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

FEBRUARY 27, 2007

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
Bonnie Flickinger, Council Member
Frank West, Council Member
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.
FEBRUARY 27, 2007

CALL TO ORDER (Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Marc Raphael, Imani Praise Fellowship

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF’S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.
JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report/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. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES
    (Report of: City Clerk’s Department)
    Recommendation: Receive and file.

A3. APPROVAL OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED DECEMBER 31, 2006
    (Report of: Finance Department)
    Recommendation: Approve and accept the quarterly investment report, in compliance with the Investment Policy.

A4. REVIEW AND CONTINUE THE EMERGENCY ACTION REGARDING THE DESIGN AND CONSTRUCTION OF THE MORENO VALLEY UTILITIES (MVU) 115 KILOVOLT (KV) SUBSTATION AND SWITCHYARD FACILITY
    (Report of: Public Works Department)
    Recommendation: Review and continue the Emergency Action taken by the Council during the September 26, 2006 Council Meeting under 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 Contract Code Sections 20168, 22050, and Government Code Section 5956.

A5. TRACT MAP 29860-1 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING TWINBERRY DRIVE,

Recommendation:

1. Adopt Resolution No. 2007-18, authorizing the acceptance of the public improvements for Tract Map 29860-1 as complete and accepting Twinberry Drive, Candlewood Lane, and the portions of Fir Avenue, Beech Drive, Primrose Way, and Chestnut Drive associated with the project into the City’s maintained street system; and

   Resolution No. 2007-18

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tract 29860-1, and Accepting Twinberry Drive, Candlewood Lane, and the Portions of Fir Avenue, Beech Drive, Primrose Way, and Chestnut Drive Associated with the Project into the City’s Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A6. AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JP GROUP CIVIL, INC. (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to Agreement for Professional Consultant Services with JP Group Civil, Inc., 40570 Calle Fiesta, Temecula, CA 92591 to provide Professional Consultant Services on various budgeted projects of the Capital Projects Division;

2. Authorize the Mayor to execute said Amendment to Agreement for Professional Consultant Services with JP Group Civil, Inc.; and
3. Authorize an increase in the Purchase Order to JP Group Civil, Inc. in the amount of $250,000.00, when the Amendment to Agreement for Professional Consultant Services has been signed by all parties.

A7. APPROVE AND EXECUTE THE PURCHASE AGREEMENT FOR THE PARTIAL ACQUISITION OF 24534 FILAREE AVENUE (APN 485-074-002) FOR THE AQUEDUCT BIKE TRAIL PROJECT FROM INDIAN STREET TO FAY AVENUE AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW AND AUTHORIZE THE CITY CLERK TO CERTIFY TO THE ACCEPTANCE OF THE GRANT DEED (Report of: Public Works Department)
Recommendation:
1. Approve and execute the purchase agreement for the partial acquisition of 24534 Filaree Avenue (APN 485-074-002);
2. Authorize the Finance Director to wire transfer funds into escrow for the partial acquisition of 24534 Filaree Avenue (APN 485-074-002); and
3. Authorize the City Clerk to certify to the acceptance of the grant deed for the partial acquisition of 24534 Filaree Avenue (APN 485-074-002).

Recommendation:
1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 30300-1;
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.
A9. REQUEST FOR "NO PARKING ZONE" TO BE INSTALLED ON BOTH SIDES OF MORTON ROAD, NORTH OF BOX SPRINGS ROAD AND ENDING AT JENNINGS COURT (Report of: Public Works Department)
Recommendation: Authorize 3,237 feet in length of "No Parking Zone" to be installed on both sides of Morton Road, starting 600 feet north of Box Springs Road and ending at Jennings Court.

A10. 2007 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)
Recommendation: Receive and file the informational report.

A11. MINUTES - REGULAR MEETING OF FEBRUARY 13, 2007 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

A12. REVIEW AND APPROVAL OF RESOLUTIONS PERTAINING TO INITIATING PROCEEDINGS FOR AN ANNEXATION AND SPHERE OF INFLUENCE CHANGE, AND AN EXPANSION OF THE COMMUNITY SERVICES DISTRICT FOR APPROXIMATELY 15 ACRES NORTH OF ALESSANDRO BOULEVARD AND SOUTH OF EUCALYPTUS AVENUE (Report of: Community Development Department)
Recommendation:

1. Recognize that the project qualifies as an exemption under 15061(b)(3) of the CEQA Guidelines in that the proposed activity does not have the potential for a significant impact on the environment; and

2. Adopt Resolution No. 2007-20, requesting that the Riverside Local Agency Formation Commission initiate proceedings for the expansion of the sphere of influence and the City’s boundary, as identified in Exhibit A.

Resolution No. 2007-20

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Riverside Local Agency Formation Commission to Initiate Proceedings for the Expansion of the Sphere of Influence of the City and City Boundary and Detachments from County Service Area 93 and the Riverside County Waste Resources Management District for Approximately 15.2 Acres Located Within the Existing Old Highway 215 Right-of-Way, Extending from the Centerline of the Old Highway 215 East to the Existing City Limits, North of
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 FEBRUARY 13, 2007
   (Report of: City Clerk’s Department)
   Recommendation: Approve as submitted.

B3. RESOLUTION APPROVING TRANSFER OF PROPERTY AT MARCH FIELD PARK (PARCEL I-2) (Report of: Parks and Recreation Department)
   Recommendation: Adopt Resolution CSD 2007-05, a Resolution of the Moreno Valley Community Services District approving the property transfer of Parcel I-2 at the former March Air Force Base under the Early Transfer Authority.

   Resolution No. CSD 2007-05
   A Resolution of the Moreno Valley Community Services District Approving the Property Transfer of Parcel I-2 at the Former March Air Force Base Under the Early Transfer Authority

B4. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT AND PURCHASE OF EQUIPMENT FOR MORENO VALLEY COMMUNITY PARK SOCCER FIELD ENHANCEMENTS, PROJECT NO. 06-46165325 (Report of: Parks and Recreation Department)
   Recommendation:

   1. Adopt plans and specifications for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325, on file in the office of the City Engineer;

   2. Appropriate an additional $1,877,221 in Quimby Fees from Fund 206 for the Moreno Valley Community Park Soccer Field Renovation Site Improvements;

   3. Award the construction contract for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325 to 4-Con Engineering, Inc., the lowest responsible bidder;
4. Authorize the Mayor to execute a contract agreement with 4-Con Engineering, Inc.;

5. Authorize the issuance of a Purchase Order for 4-Con Engineering, Inc. in the amount of $4,588,025 (the bid amount plus 10% contingency) for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project Number 06-46165325 (Account No. 461.65325);

6. Authorize the Director of Public Works/City Engineer to execute any subsequent related minor change orders to the contract with 4-Con Engineering, Inc. up to, but not exceeding, the contingency amount of $417,093, subject to the approval of the City Attorney; and

7. Authorize the Parks and Recreation Department to initiate a purchase order for the direct purchase of the project’s MUSCO sports field lighting, DELTA security lighting, and a RAINBIRD irrigation pump, in a total amount not to exceed $450,400.

B5. REVIEW AND APPROVAL OF RESOLUTIONS PERTAINING TO INITIATING PROCEEDINGS FOR AN ANNEXATION AND SPHERE OF INFLUENCE CHANGE, AND AN EXPANSION OF THE COMMUNITY SERVICES DISTRICT FOR APPROXIMATELY 15 ACRES NORTH OF ALESSANDRO BOULEVARD AND SOUTH OF EUCALYPTUS AVENUE (Report of: Community Development Department)
Recommendation:

1. Recognize that the project qualifies as an exemption under 15061(b)(3) of the CEQA Guidelines in that the proposed activity does not have the potential for a significant impact on the environment; and

2. Adopt Resolution No. CSD 2007-06, requesting that the Riverside Local Agency Formation Commission initiate proceedings for the expansion of the Community Services District in conjunction with a related expansion of the sphere of influence and annexation as identified in Exhibit A.

Resolution No. CSD 2007-06

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California, to Request the Riverside Local Agency Formation Commission to
Initiate Proceedings for the Expansion of the Community Services District in Conjunction with a Related Expansion of the Sphere of Influence and Annexation for Approximately 15.2 Acres of Land Area Located Within the Existing Old Highway 215 Right-of-Way Extending from the Centerline of the Old Highway 215 East to the Existing City Limits, North of Alessandro Boulevard, and South of Eucalyptus Avenue

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 FEBRUARY 13, 2007
(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 FEBRUARY 13, 2007
(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 ON THE FOLLOWING LAND USE PROPOSALS: ZONE CHANGE NO. PA06-0149 FROM (O) OFFICE TO (OC) OFFICE COMMERCIAL FOR THE PURPOSES OF CONVERTING EXISTING MEDICAL OFFICE SPACE INTO A PHARMACY AT THE LAGUNA VISTA MEDICAL PLAZA. NO ADDITIONAL SQUARE FOOTAGE WILL BE ADDED TO THE MEDICAL COMPLEX. THE SITE IS LOCATED AT 11441 HEACOCK STREET, SOUTH OF PARKLAND AVENUE,
WESTSIDE OF HEACOCK STREET (Report of: Community Development Department)
Recommendation: That the City Council:

1. Conduct a public hearing for review of a Zone Change (PA06-0149);

2. Recognize that the project qualifies for Categorical Exemption Section 15301 Existing Facilities under the California Environmental Quality Act (CEQA) Guidelines; Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The project, individually and cumulatively, will not result in a significant effect on the environment; and

3. Introduce Ordinance No. 739 approving Zone Change (PA06-0149) from (O) Office to (OC) Office Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas Page as attached to the Ordinance as Exhibit A.

Ordinance No. 739

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA06-0149 (Zone Change) to Change the Land Use from (O) Office to (OC) Office Commercial for the Purposes of Converting 8,410 Square Feet of Existing Medical Office Space into a Pharmacy on Approximately 3.15 Acres of Land, Assessor’s Parcel Number 264-060-009, Located at 11441 Heacock Street, South of Parkland Avenue, Westside of Heacock Street

Recommendation: That the City Council conduct a public hearing for review of the action taken by the Planning Commission to deny
Variance Application P06-100, and subsequent to the public hearing;

1. Approve Resolution No. 2007-19, denying application P06-100 for a variance subject to the findings contained in said City Council Resolution.

Resolution No. 2007-19

A Resolution of the City Council of the City of Moreno Valley, California, Denying Application P06-100 for a Variance from the Required Street Side Yard Setback to Allow a Room Addition, Built Without Approved Plans or Permits, to be Built on or Near the Property Line Along Eliot Avenue for a Property Located Within the R5 Zone at 26156 Coronada Drive (Assessor’s Parcel Number 477-582-008)

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES
   a) Report on March Joint Powers Commission by Council Member Stewart

G2. 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.

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