOPMENT AGREEMENT \(PA10-0029\) FOR ROCKLIFFE AT STONERIDGE, AN APPROVED PROJECT ENCOMPASSING TENTATIVE TRACT MAP NO. 36340 AND A CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT CONSISTING OF 275 RESIDENTIAL LOTS, A RECREATIONAL BUILDING, AND PRIVATE OPEN SPACE ON APPROXIMATELY 29 ACRES IN THE R15 \(RESIDENTIAL 15\) AND OS \(OPEN SPACE\) LAND USE DISTRICTS. THE PROJECT SITE IS ON THE SOUTHEAST CORNER OF FIR AVENUE AND EUCALYPTUS AVENUE. THE APPLICANT AND OWNER OF THE SITE IS BEAZER HOMES \(Continued from March 22, 2011\) \(Report of: Community & Economic Development Department\)](#)

Recommendation:

Introduce Ordinance No. 823, for adoption of a development agreement (PA10-0029) for Rockcliffe at Stoneridge, an approved project encompassing Tentative Tract Map No. 36340 and conditional use permit/planned unit development consisting of 275 residential lots, a recreation building and private open space on approximately 29 acres in the R15 (Residential 15) and OS (Open Space) land use districts.

Ordinance No. 823

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Development Agreement (PA10-0029) for Rockcliffe at Stoneridge, an Approved Project Encompassing Tentative Tract Map No. 36340 and a Conditional Use Permit/Planned Unit Development Consisting of 275 Residential Lots, a Recreational Building and Private Open Space on Approximately 29 acres in the R15 (Residential 15) and OS (Open Space) Land Use Districts

- E. 2 [HEARING ON PROPOSED RESOLUTION OF NECESSITY, TO MAKE FINDING AND DETERMINATION AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT OF WAY FOR THE PERRIS BOULEVARD WIDENING FROM PERRIS VALLEY](#)

STORM DRAIN LATERAL "B" TO CACTUS AVENUE PROJECT -
PROJECT NO. 11-41570125 (Report of: Public Works Department)

Recommendation:

1. Conduct hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing;
2. Approve and adopt the Planning Division's finding that the Project is consistent with the General Plan;
3. Find the adoption of the proposed Resolution of Necessity and acquisition of the roadway easement necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Mitigated Negative Declaration (MND) prepared for the Project, that there have been no changes to the approved Project since the approval of the MND, and no changes to the circumstances under which the Project is to be undertaken that would alter the determination the Project is exempt;
4. Find that the proposed "Factual Summary to Support Findings Required in the Resolution," is true and correct as to the proposed Resolution of Necessity;
5. Find and determine that the statement, finding, and fact in the proposed Resolution of Necessity are true and correct;
6. Adopt the following Resolution by a vote of two-thirds of all members of the City Council; and

Resolution No. 2011-39

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Necessity Require the Acquisition of Property for Public Street and Highway Purposes Including Related Improvements and Facilities; that the Acquisition and Taking of the Easements in the Herein-Described Property is Necessary for the Project; that the Project is Planned in a Manner that is Most Compatible with the Greatest Public Good and the Least Private Injury; Authorizing Proceedings to be Commenced in Eminent Domain; and Authorizing the Deposit of Necessary Funds and the Payment of Necessary Expenses and Fees

for Acquisition of Said Property; and Authorizing Counsel to Obtain an Order for Prejudgment Possession of the Subject Property [APN: 482-230-013]

7. Direct the City Attorney or retained counsel for the City to file appropriate actions in Eminent Domain, including Making Deposits of Probable Compensation and for Orders for Prejudgment Possession and for all other appropriate orders.

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) Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)
- G.2 [REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT'S PROPOSED FISCAL YEAR 2011/12 ANNUAL CHARGES \(Report of: Public Works Department\)](#)

Recommendation: That the CSD:

Accept public comments regarding the proposed fiscal year (FY) 2011/2012 annual CSD charges. The proposed charges shall fund program services for parks, recreation programs and services, residential street lighting, arterial street lighting, parkway landscaping, extensive parkway landscaping, internal parkway landscaping, medians, and maintenance of certain Sunnymead Boulevard improvements. These programs, services, and associated charges are discussed in detail in the Preliminary Annual Levy Report, which is on file in the office of the City Clerk.

- G.3 [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 2011/2012 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 2011/2012 annual rates.

- G.4 [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.

***REVISION TO AGENDA**

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: 5

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

Number of Cases: 5

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA

b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA

c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential
Management Employees

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

ADJOURNMENT