



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 26, 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
Member

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

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
SEPTEMBER 26, 2006**

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. Recognition of Former Traffic Safety Commissioner John Kozal
2. Proclamation Recognizing Police Chief William Di Yorio

**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 26, 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 Carl Dodd, Spiritual Uplift 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. LEGISLATIVE UPDATE (Report of: Assistant City Manager)
Recommendation: Receive and file the informational report.
- A3. RESOLUTION READOPTING CONFLICT OF INTEREST CODE (Report of: City Clerk's Department)
Recommendation: Adopt Resolution No. 2006-107, readopting a Conflict of Interest Code to amend the list of designated employees having filing requirements, and repealing all prior enactments on the same subject;

Resolution No. 2006-107

A Resolution of the City Council of the City of Moreno Valley, California, Readopting a Conflict of Interest Code by Reference to the Fair Political Practices Commission's Standard Model Conflict of Interest Code, and Repealing All Prior Enactments on the Same Subject

- A4. REPLACEMENT VEHICLE PURCHASE FOR POLICE DEPARTMENT (Report of: Police Department)
Recommendation: Approve an appropriation of \$16,000.00 from the Equipment Replacement Reserve Account, 62410.6642.645, to replace the Police Department Evidence Van due to excessive repair costs resulting from a traffic collision.
- A5. 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 (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 12, 2006 ON A 5-0 VOTE) (Report of: Community Development Department)
Recommendation: Adopt Ordinance No. 726.

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

- A6. TRACT 31591 TRAFFIC SIGNAL – ACCEPT IMPROVEMENT CREDIT AGREEMENT – DEVELOPMENT IMPACT FEES FOR TRAFFIC SIGNALS, INTERSECTION OF EUCALYPTUS AVENUE AND MORRISON STREET, DEVELOPER – MVGH 2004, LLC, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Accept the Improvement Credit Agreement – Development Impact Fees for Traffic Signals (DIF Agreement) for Tract 31591 Traffic Signal.
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.

- A7. TRACT MAP 22180-3 – SINGLE FAMILY RESIDENTIAL – ACCEPT

AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF GENTIAN AVENUE, BETWEEN INDIAN STREET AND PERRIS BOULEVARD, SUBDIVIDER – PJRJ IRIS INVESTMENT LLC, RANCHO CUCAMONGA, 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.
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. PA05-0049 – APPROVAL OF COOPERATIVE AGREEMENT FOR PERRIS VALLEY MASTER DRAINAGE PLAN – LATERAL B-3, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND INDIAN STREET LLC, WEST SIDE OF INDIAN STREET AND NORTH SIDE OF PERRIS VALLEY STORM DRAIN, SUBDIVIDER – INDIAN STREET LLC, WALNUT, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Cooperative Agreement between Riverside County Flood Control and Water Conservation District, City of Moreno Valley, and Indian Street LLC for Perris Valley Master Drainage Plan – Lateral B-3.
2. Authorize the Mayor to execute the cooperative agreement.
3. Direct the City Clerk to forward the signed agreement to Riverside County Flood Control and Water Conservation District.

A9. TRACT MAP 22180 AQUEDUCT GREENBELT – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF GENTIAN AVENUE, BETWEEN INDIAN STREET AND PERRIS BOULEVARD, SUBDIVIDER – PJRJ IRIS INVESTMENT LLC, RANCHO CUCAMONGA, CA (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements.

2. Authorize the Mayor to execute the Agreement in the form attached hereto.
 3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.
 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.
- A10. TRACT 30286 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING FIRE ROCK LANE, SILVERADO COURT, HORSESHOE STREET, PRAIRIE LANE, LARIAT LANE, THOROUGHbred LANE, AND BUCKBOARD LANE INTO THE CITY'S MAINTAINED STREET SYSTEM, SUBDIVIDER – K. HOVNIANIAN FORECAST HOMES, INC., ONTARIO, CA (Report of: Public Works Department)
Recommendation:

1. Adopt Resolution No. 2006-108 authorizing the acceptance of the public improvements for Tract 30286 as complete and accepting Fire Rock Lane, Silverado Court, Horseshoe Street, Prairie Lane, Lariat Lane, Thoroughbred Lane, and Buckboard Lane into the City's maintained street system.

Resolution No. 2006-108

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 30286, and Accepting Fire Rock Lane, Silverado Court, Horseshoe Street, Prairie Lane, Lariat Lane, Thoroughbred Lane, and Buckboard Lane 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 21461 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING VIA PORTO, VIA PESCADERO, VIA INDIGO, AND VIA ARBOL INTO THE CITY'S MAINTAINED STREET SYSTEM, SUBDIVIDER – SUNNYMEAD RANCH,

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

- 1. Adopt Resolution No. 2006- 109 authorizing the acceptance of the public improvements for Tract 21461 as complete and accepting Via Porto, Via Pescadero, Via Indigo, and Via Arbol into the City’s maintained street system.

Resolution No. 2006-109

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tract 21461, and Accepting Via Porto, Via Pescadero, Via Indigo, and Via Arbol 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 30286-1 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING COACHLIGHT COURT, THOROUGHbred LANE, SAGE COURT, OLD ANVIL LANE, HITCHING POST STREET, PRAIRIE LANE, AND PONDEROSA STREET INTO THE CITY’S MAINTAINED STREET SYSTEM, SUBDIVIDER – THE FORECAST GROUP, L.P., ONTARIO, CA (Report of: Public Works Department)

Recommendation:

- 1. Adopt Resolution No. 2006-110 authorizing the acceptance of the public improvements for Tract 30286-1 as complete and accepting Coachlight Court, Thoroughbred Lane, Sage Court, Old Anvil Lane, Hitching Post Street, Prairie Lane, and Ponderosa Street into the City’s maintained street system

Resolution No. 2006-110

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tract 30286-1, and Accepting Coachlight Court, Thoroughbred Lane, Sage Court, Old Anvil Lane, Hitching Post Street, Prairie Lane, and Ponderosa 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. PA03-0161 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THOSE PORTIONS OF CALLE SAN JUAN DE LOS LAGOS AND CORPORATE WAY ALONG PROJECT FRONTAGE INTO THE CITY'S MAINTAINED STREET SYSTEM, SUBDIVIDER – MSSA LLC, WESTLAKE VILLAGE, CA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-111 authorizing the acceptance of the public improvements for PA03-0161 as complete and accepting those portions of Calle San Juan De Los Lagos and Corporate Way along project frontage into the City's maintained street system.

Resolution No. 2006-111

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Associated with PA03-0161, and Accepting those Portions of Calle San Juan De Los Lagos and Corporate Way Along Project Frontage 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. TRACT MAP 22180-2 – SINGLE FAMILY RESIDENTIAL – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF GENTIAN AVENUE, BETWEEN INDIAN STREET AND PERRIS BOULEVARD, SUBDIVIDER – PJRJ IRIS INVESTMENT LLC, RANCHO CUCAMONGA, 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.
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.

A15. TRACT MAP 30268 – ACCEPT FINAL MAP, AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTH OF IRIS BOULEVARD AND WEST OF OLIVER STREET, SUBDIVIDER – CHT INVESTMENT, LLC, NEWPORT BEACH, CA (Report of: Public Works Department)
Recommendation:

1. Approve Final Map 30268, 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.
5. Authorize the City Engineer to execute any future amendments to the agreement if the required street improvements are not completed within said timeframe.

A16. APPROVE TRACT MAP 31269 – SINGLE FAMILY RESIDENTIAL – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS FOR TRACT 31269, TRACT 31269 STORM DRAIN, AND TRACT 31269 PARKS AND RECREATION, NORTH OF COTTONWOOD AVENUE, SOUTH OF DRACAEA AVENUE, EAST OF QUINCY STREET, AND WEST OF REDLANDS BOULEVARD, SUBDIVIDER – PINNACLE MORENO VALLEY 72, LLC, ALISO VIEJO, CA (Report of: Public Works Department)
Recommendation:

1. Approve Tract 31269, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
2. Accept the Agreements and Bonds for Public Improvements.
3. Authorize the Mayor to execute the Agreements.
4. Direct the City Clerk to forward the signed Agreements to the County Recorder's Office for recordation.

5. Authorize the City Engineer to execute any future time extension amendments to the agreements, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.
- A17. AUTHORIZATION TO INCREASE FY 06/07 PURCHASE ORDER FOR “ON-CALL” INSPECTION SERVICES WITH VALI COOPER & ASSOCIATES (VCA) (Report of: Public Works Department)
 Recommendation: Authorize the City Manager to execute the \$90,000 change order to the existing FY 06/07 purchase order with VCA for “On-Call” inspection services.
- A18. RIVERSIDE COUNTY HOUSEHOLD HAZARDOUS WASTE AGREEMENT (Report of: Public Works Department)
 Recommendation:
1. Approve the agreement, prepared by the Riverside County Waste Management Department, Planning and Recycling Division, to continue the Household Hazardous Waste Mobile Collection Program at the City of Moreno Valley Corporate Yard from July 1, 2006 through June 30, 2007; and
 2. Authorize the Mayor to execute this agreement.
- A19. RESOLUTION AMENDING MORENO VALLEY UTILITIES ELECTRICAL RATES AND IMPLEMENTING A SCHEDULE OF THE PROPOSED AMENDED RATES (Report of: Public Works Department)
 Recommendation: Adopt Resolution No. 2006-112:
1. Amending the Moreno Valley Utilities electrical rates in Exhibit B (Rate Adjustments); and
 2. Implementing a schedule to adjust the Moreno Valley Utilities electrical rates to reflect the same schedule as Southern California Edison.

Resolution No. 2006-112

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates for Moreno Valley Utilities and to Implement a Schedule of the Amended Rates

- A20. MINUTES – REGULAR MEETING OF SEPTEMBER 12, 2006 (Report of: City Clerk’s Department)
 Recommendation: Approve as submitted.

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 SEPTEMBER 12, 2006 (Report of City Clerk’s Department)
Recommendation: Approve as submitted.
- B3. RESOLUTION READOPTING A CONFLICT OF INTEREST CODE (Report of: City Clerk’s Department)
Recommendation: Find that no change in the Conflict of Interest Code for the District is needed.
- B4. PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS (REBALLOT) FOR A PROPOSED PARCEL CHARGE INCREASE FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACTS 18784/20906, 19912, AND 21616 (Report of: Public Works Department)
Recommendation: Accept public comments regarding the mail ballot proceedings for the proposed increase in the CSD Zone D annual parcel charge for Tracts 18784/20906, 19912, and 21616.

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 SEPTEMBER 12, 2006 (Report of City Clerk’s Department)
Recommendation: Approve as submitted.
- C3. RESOLUTION READOPTING A CONFLICT OF INTEREST CODE (Report of: City Clerk’s Department)
Recommendation: Find that no change in the Conflict of Interest Code for the Agency is needed.

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 SEPTEMBER 12, 2006 (Report of City Clerk’s Department)
Recommendation: Approve as submitted.

E. PUBLIC HEARINGS - NONE

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL AND REIMBURSABLE ACTIVITIES

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

G2. APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION AND THE RECREATIONAL TRAILS BOARD (Report of: City Clerk’s Department)
Recommendation: That the City Council, after reviewing the ballots provided by the City Clerk:

- 1. Appoint one member to the Parks and Recreation Commission for a term expiring June 30, 2007;
- 2. Appoint one member to the Recreational Trails Board for a term expiring June 30, 2009;
- 3. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G3. APPROVE AN AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND THE WESTERN SYSTEMS POWER POOL (WSPP) TO FACILITATE THE PURCHASE OF ELECTRICAL ENERGY FOR MORENO VALLEY UTILITIES (MVU) (Report of: Public Works Department)
Recommendation:

- 1. Approve an agreement between the City of Moreno Valley and Western Systems Power Pool;

2. Submit an Application Letter with a \$25,000 fee to Western Systems Power Pool; and
3. Authorize the Mayor to sign the agreement on behalf of the City of Moreno Valley.

G4. OWNER PARTICIPATION AGREEMENT WITH ROBERTSON'S READY MIX (Report of: Economic Development Department)
Recommendation:

1. The Mayor and City Council adopt Resolution No. 2006-114, a resolution of the City of Moreno Valley approving and authorizing an Owner Participation Agreement with Robertson's Ready Mix; and

Resolution No. 2006-114

A Resolution of the City Council of the City of Moreno Valley Approving an Owner Participation Agreement by and among the City, the Community Redevelopment Agency of the City of Moreno Valley and Robertson's Ready Mix, Inc.

2. The Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of Moreno Valley adopt Resolution No. RDA 2006-07, a resolution of the Community Redevelopment Agency of Moreno Valley approving and authorizing an Owner Participation Agreement with Robertson's Ready Mix.

Resolution No. RDA 2006-07

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Owner Participation Agreement by and among the Agency, the City of Moreno Valley and Robertson's Ready Mix, Inc.

G5. APPROVE AN AGREEMENT WITH ABB, INC. FOR THE DESIGN AND CONSTRUCTION OF THE MORENO VALLEY UTILITIES (MVU) 115 KILOVOLT (kV) SUBSTATION AND SWITCHYARD FACILITY ON AN EMERGENCY BASIS AND RESOLUTION MAKING FINDINGS OF AN EMERGENCY AND AUTHORIZING THE EXECUTION OF THE AGREEMENT AND ADOPTING A NEGATIVE DECLARATION FOR THE SUBSTATION AND SWITCHYARD PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Report of: Public Works Department)
Recommendation:

1. Adopt a Negative Declaration for the Substation and Switchyard Project and the Design-Build Agreement;

2. Adopt, by four-fifths vote, Resolution 2006-113 Making Findings of an Emergency and Authorizing the Execution of the Design-Build Agreement for the Moreno Valley Utilities Substation and Switchyard Project between the City of Moreno Valley, as Owner, and ABB, Inc., a Delaware Corporation, as Design-Builder, in Accordance with Public Contracts Code Sections 20168, 22050, and 5956 and Adopting a Negative Declaration for the Substation and Switchyard Project Pursuant to the California Environmental Quality Act;

Resolution No. 2006-113

A Resolution of the City Council of the City of Moreno Valley Making Findings of an Emergency and Authorizing the Execution of the Design-Build Agreement for the Moreno Valley Utilities Substation and Switchyard Project between the City of Moreno Valley, as Owner, and ABB, Inc., a Delaware Corporation, as Design-Builder, in Accordance with Public Contracts Code Sections 20168, 22050, and 5956 and Adopting a Negative Declaration for the Substation/Switchyard Project Pursuant to the California Environmental Quality Act

3. Approve the Design-Build Agreement for the Moreno Valley Utilities Substation and Switchyard Project between the City of Moreno Valley, as Owner, and ABB, Inc., a Delaware Corporation, as Design-Builder; and
4. Authorize the Mayor to sign the Agreement on behalf of the City of Moreno Valley.

G6. 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

- H1. 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) (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 12,

2006 ON A 4-0-1 VOTE, WEST ABSTAINING) (Report of: Community Development Department)
Recommendation: Adopt Ordinance No. 725

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)

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.

The Closed Session will be held pursuant to Government Code:

- 1) SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: 2
- 2) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Number of Cases: 2

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

ADJOURNMENT