



**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**MORENO VALLEY COMMUNITY SERVICES DISTRICT**  
**COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF**  
**MORENO VALLEY**  
**BOARD OF LIBRARY TRUSTEES**

**SEPTEMBER 12, 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 – 6:00 p.m.

**City Council Meetings**

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber – 14177 Frederick Street

*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

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

Bonnie Flickinger, Mayor

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

**AGENDA  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
SEPTEMBER 12, 2006**

**CALL TO ORDER**

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

1. Proclamation Recognizing Constitution Week - September 17-23, 2006
2. Certificate of Excellence for Investment Policy Award being presented to the Finance Department by the Association of Public Treasurers of the United States and Canada

**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.  
SEPTEMBER 12, 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 O.J. Philpot, Christ 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.) 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. MINUTES - REGULAR MEETING OF AUGUST 22, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- A3. MINUTES - ADJOURNED MEETING OF AUGUST 23, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- A4. MINUTES - ADJOURNED MEETING OF AUGUST 29, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- A5. 2006 LEGISLATIVE UPDATE (Report of: Assistant City Manager)  
Recommendation: Receive and file the informational report.
- A6. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2006 (Report of: Finance Department)  
Recommendation: Approve and accept the quarterly investment report, in compliance with California Government Code Section 53646.
- A7. TRACT 31591 - ACCEPT AGREEMENT AND BONDS FOR TRAFFIC SIGNAL IMPROVEMENTS, INTERSECTION OF EUCALYPTUS AVENUE AND MORRISON STREET,

SUBDIVIDER – MVGH 2004, LLC, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bonds for Traffic Signal 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.

A8. PA05-0042 – ACCEPT IMPROVEMENT CREDIT AGREEMENT - DEVELOPMENT IMPACT FEES FOR ARTERIAL STREETS, DAY STREET FRONTAGE SOUTH OF ALESSANDRO BOULEVARD AND NORTH OF GOLDENCREST DRIVE, DEVELOPER – CACTUS COMMERCE, LLC, GARDENA, CA (Report of: Public Works Department)

Recommendation:

1. Accept the Improvement Credit Agreement-Development Impact Fees for Arterial Streets (DIF Agreement) for PA05-0042;
2. Authorize the Mayor to execute the Agreement; and
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

A9. TRACT 29143-1 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THAT PORTION OF EUCALYPTUS AVENUE ALONG MAP FRONTAGE, ACACIA AVENUE, ARBOR PARK LANE, REDWOOD LANE, AND SUMMER HOLLY AVENUE INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-93 authorizing the acceptance of the public improvements for Tract 29143-1 as complete and

accepting that portion of Eucalyptus Avenue along map frontage, Acacia Avenue, Arbor Park Lane, Redwood Lane, and Summer Holly Avenue into the City's maintained street system; and

Resolution No. 2006-93

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29143-1, and Accepting that Portion of Eucalyptus Avenue along Map Frontage, Acacia Avenue, Arbor Park Lane, Redwood Lane, and Summer Holly Avenue 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.

A10. TRACT 29143-3 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING ACACIA AVENUE, DRACAEA AVENUE, SWEETGUM AVENUE, AND EMPRESS STREET INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-94 authorizing the acceptance of the public improvements for Tract 29143-3 as complete and accepting Acacia Avenue, Dracaea Avenue, Sweetgum Avenue, and Empress Street into the City's maintained street system; and

Resolution No. 2006-94

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29143-3, and Accepting Acacia Avenue, Dracaea Avenue, Sweetgum Avenue, and Empress Street 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.

A11. TRACT 29143-4 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING WITCHHAZEL AVENUE, CHERRYLAUREL AVENUE, AND HICKORY WAY INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-95 authorizing the acceptance of the public improvements for Tract 29143-4 as complete and accepting Witchhazel Avenue, Cherrylaurel Avenue, and Hickory Way into the City's maintained street system; and

Resolution No. 2006-95

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29143-4, and Accepting Witchhazel Avenue, Cherrylaurel Avenue, and Hickory 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.

A12. TRACT 29143-5 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING LILAC COURT, PEASHRUB AVENUE, MAIDENHAIR STREET, SNOWBELL LANE, SASSAFRAS STREET, CRABAPPLE STREET, AND LARCH STREET INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-96 authorizing the acceptance of the public improvements for Tract 29143-5 as complete and accepting Lilac Court, Peashrub Avenue, Maidenhair Street, Snowbell Lane, Sassafras Street, Crabapple Street and Larch Street into the City's maintained Street system; and

Resolution No. 2006-96

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29143-5, and Accepting Lilac Court, Peashrub Avenue, Maidenhair Street, Snowbell Lane, Sassafras Street, Crabapple Street, and Larch Street 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.
- A13. TRACT 29143-6 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING PAGODA WAY, WITCHHAZEL AVENUE, COFFEETREE STREET, MIMOSA LANE, SOURWOOD AVENUE, AND GOLDENCHAIN STREET INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-97 authorizing the acceptance of the public improvements for Tract 29143-6 as complete and accepting Pagoda Way, Witchhazel Avenue, Coffeetree Street, Mimosa Lane, Sourwood Avenue, and Goldenchain Street into the City's maintained street system; and

Resolution No. 2006-97

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29143-6 and Accepting Pagoda Way, Witchhazel Avenue, Coffeetree



Street, Mimosa Lane, Sourwood Avenue, and Goldenchain Street 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.

A14. PA03-0018 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING IRIS AVENUE AND PERRIS BOULEVARD INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – HOME DEPOT U.S.A., INC., ORANGE, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-98 authorizing the acceptance of the public improvements for PA03-0018 as complete and accepting those portions of Iris Avenue and Perris Boulevard associated with this project into the City's maintained street system; and

Resolution No. 2006-98

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Associated with PA03-0018, and Accepting these Portions of Iris Avenue and Perris Boulevard Associated with this 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.

A15. PA04-0112 - REDUCE FAITHFUL PERFORMANCE LETTER OF CREDIT AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING HEACOCK STREET INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER -

HEACOCK AVENUE, LLC, NEWPORT BEACH, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-99 authorizing the acceptance of the public improvements for PA04-0112 as complete and accepting those portions of Heacock Street associated with this project into the City's maintained street system; and

Resolution No. 2006-99

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Associated with PA04-0112, and Accepting that Portion of Heacock Street along Project Frontage into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Letter of Credit, exonerate the Material and Labor Letter of Credit 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 Letter of Credit in one year when all clearances are received.

- A16. TRACT 30300-2 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING SPIRIT ROAD, CLYDESDALE LANE, AND HACKNEY COURT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER – MVR-MORENO VALLEY, L.P., CARLSBAD, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-100 authorizing the acceptance of the public improvements for Tract 30300-2 as complete and accepting Spirit Road, Clydesdale Lane, and Hackney Court into the City's maintained street system; and

Resolution No. 2006-100

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 30300-2, and Accepting Spirit Road, Clydesdale Lane, and Hackney Court 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.

A17. TRACT 23553-5 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING CAMINO DEL CORONADO AND DESCANSO DRIVE INTO THE CITY’S MAINTAINED STREET SYSTEM, DEVELOPER – MV DEVELOPMENT, LLC, IRVINE, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-101 authorizing the acceptance of the public improvements for Tract 23553-5 as complete and accepting Camino Del Coronado and Descanso Drive into the City’s maintained street system; and

Resolution No. 2006-101

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 23553-5, and Accepting Camino Del Coronado and Descanso 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.

A18. TRACT 23553-6 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THAT PORTION OF LAWLESS ROAD EAST OF ESPADA CREEK ROAD, VIA SOLANA, MIRAMONTES COURT, AND CAMINO DEL CORONADO INTO THE CITY’S MAINTAINED STREET SYSTEM, DEVELOPER – MV DEVELOPMENT, LLC, IRVINE, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-102, authorizing the acceptance of the public improvements for Tract 23556-6 as complete and accepting that portion of Lawless Road east of Espada Creek Road, Via Solana, Miramontes Court, and Camino Del Coronado into the City's maintained street system; and

Resolution No. 2006-102

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 23553-6, and Accepting that Portion of Lawless Road East of Espada Creek Road, Via Solana, Miramontes Court, and Camino Del Coronado 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. TRACT 29143 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING SNOWBELL LANE, HAWTHORN AVENUE, FRINGE STREET, BLACK GUM STREET, WITCHHAZEL AVENUE, AND GLORYBOWER STREET INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER - WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-103 authorizing the acceptance of the public improvements for Tract 29143 as complete and accepting Snowbell Lane, Hawthorn Avenue, Fringe Street, Black Gum Street, Witchhazel Avenue, and Glorybower Street into the City's Maintained Street System; and

Resolution No. 2006-103

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29143 and Accepting Snowbell lane, Hawthorn Avenue, Fringe Street, Black Gum Street, Witchhazel Avenue, and Glorybower Street into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bonds, exonerate the Material and Labor Bonds 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 Bonds in one year when all clearances are received.

- A20. TRACT 29143 INFRASTRUCTURE – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING COTTONWOOD AVENUE, ELSWORTH STREET, DRACAEA AVENUE, AND DAY STREET INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER - WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)  
Recommendation:

1. Adopt Resolution No. 2006-104 authorizing the acceptance of the public improvements for Tract 29143 Infrastructure as complete and accepting Cottonwood Avenue, Elsworth Street, Dracaea Avenue, and Day Street into the City's maintained street system; and

Resolution No. 2006-104

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29143 Infrastructure, and Accepting Cottonwood Avenue, Elsworth Street, Dracaea Avenue, and Day Street into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bonds, exonerate the Material and Labor Bonds 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 Bonds in one year when all clearances are received.

- A21. WARRANT REPORT – JULY 31, 2006 (Report of: Finance Department)  
Recommendation: Adopt Resolution No. 2006-105, approving the Warrant Report, dated July 2006, in the total amount of \$24,049,818.33.

Resolution No. 2006-105

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Warrant Report Dated July 31, 2006

- A22. RATIFICATION OF MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE VOLUNTEER CENTER OF RIVERSIDE COUNTY AND THE CITY OF MORENO VALLEY FOR INFORMATION AND REFERRAL SERVICES VIA TOLL-FREE OR 211 NUMBER (Report of: Administrative Services Department)  
Recommendation: Ratify the Memorandum of Understanding (MOU) by and between the Volunteer Center of Riverside County (VCRC) and the City of Moreno Valley for Information and Referral Services via toll-free or 211 Number.
- A23. GRANT FUNDING OPPORTUNITY FOR THE CALIFORNIA OFFICE OF TRAFFIC SAFETY "SOBRIETY CHECKPOINT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES PROJECT" GRANT (Report of: Police Department)  
Recommendation: Approve the grant application for the "Sobriety Checkpoint Program for Local Law Enforcement Agencies Project" in the amount of \$84,397 for a twelve-month period beginning October 1, 2006, ending September 30, 2007, from the California Office of Traffic Safety (OTS).
- A24. RECOMMEND ACCEPTANCE OF TOWNGATE PARK II AND IMPROVEMENTS LOCATED WITHIN TRACT 29143-1 AND REDUCE THE FAITHFUL PERFORMANCE BOND (Report of: Parks and Recreation Department and Public Works Department)  
Recommendation: 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.
- A25. TRACT MAP 30286 - SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTH SIDE OF IRIS AVENUE, EAST OF LASSELLE STREET, SUBDIVIDER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA (Report of: Public Works Department)  
Recommendation:
1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 30286;

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.

A26. TRACT MAP 30286-1 - SINGLE FAMILY RESIDENTIAL - AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTH SIDE OF IRIS AVENUE, EAST OF LASSELLE STREET, SUBDIVIDER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 30286-1;
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.

A27. NOTICE OF COMPLETION AND ACCEPTANCE OF THE IRIS AVENUE 12KV ELECTRICAL CONDUIT AND STRUCTURE SYSTEM INSTALLATION (PERRIS BOULEVARD TO LASSELLE STREET), PROJECT NO. 06-00100 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Iris Avenue 12kV Electrical Conduit and Structure System Installation (Perris Boulevard to Lasselle Street) constructed by HCI, Inc., 3166 Horseless Carriage Drive, Norco, California, 92860;
2. Direct the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Director of Finance to release the retention to HCI, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A28. NOTICE OF COMPLETION AND ACCEPTANCE OF IRIS AVENUE/INDIAN AVENUE 12KV ELECTRICAL DISTRIBUTION SYSTEM (VAL VERDE MIDDLE SCHOOL), PROJECT NO. 05-00100 (Report of: Public Works Department)  
Recommendation:

1. Approve Contract Change Order No. 1 (Final);
2. Accept the work as complete for the Iris Avenue/Indian Avenue 12kV Electrical Distribution System (Val Verde Middle School), Project No. 05-00100, constructed by Stronghold Engineering, Inc., 2000 Market Street, Riverside, California, 92501;
3. Direct the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and
4. Authorize the Director of Finance to release the retention to Stronghold Engineering, Inc. thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project.

A29. APPROVE AND EXECUTE THE PURCHASE AGREEMENT FOR THE ACQUISITION OF VACANT LAND LOCATED ON BUSINESS CENTER DRIVE (APN 297-210-008) FOR THE EXPANSION OF THE ANIMAL SHELTER (Report of: Administrative Services Department)  
Recommendation: Approve and execute the purchase agreement for the acquisition of vacant land located on Business Center Drive

## **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 - REGULAR MEETING OF AUGUST 22, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.



B3. MINUTES - ADJOURNED MEETING OF AUGUST 23, 2006  
(Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

B4. MINUTES - ADJOURNED MEETING OF AUGUST 29, 2006  
(Report of: City Clerk's Department)  
Recommendation: Approve as submitted.

B5. RECOMMEND ACCEPTANCE OF TOWNGATE PARK II AND IMPROVEMENTS LOCATED WITHIN TRACT 29143-1 AND REDUCE THE FAITHFUL PERFORMANCE BOND (Report of: Parks and Recreation Department and Public Works Department)  
Recommendation: Accept the Grant Deed for TownGate Specific Plan, Planning Area 11 (Tract 29143-1) and its improvements as completed by Western Pacific Housing Inc. and authorize a Quit Claim Deed from the City to the CSD, for any interest the City has in the property.

B6. CERTIFICATION OF COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) ANNEXATIONS 2006-18 AND 2006-19 (Report of: Public Works Department)  
Recommendation:

1. Approve and Adopt Resolution No. CSD 2006-29; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1") for Annexation No. 2006-18; and

Resolution No. CSD 2006-29

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

2. Approve and Adopt Resolution No. CSD 2006-30; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No. 1 ("CFD No. 1") for Annexation No. 2005-19.

Resolution No. CSD 2006-30

A Resolution of the Moreno Valley Community Services

District of the City of Moreno Valley, California, Certifying the Results of an Election and Adding Property to Community Facilities District No. 1

- B7. NAMING OF EQUESTRIAN STAGING AREA ON COLD CREEK COURT, TRACT 32834 (BEAZER HOMES DEVELOPMENT)  
(Report of: Parks and Recreation Department)  
Recommendation: Adopt the name as recommended and submitted by the Parks and Recreation Commission for the new equestrian staging area located in the Cold Creek Court, Tract 32834 (Beazer Homes Development) as "Cold Creek Trail Head."

**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. MINUTES - REGULAR MEETING OF AUGUST 22, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- C3. MINUTES - ADJOURNED MEETING OF AUGUST 23, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- C4. MINUTES - ADJOURNED MEETING OF AUGUST 29, 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 AUGUST 22, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- D3. MINUTES - ADJOURNED MEETING OF AUGUST 23, 2006 (Report of: City Clerk's Department)  
Recommendation: Approve as submitted.
- D4. MINUTES - ADJOURNED MEETING OF AUGUST 29, 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. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR INDIAN AVENUE, LLC - BALLOTTED ITEM NPDES; ELSWORTH PLAZA, LLC - BALLOTTED ITEM NPDES; TENTATIVE TRACT 32515 - BALLOTTED ITEM NPDES; AND TENTATIVE TRACT 33436 - BALLOTTED ITEMS NPDES, CSD ZONE B, AND CSD ZONE D (Report of: Public Works Department)  
Recommendation: That the Mayor and Members of the Moreno Valley City Council, after conducting the public hearing:

- a) Tabulate the mail ballots for the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate for Indian Avenue, LLC, Elsworth Plaza, LLC, and Tentative Tracts 32515 and 33436 (and all the affected phases):
  - b) Verify and accept the results of the mail ballot proceedings 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 appropriate NPDES maximum regulatory rate to the participating projects.
2. That the Members of the Board of Directors of the Moreno Valley CSD, after conducting the public hearing:
- a) Tabulate the mail ballots for CSD Zone B (Residential Street Lighting) and Zone D (Parkway Landscape Maintenance) for Tentative Tract 33436;
  - 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 CSD Zone B and Zone D parcel charges to Tentative Tract 33436

- E2. PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS FOR A PROPOSED INCREASE IN THE PREVIOUSLY APPROVED ANNUAL PARCEL CHARGE FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACT 31424 AND APN 478-020-007 IN TRACT 31269 (Report of: Public Works Department)

Recommendation: That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley CSD (the "CSD Board"), after conducting the public hearing:

- 1) Tabulate the mail ballots for the proposed CSD Zone D parcel charge for Tract 31424 and APN 478-020-007 in Tract 31269;
- 2) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;
- 3) Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet and APN listing; and
- 4) If approved, authorize and impose the proposed CSD Zone D annual parcel charge for Tract 31424 and APN 478-020-007 in Tract 31269.

- E3. A PUBLIC HEARING FOR CHANGE OF ZONE (PA06-0120) – AN AMENDMENT TO THE CITY'S OFFICIAL ZONING ATLAS TO PROVIDE CONSISTENCY WITH THE RECENT COMPREHENSIVE UPDATE OF THE CITY'S GENERAL PLAN (Report of: Community Development Department)

Recommendation: The Planning Commission recommends the City Council:

1. Introduce Ordinance No. 725 finding that the amendment is consistent with the previously Certified Final Program Environmental Impact Report (SCH#200091075) for the City of Moreno Valley General Plan and approving the amendment to the City's Official Zoning Atlas (PA06-0120).

#### Ordinance No. 725

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Change of Zone PA06-0120 for Various Locations within the City of Moreno Valley Consistent with the Comprehensive Update to the City's General Plan Land Use Map and Finding that the Application is Consistent with the

Previously Certified Final Program Environmental Impact Report  
(SCH#200091075)

- E4. A PUBLIC HEARING FOR MUNICIPAL CODE AMENDMENT (PA06-0121) – AN AMENDMENT TO THE CITY’S MUNICIPAL CODE TO DELETE THRESHOLD DENSITIES; DELETE THE PLANNED DEVELOPMENT DESIGNATION; DELETE THE CIVIC CENTER OVERLAY; AND, TO ESTABLISH A MEDICAL USE OVERLAY DISTRICT FOR THE PURPOSE OF PROVIDING CONSISTENCY WITH THE RECENT COMPREHENSIVE UPDATE OF THE CITY’S GENERAL PLAN (Report of: Community Development Department)  
Recommendation: The Planning Commission recommends the City Council:
1. Introduce Ordinance No. 726 finding that the amendment is exempt under Section 15061 of the California Environmental Quality Act (CEQA) guidelines and approving the amendment to the City’s Municipal Code (PA06-0121).

Ordinance No. 726

An Ordinance of the City Council of the City of Moreno Valley Amending Title 9 of the City of Moreno Valley Municipal Code by Amending Subsection 9.01.090A of Chapter 9.01 Relating to Zoning Districts; Subsection 9.03.020G – K of Chapter 9.03 Relating to Threshold Densities; Table 9.03.040-6 of Chapter 9.03 Relating to Threshold Densities; Section 9.07.040 of Chapter 9.07 Relating to Medical Use Overlay District; Subsection 9.13.030A of Chapter 9.13 Relating to the Planned Development District; and Deleting Section 9.07.010 of Chapter 9.07 Relating to the Planned Development District; Amending the Official Zoning Atlas to Add the Medical Overlay Zone; and Finding the Amendment (PA06-0121) is Exempt Under Section 15061 of the California Environmental Quality Act Guidelines

**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. PURCHASE AGREEMENT FOR THE REDEVELOPMENT AGENCY TO ACQUIRE PROPERTY FROM THE CITY LOCATED AT CACTUS AVENUE AND DAY STREET (Report of: Economic Development Department)**  
Recommendation:

- 1. The Mayor and City Council adopt Resolution No. 2006-106, a Resolution of the City of Moreno Valley approving and authorizing a Purchase Agreement between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley; and

Resolution No. 2006-106

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Sale of Property to the Community Redevelopment Agency of the City of Moreno Valley and Authorizing Execution of a Purchase and Sale Agreement with the Community Redevelopment Agency of the City of Moreno Valley

- 2. The Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of Moreno Valley adopt Resolution No. RDA 2006-06, a Resolution of the Community Redevelopment Agency of Moreno Valley approving and authorizing a Purchase Agreement between the Community Redevelopment Agency of Moreno Valley and the City of Moreno Valley.

Resolution No. RDA 2006-06

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving the Purchase of Property from the City of Moreno Valley and Authorizing Execution of a Purchase and Sale Agreement with the City of Moreno Valley

**G3. RESOLUTION AND ORDINANCE RELATING TO: AMENDMENT TO CALPERS CONTRACT (CONTINUED FROM JULY 11, 2006)**

(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 2.75 @ 55 years of age effective date 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. Code. Sec. 7507.

G4. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

**H. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION - NONE

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 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.

- 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**