



## **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**

**JULY 11, 2006**

**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 at 6:00 p.m.

**City Council Meetings**

Second and Fourth Tuesdays at 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

Charles R. White, Mayor Pro Tem  
Richard A. Stewart, Council Member

Frank West, Council Member  
William H. Batey, II, Council Member

**AGENDA  
CITY COUNCIL OF THE CITY OF MORENO VALLEY**

**JULY 11, 2006**

**CALL TO ORDER**

**SPECIAL PRESENTATIONS - 6:00 p.m.**

1. Employees of the Quarter – Development Services/Stoneridge Towne Centre Team
2. Officer of the Quarter - Officer Chris Durham
3. Firefighter of the Quarter – Firefighter Andy Djohan
4. 4th of July Parade Awards
5. Recognition of Volunteer of the Year - Tim Coleman

**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 P.M.  
JULY 11, 2006**

**CALL TO ORDER** (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 - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Lupe Gonzalez, Templo De Milagros

**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.) Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute 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.

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 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) 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**

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/discussion will be heard after public hearing items.

**A. CONSENT CALENDAR - CITY COUNCIL**

- A1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
  
- A2. APPROVAL OF THE AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)  
Recommendation:
  - 1. Approve the Agreement to form the Lake Elsinore and Canyon Lake TMDL Task Force as approved to form by the City Attorney;
  - 2. Appoint the Public Works Director/City Engineer as the primary representative and appoint the Storm Water Program Coordinator as the alternate representative to the TMDL Task Force;
  - 3. Authorize the Mayor to execute the Agreement; and
  - 4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Agreement to the Santa Ana Watershed Project Authority.
  
- A3. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR FISCAL YEAR 2006/2007 ANNUAL PAVEMENT REHABILITATION PROGRAM, PROJECT NO. 05-12556330 (Report of: Public Works Department)  
Recommendation:

1. Award the Agreement for Professional Consultant Services to Harris & Associates, 34 Executive Park, Suite 150, Irvine, California 92614-4705 to provide design services for the Fiscal Year 2006/2007 Annual Pavement Rehabilitation Program;
  2. Authorize the Mayor to execute the Agreement for Professional Consultant Services with Harris & Associates;
  3. Authorize the issuance of a Purchase Order to Harris & Associates, in the amount of \$181,200 (\$164,730 for the proposal amount plus \$16,470 for the 10% contingency) when the agreement has been signed by all parties (Account No. 125.56330); and
  4. Authorize the City Manager to execute any subsequent related minor amendments to the Agreement for Professional Consultant Services with Harris & Associates, up to but not exceeding the Purchase Order contingency authorization in the amount of \$16,470, subject to approval of City Attorney.
- A4. PARCEL MAP 32326, PHASE II – COMMERCIAL – ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, NORTHEAST CORNER OF GRAHAM STREET AND CACTUS AVENUE, DEVELOPER – RIDGE MORENO VALLEY, LLC, LONG BEACH, CA (Report of: Public Works Department)  
Recommendation:
1. Approve Parcel Map 32326, Phase II, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;
  2. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for Parcel Map 32326, Phase II;
  3. Authorize the Mayor to execute the agreement;
  4. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and
  5. Authorize the City Engineer to execute any amendments to the agreement if the required public improvements are not completed within said timeframe.
- A5. AMENDMENT NO. 1 TO THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE WESTERN RIVERSIDE

REGIONAL CONSERVATION AUTHORITY (Report of: Community Development Department)

Recommendation:

- A. Approve the Amendment to the Joint Powers Agreement pertaining to the Regional Conservation Authority;
  - B. Authorize the Mayor and City Clerk to execute the document concerning the Regional Conservation Authority; and
  - C. Direct the City Clerk to forward said amendments to the Regional Conservation Authority.
- A6. PA04-0004 – APARTMENT COMPLEX – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHWEST CORNER OF BAY AVENUE AND PAN AM BOULEVARD, SUBDIVIDER – MOVAL BAY APARTMENTS, L.P., IRVINE, CA (Report of: Public Works Department)
- Recommendation:
- 1. Accept the Agreement and Bonds for Public Improvements;
  - 2. Authorize the Mayor to execute the Agreement;
  - 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 extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.
- A7. PARCEL MAP 32961 – COMMERCIAL – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTHWEST CORNER OF PERRIS BOULEVARD AND GROVE VIEW ROAD, SUBDIVIDER – INDUSTRIAL DEVELOPMENTS INTERNATIONAL, INC., IRVINE, CA (Report of: Public Works Department)
- Recommendation:
- 1. Approve Parcel Map 32961, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;
  - 2. Accept the Agreement and Bonds for Public Improvements;

3. Authorize the Mayor to execute the Agreement;
  4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
  5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.
- A8. TRACT 31149 – SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), WEST SIDE OF KITCHING STREET AND NORTH OF FRAN LOU DRIVE, SUBDIVIDER – JWS ASSOCIATES, LLC, HUNTINGTON BEACH, CA (Report of: Public Works Department)  
Recommendation:
1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 31149;
  2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and
  3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.
- A9. TRACT 27251 – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF MORRISON STREET AND FIR AVENUE, SUBDIVIDER – RICHMOND AMERICAN HOMES OF CALIFORNIA, INC., CORONA, CA (Report of: Public Works Department)  
Recommendation:
1. Accept the substitution of Agreement for Public Improvements and bonds for Tract 27251;
  2. Authorize the Mayor to execute the agreement;
  3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;
  4. Authorize the City Engineer to exonerate the Faithful

Performance Bond and Material and Labor Bond previously submitted by Richland Meadowland. Ltd., upon acceptance of the substitution agreement and bonds; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A10. TRACT 27251-1 – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTHEAST CORNER OF MORRISON STREET AND EUCALYPTUS AVENUE, SUBDIVIDER – RICHMOND AMERICAN HOMES OF CALIFORNIA, INC., CORONA, CA (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for Tract 27251-1;
2. Authorize the Mayor to execute the agreement;
3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;
4. Authorize the City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by Richland Meadowland, Ltd., upon acceptance of the substitution agreement and bonds; and
5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A11. PARCEL MAP 32631 – COMMERCIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, DAY STREET, GATEWAY DRIVE, MEMORIAL WAY, AND TOWN CIRCLE DRIVE, SUBDIVIDER – GATEWAY COMPANY, L.C., NEWPORT BEACH, CA (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 32631, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;



2. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements;
3. Authorize the Mayor to execute the Agreement;
4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A12. REQUEST FOR ADOPTION OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR PROJECT ON STEVENS AVENUE, CAMPBELL AVENUE, PRINCESS LANE, AND ATWOOD AVENUE, AS PART OF THE STREET IMPROVEMENT PROGRAM (SIP), PROJECT NO. 02-12185520 (Report of: Public Works Department)  
Recommendation:

1. Adopt the plans and specifications, subject to approval by the City Engineer; and
2. Authorize the City Clerk to advertise the project for construction bids, upon approval of the plans and specifications by the City Engineer.

A13. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE IRONWOOD AVENUE SIDEWALK IMPROVEMENTS FROM BAYLESS STREET TO WEBB STREET, PROJECT NO. 122.7220 (Report of: Public Works Department)  
Recommendation:

1. Adopt the plans and specifications for the Ironwood Avenue Sidewalk Improvements on file in the office of the City Engineer;
2. Award the construction contract, and authorize the Mayor to execute a contract for the Ironwood Avenue Sidewalk Improvements with Elite Bobcat Service, Inc., 1320 E. Sixth Street, Suite 100, Corona, California, the lowest responsible bidder;
3. Authorize the issuance of a Purchase Order for Elite Bobcat Service, Inc., in the amount of \$120,936.00 (\$109,942.00 for the

proposal amount plus \$10,994.00 for the 10% contingency) when the contract has been signed by all parties (Account No. 122.72220); and

4. Authorize the City Manager to execute any subsequent related minor change orders to the contract with Elite Bobcat Service, Inc., up to but not exceeding the 10% contingency amount of \$10,994.00, subject to approval of the City Attorney.

A14. REQUEST RE-ADOPTION OF PLANS AND UPDATED SPECIFICATIONS AND AUTHORIZATION TO RE-ADVERTISE FOR CONSTRUCTION BIDS FOR THE BOEING STREET AND MCDONNELL STREET SIDEWALK IMPROVEMENTS FROM ADRIENNE AVENUE TO BAY AVENUE, PROJECT NO. 05-14768524 (Report of: Public Works Department)

Recommendation:

1. Re-Adopt the plans and updated specifications, that are on file in the office of the City Engineer; and
2. Authorize the City Clerk to re-advertise the project for construction bids.

A15. AUTHORIZATION TO AWARD AGREEMENT FOR PROFESSIONAL CONSULTANT DESIGN SERVICES FOR GRAHAM STREET IMPROVEMENTS FROM HEMLOCK AVENUE TO IRONWOOD AVENUE, PROJECT NO. 06-28068425 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Professional Consultant Design Services with DMC Design Group, Inc., 170 N. Maple Street, Suite 101, Corona, CA 92880 to provide design services for street improvements;
2. Authorize the Mayor to execute said Agreement for Professional Consultant Design Services with DMC Design Group;
3. Authorize the issuance of a Purchase Order to DMC Design Group, in the amount of \$151,723.00 (\$137,930 for the agreement plus \$13,793 for the 10% contingency) from Account No. 280.68425, when the agreement has been signed by all parties; and
4. Authorize the City Manager to execute any subsequent related minor amendments to the Agreement for Professional

Consultant Services with DMC Design Group, Inc., up to but not exceeding the Purchase Order contingency authorization in the amount of \$13,793, subject to approval of City Attorney.

A16. FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR AQUEDUCT BIKEWAY IMPROVEMENTS FROM INDIAN STREET TO FAY AVENUE, PROJECT NO. 05-12567524 (Report of: Public Works Department)  
Recommendation:

1. Adopt a Negative Declaration for the Aqueduct Bikeway Improvements from Indian Street to Fay Avenue, in that the project will not have the potential for a significant impact on the environment;
2. Award the First Amendment to Agreement for Professional Consultant Services to Omnis, 5195 Walnut Avenue, No. 14, Chino, California 91710, to provide design services and construction assistance for the Aqueduct Bikeway Improvements from Indian Street to Fay Avenue;
3. Authorize the Mayor to execute the First Amendment to Agreement for Professional Services with Omnis;
4. Authorize an increase in the Purchase Order to Omnis, in the amount of \$105,408 (\$95,825 for the proposal amount plus \$9,583 for the 10% contingency) when the First Amendment to Agreement has been signed by all parties (Account No. 125.67524); and
5. Authorize the City Manager to execute any subsequent related minor amendments to the Agreement for Professional Consultant Services with Omnis, up to but not exceeding the Purchase Order contingency authorized in the amount of \$9,583, subject to approval of City Attorney.

A17. MOVAL BAY APARTMENTS, LP (BAY FAMILY APARTMENTS), AFFORDABLE HOUSING AGREEMENT (Report of: Economic Development Department)  
Recommendation: Adopt Resolution No. 2006-79 approving the Affordable Housing Agreement between the Redevelopment Agency (Agency) and MoVal Bay Apartments, LP, which will provide \$755,000 in gap financing assistance using the Agency's affordable housing funds.

Resolution No. 2006-79

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 of an Affordable Housing Agreement by and between the Agency and MoVal Bay Apartments, L.P. a California Limited Partnership and Making Certain Findings in Connection Therewith

- A18. TRACT MAPS 23389 AND 23389-1 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2006-80, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING CACTUS AVENUE, AND MORENO BEACH DRIVE INTO THE CITY’S MAINTAINED STREET SYSTEM, SUBDIVIDER – KB HOME, POMONA, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-80 authorizing the acceptance of the public improvements for Tract Maps 23389 and 23389-1 as complete and accepting Cactus Avenue and Moreno Beach Drive into the City’s maintained street system;

Resolution No. 2006-80

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tracts 23389 and 23389-1, and Accepting Cactus Avenue and Moreno Beach Drive 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.
- A19. RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT AGREEMENT NO. B57 TO THE ADMINISTERING AGENCY-STATE MASTER AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (040), SAFE ROUTES TO SCHOOL PROGRAM (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-81, approving the Program Supplement Agreement No. B57, to the Administering Master Agency-State Agreement for State Funded, Project No. SR2SL-5441 (040), Safe Routes to School; and

Resolution No. 2006-81

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. B57, to Administering Agency-State Master Agreement No. SR2SL-5441 (040) for State Funded Projects Between the State of California, Acting by and through the Department of Transportation, and the City of Moreno Valley, for Safe Routes to School (SR2S) Program

2. Authorizing the Mayor to execute Program Supplement Agreement No. B57, to the Administering Master Agency-State Agreement for State Funded, Project No. SR2SL-5441 (040), Safe Routes to School.
- A20. PA03-0087 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT RESOLUTION NO. 2006-82, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING TOWNGATE BOULEVARD, HERITAGE WAY, AND MEMORIAL WAY INTO THE CITY'S MAINTAINED STREET SYSTEM (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-82 authorizing the acceptance of the public improvements for PA03-0087 as complete and accepting Towngate Boulevard, Heritage Way, and Memorial Way into the City's maintained street system; and

Resolution No. 2006-82

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA03-0087, and Accepting Towngate Boulevard, Heritage Way, and Memorial Way 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.

- A21. ORDINANCE NO. 721 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.20.020 OF CHAPTER 12.20 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO A PRIMA FACIE SPEED LIMIT FOR CERTAIN STREETS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 27, 2006 ON A 5-0 VOTE) (Report of: Public Works Department)  
Recommendation: Adopt Ordinance No. 721.

Ordinance No. 721

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.20.020 of Chapter 12.20 of the City of Moreno Valley Municipal Code Relating to a Prima Facie Speed Limit for Certain Streets

- A22. TRACT 31128 – SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION); SOUTHWEST CORNER OF CACTUS AVENUE AND OLIVER STREET; SUBDIVIDER: WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)  
Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 31128;
2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and
3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A23. 2006 LEGISLATIVE UPDATE (Report of: Assistant City Manager)  
Recommendation: Receive and file the informational report.

- A24. TELECOMMUNICATIONS LICENSE AGREEMENT WITH NEW CINGULAR WIRELESS, PCS, LLC, A DELAWARE LIMITED

LIABILITY COMPANY (Report of: Public Works Department)  
Recommendation: Authorize the Mayor to execute a Telecommunications License Agreement with New Cingular Wireless PCS, LLC, a Delaware limited liability company, for approximately 840 square feet of ground space on the property known as Hidden Springs Park.

- A25. MINUTES – SPECIAL MEETING OF JUNE 20, 2006 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
- A26. MINUTES - REGULAR MEETING OF JUNE 27, 2006 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
- A27. ADOPT RESOLUTION NO. 2006-86, ADOPTING POLICIES FOR TRAVEL AND RELATED BUSINESS EXPENSES (ELECTED OFFICIALS) AND SPENDING GUIDELINES FOR CITY COUNCIL DISCRETIONARY FUNDS (Report of: Finance Department)  
Recommendation: Adopt Resolution No. 2006-86, adopting policies for elected officials’ travel and other expense reimbursement, and spending guidelines on City Council members’ use of discretionary funds.

Resolution No. 2006-86

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Travel and Related Business Expenses (Elected Officials) Policy, and the Spending Guidelines for City Council Discretionary Funds

- A28. APPROVE 115KV INTERCONNECTION FACILITIES AGREEMENT AND SERVICE AGREEMENT FOR WHOLESALE DISTRIBUTION SERVICE BY AND BETWEEN THE CITY OF MORENO VALLEY AND SOUTHERN CALIFORNIA EDISON COMPANY (Report of: Public Works Department)  
Recommendation:
1. Approve the 115KV Interconnection Facilities Agreement and Service Agreement for Wholesale Distribution Service by and between the City of Moreno Valley and Southern California Edison Company, and authorize the Mayor to sign the agreements on behalf of the City of Moreno Valley, contingent upon advice and concurrence of the City Manager and City Attorney on final form and content; and

2. Authorize the Finance Director to activate terms and conditions to advance capital proceeds as stipulated in City Council Resolution No. 2006-39 of April 11, 2006, creating a line of credit allowing for a source of revolving short term funding to the electrical utility.

**B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

- B1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- B2. MINUTES – SPECIAL MEETING OF JUNE 20, 2006 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
- B3. MINUTES - REGULAR MEETING OF JUNE 27, 2006 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.

**C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

- C1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- C2. MOVAL BAY APARTMENTS, LP (BAY FAMILY APARTMENTS), AFFORDABLE HOUSING AGREEMENT (Report of: Economic Development Department)  
Recommendation: Adopt Resolution RDA 2006-04 approving the Affordable Housing Agreement between the Redevelopment Agency (Agency) and MoVal Bay Apartments, LP, which will provide \$755,000 in gap financing assistance using the Agency’s affordable housing funds.

Resolution No. RDA 2006-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Affordable Housing Agreement by and between the Agency and MoVal Bay Apartments, L.P., a California Limited Partnership

- C3. MINUTES – SPECIAL MEETING OF JUNE 20, 2006 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.



- C4. MINUTES - REGULAR MEETING OF JUNE 27, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

**D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

- D1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- D2. MINUTES - REGULAR MEETING OF JUNE 27, 2006 (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.

- E1. A PUBLIC HEARING FOR GENERAL PLAN AMENDMENT (PA96-0013) - A COMPREHENSIVE UPDATE OF THE CITY'S GENERAL PLAN AND RELATED ENVIRONMENTAL IMPACT REPORT (THIS MEETING WILL CONTINUE WITH A REVIEW OF THE ENVIRONMENTAL IMPACT REPORT OF THE GENERAL PLAN AND WRAP-UP DISCUSSION) (Report of: Community Development Department)  
Recommendation: The Staff concurs with the Planning Commission recommendation. The Planning Commission recommends that the City Council:

1. Approve Resolution No. 2006-83 certifying the Final Program Environmental Impact Report (SCH# 2000091075) for the City of Moreno Valley General Plan and adopting a Statement of Overriding Considerations; and

Resolution No. 2006-83

A Resolution of the City Council of the City of Moreno Valley Certifying the Final Environmental Impact Report (State Clearing House No. 2000091075) for the Moreno Valley

General Plan (PA096-0013) and Adopting a Statement of Overriding Considerations

2. Approve Resolution No. 2006-84 adopting and implementing the comprehensively updated Moreno Valley General Plan (PA96-0013)

Resolution No. 2006-84

A Resolution of the City Council of the City of Moreno Valley Adopting and Implementing the Comprehensively Updated Moreno Valley General Plan (PA96-0013) for the Planning Period through 2030

- E2. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 29343 - BALLOTTED ITEM: CSD ZONE B, AND ASSESSOR PARCEL NUMBER (APN) 316-210-043 IN TENTATIVE PARCEL MAP 32961 - BALLOTTED ITEM: CSD ZONE M (Report of: Public Works Department)

Recommendation: That the Members of the Board of Directors of the Moreno Valley Community Services District (CSD), after conducting the public hearing:

- a) Tabulate the mail ballots for CSD Zone B (Residential Street Lighting) for Tentative Tract 29343 (and all the affected phases) and CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) for APN 316-210-043 (and any division thereof) in Tentative Parcel Map 32961;
- b) Verify and accept the results of the mail ballot proceedings 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 applicable CSD Zone B and CSD Zone M parcel charges to the participating projects.

**F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION**

## **G. REPORTS**

### **G1. REPORTS ON REGIONAL AND REIMBURSABLE ACTIVITIES**

- a) Report on March Joint Powers Commission by Council Member Stewart

### **G2. TELECOMMUNICATIONS ISSUES (Report of: Administrative Services Department)**

Recommendation: Receive and file the report on issues surrounding new telecommunications technology and legislation and provide direction to staff.

### **G3. AN ORDINANCE REPEALING CHAPTER 7.03 AND REPEALING AND REENACTING CHAPTER 2.21 THEREBY COMBINING THE CULTURAL PRESERVATION BOARD AND ECOLOGICAL PROTECTION BOARD AND CREATING THE ENVIRONMENTAL PRESERVATION BOARD; AND AMENDING SECTION 7.05.020 OF CHAPTER 7.05 REGARDING THE DESIGNATION OF LANDMARKS – PLANNING CASE NO. PA06-0094 (Report of: Community Development Department)**

Recommendation: That the City Council:

1. Introduce Ordinance No. 723, repealing Chapter 7.03 and repealing and reenacting Chapter 2.21 thereby combining the Cultural Preservation Board and Ecological Protection Board and creating the Environmental Preservation Board; and amending Section 7.05.020 of Chapter 7.05 regarding the designation of landmarks – Planning Case No. PA06-0094.

#### **Ordinance No. 723**

An Ordinance of the City Council of the City of Moreno Valley, California, Repealing Chapter 7.03 and Repealing and Reenacting Chapter 2.21 Thereby Combining the Cultural Preservation Board and Ecological Protection Board and Creating the Environmental Preservation Board; and Amending Section 7.05.020 of Chapter 7.05 Regarding the Designation of Landmarks – Planning Case No. PA06-0094

### **G4. RESOLUTION AND ORDINANCE RELATING TO AMENDMENT TO CALPERS CONTRACT (Report of: Human Resources Department)**

Recommendation: That the City Council:

1. Adopt Resolution No. 2006-85 noticing its intention to approve an amendment to contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Moreno Valley regarding the change in benefits of the proposed contract;

Resolution No. 2006-85

A Resolution of the City Council of the City of Moreno Valley, California, Declaring Its Intention to Approve an Amendment to Contract between the City Council of the City of Moreno Valley and the Board of Administration of the Public Employees' Retirement System

2. Introduce Ordinance No. 724 authorizing an amendment to the City's CalPERS contract with the California Public Employees' Retirement System;

Ordinance No. 724

An Ordinance of the City Council of the City of Moreno Valley, California, Authorizing an Amendment to the Contract between the City Council of the City of Moreno Valley and the Board of Administration of the California Public Employees' Retirement System

3. Approve Form CON-12, Certification of Governing Body's Action;
  4. Approve Form CON-12A, Certification of Compliance with Government Code Section 7507;
  5. Authorize the Mayor to execute the amendment to the contract authorizing full retirement benefits for all miscellaneous employees at 2.7% @ 55 years of age effective January 12, 2007; and
  6. Direct the City Clerk, upon adoption of said Resolution, to forward to CalPERS a certified copy of: Resolution of Intention, Certification of Governing Body's Action and Certification of Compliance with Gov. Sec. 7507.
- G5. OPTIONS FOR AN INTERIM PUBLIC LIBRARY (Report of: Public Works Department)  
Recommendation: That the City Council:

1. Approve the renovation of the existing Moreno Valley Library located at 25480 Alessandro Boulevard; and
2. In its capacity as Chairman and Members of the Board of Library Trustees approve the renovation of the Moreno Valley Library located at 25480 Alessandro Boulevard.

G6. APPOINTMENTS TO TRAFFIC SAFETY COMMISSION (CONTINUED FROM JUNE 27, 2006) (Report of: City Clerk's Department)

Recommendation: That the City Council, after reviewing the ballots provided by the City Clerk;

1. Appoint two members to the Traffic Safety Commission for terms expiring June 30, 2008; or
2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G7. CONTRACT AWARD CONSIDERATION FOR THE CONSTRUCTION OF THE MORENO VALLEY VETERANS MEMORIAL, PROJECT NO. 06-41278424 (Report of: Public Works Department)

Recommendation: That the City Council select Alternate 1 or 2:

Alternate 1 (Staff's Recommended Action)

2. Reject the single bid opened on May 31, 2006 for the Moreno Valley Veterans Memorial;
3. Instruct staff to repackage the project with alternates to bring the project within budget and authorize the City Clerk to re-advertise the Moreno Valley Veterans Memorial for construction bids at the first available date.

Alternate 2 (Upon Finding of Early Completion as Necessity)

1. Award the construction contract for the Moreno Valley Veterans Memorial to 4-Con Engineering, Inc., 2751 Avalon Street, Riverside, California 92509, the sole bidder, upon satisfactory submission of the required subcontractor information;
2. Authorize the Mayor to execute a contract agreement with 4-Con Engineering, Inc.;

3. Authorize an appropriation of \$324,100 from the General Fund Capital Expenditures Reserve to the General City Capital Projects Fund Account No. 412.78424, for a total project appropriation of \$1,650,00;
  4. Authorize the issuance of purchase order for 4-Con Engineering, Inc., in the amount of \$1,374,930.00 (\$1,249,936.00 for the base bid, Alternate A and F, plus \$124,994.00 for the 10% contingency), and authorize the City Manager to execute change orders within the 10% contingency, subject to approval of the City Attorney.
- G8. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)
- G9. REQUEST THAT COUNCIL CONSIDER RE-BALLOTING THE ZONE E-3 MAIL BALLOT PROCEEDING (Oral Presentation – No written material to be provided)  
 Recommendation: That the City Council consider re-balloting the Zone E-3 Mail Ballot Proceeding, which failed at a public hearing held June 13, 2006.

## H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 722 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 2.04.050 OF CHAPTER 2.04 OF TITLE 2 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO COMPENSATION AND REIMBURSEMENT FOR COUNCIL MEMBERS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 27, 2006, AS AMENDED ON A 3-2 VOTE, STEWART & WEST ABSTAINING) (Report of: Finance Department)  
 Recommendation: Adopt Ordinance No. 722

Ordinance No. 722

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 2.04.050 of Chapter 2.04 of Title 2 of the City of Moreno Valley Municipal Code, Relating to Compensation and Reimbursement for Council Members

ORDINANCES - URGENCY ORDINANCES - NONE

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**

## **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 Training 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(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
  - a) Case: *Rados v. City of Moreno Valley, et al.*  
Court: Riverside Superior Court  
Case No.: RIC 425323
- 2) SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION  
Number of Cases: 2
- 3) 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**