



AGENDA

**CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

May 14, 2013

**SPECIAL PRESENTATIONS – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.**

City Council Study Sessions

First & Third Tuesdays of each month – 6:00 p.m.

City Council Meetings

Second & Fourth Tuesdays of each month – 6:00 p.m.

City Council Closed Sessions

*Immediately following Regular City Council Meetings and
Study Sessions, unless no Closed Session Items are Scheduled*

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3705 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.

Tom Owings, Mayor

Marcelo Co, Mayor Pro Tem
Jesse L. Molina, Council Member

Richard A. Stewart, Council Member
Victoria Baca, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 14, 2013

CALL TO ORDER – 5:30 PM

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Police Week
2. Proclamation Recognizing National Public Works Week
3. Proclamation Recognizing West Cost Thunder
4. Business Spotlight
 - a) Moreno Valley Ranch Golf Club
 - b) Inland Empire Customs

**AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES**

***THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD
MEETINGS***

**REGULAR MEETING - 6:00 PM
MAY 14, 2013**

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority 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

[Bishop Randy Triplett - Victory Temple of Deliverance Ministries](#)

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 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.

AGENDA
May 14, 2013

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 City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF APRIL 23, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. Approve as submitted.

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

Recommendation:

1. Approve as submitted.

A.4 [AUTHORIZE SUBMISSION OF GRANT APPLICATIONS FOR THE SB821 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM](#) (Report of: Public Works Department)

Recommendation:

1. Authorize the submission of grant applications for the SB 821 Bicycle and Pedestrian Facilities Program as administered by the Riverside County Transportation Commission (RCTC).

A.5 [ACCEPTANCE OF THE CDPH PEDESTRIAN SAFETY GRANT AND FUNDING APPROPRIATION FOR THE "IT'S UP TO ALL OF US" PEDESTRIAN SAFETY PUBLIC EDUCATION CAMPAIGN](#) (Report of: Public Works Department)

Recommendations

1. Accept the grant award in state funds of \$8,500 for the "It's Up to All of Us" pedestrian safety public education campaign, under the California Department of Public Health Pedestrian Safety Program.

2. Authorize the appropriation of \$8,500 from the unencumbered Measure "A" (Fund 2001) fund balance for the public outreach/safety education costs of the "It's Up to All of Us" pedestrian safety public education campaign.

A.6 [PA06-0021, PM 34577 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF HEACOCK STREET FROM SAN MICHELE ROAD TO NANDINA AVENUE AND SAN MICHELE ROAD BETWEEN HEACOCK STREET AND INDIAN AVENUE FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM MAY 15, 2013 – JULY 31, 2013](#)

(Report of: Community & Economic Development Department)

Recommendation:

1. Authorize a full road closure of Heacock Street from San Michele Road to Nandina Avenue, and San Michele Road between Heacock Street and Indian Avenue for the construction of street improvements from May 15, 2013 – July 31, 2013.
2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.7 [APPROVE THE AMENDMENT TO THE AGREEMENTS FOR PROFESSIONAL CONSULTANT SERVICES FOR CONSTRUCTION MATERIAL TESTING AND GEOTECHNICAL SERVICES WITH LEIGHTON CONSULTING, INC. AND CONSTRUCTION SURVEY SERVICES WITH RICK ENGINEERING COMPANY FOR THE MORENO MASTER DRAINAGE PLAN LINE "F", STAGE 2 CHANNEL IMPROVEMENTS -- PROJECT NO. 804 0005 70 77](#)

(Report of: Public Works Department)

Recommendations

1. Approve the Amendments to the Agreements for Professional Consultant Services for Construction Material Testing and Geotechnical Services with Leighton Consulting Inc., and Construction Survey Services with Rick Engineering Company, for the Moreno Master Drainage Plan Line "F", Stage 2 Channel Improvements.
2. Authorize the City Manager to execute an amendment to the Agreement with Leighton Consulting Inc. and an amendment to the Agreement with Rick Engineering Company.
3. Authorize the issuance of a Purchase Order to Leighton Consulting Inc. for the amount of \$62,344 and Rick Engineering Company for the

amount of \$62,810 when the contracts have been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent amendments to the Agreements with Leighton Consulting Inc. and Rick Engineering Company within the purchase order amounts, subject to the approval of the City Attorney.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B.2 [MINUTES - REGULAR MEETING OF APRIL 23, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. Approve as submitted.

B.3 [THIRD AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT FOR BACKFLOW - TESTING, REPAIR AND REPLACEMENT SERVICES](#)

(Report of: Financial & Management Services Department)

Recommendations

1. Acting in its capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD Board): Approve the Third Amendment to the Independent Contractor Agreement ("Agreement") for Backflow Testing Services Project No. BDEMS/10, ("Third Amendment to Agreement for BDEMS/10") with E. R. Block Plumbing, Inc. (10910 Hole Avenue, Riverside, CA 92505) for replacement, repair and testing of backflow devices throughout each of the CSD maintained landscaped areas and Water Quality Basins.
2. Authorize the City Manager to execute the Third Amendment to the Agreement for BDEMS/10 with E. R. Block Plumbing, Inc.
3. Authorize an adjustment in the purchase order (PO) to E. R. Block Plumbing, Inc., for an increase of \$15,752.88 when the Third Amendment to the Agreement for BDEMS/10 has been signed by all parties.
4. Authorize the City Manager to approve budget adjustments for CSD Zones D & E for backflow testing, repair and replacement services in the following amounts: a. Zone D in the amount of \$25,571.02. b.

Zone E in the amount of \$12,292.40.

5. Authorize the City Manager to have authority to approve subsequent Amendments to the Agreement for BDEMS/10 for backflow testing, repair and replacement services; authority to approve increases to the purchase order for any Amendment to the Agreement for BDEMS/10 for a sum of up to a not-to-exceed (NTE) amount of \$50,000.00; and authority to approve related budget adjustments for additional backflow replacements, testing and repairs, that may be necessary through the remainder of the 2012/13 fiscal year.

B.4 [FIRST AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT FOR MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION PROJECT NO. DSG-1/10](#)

(Report of: Financial & Management Services Department)

Recommendations

1. Acting in its capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD Board): Approve the First Amendment to the Independent Contractor Agreement (“Agreement”) for Maintenance of Parkway Landscaping and Irrigation Project No. DSG-1/10, (“First Amendment to Agreement for DSG-1/10”) with TruGreen Landcare, 1616 Marlborough Avenue, Suite S, Riverside, CA 92507 for Zone D-1 (DSG-1 full service level) tracts.
2. Authorize the City Manager to execute the First Amendment to the Agreement for DSG-1/10 with TruGreen Landcare.
3. Authorize an adjustment in the purchase order (PO) to TruGreen Landcare for an increase of \$7,757.83 when the First Amendment to the Agreement for DSG-1/10 has been signed by all parties.

B.5 [FIRST AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT FOR MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION PROJECT NO. DSG-2/12-13](#)

(Report of: Financial & Management Services Department)

Recommendations

1. Acting in its capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD Board): Approve the First Amendment to the Independent Contractor Agreement (“Agreement”) for Maintenance of Parkway Landscaping and Irrigation Project No. DSG-2/12-13, (“First Amendment to the Agreement for DSG-2/12-13”) with Mariposa Landscapes, Inc., 15529 Arrow Highway, Irwindale, CA 91706 for Zone D-2 (DSG-2 reduced

service level) tracts.

2. Authorize the City Manager to execute the First Amendment to the Agreement for DSG-2/12-13 with Mariposa Landscapes, Inc.
3. Authorize adjustments in the purchase orders (POs) to Mariposa Landscapes, Inc. for a decrease in the PO for base maintenance services of \$1,498.44 and an increase of \$7,100.00 for additional work, for a net change to the Agreement of \$5,601.56, when the First Amendment to the Agreement for DSG-2/12-13 has been signed by all parties.

B.6 [FIRST AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT FOR MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION IN PROJECT NO. E-2/09](#)

(Report of: Financial & Management Services Department)

Recommendations

1. Acting in its capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD Board): Approve the First Amendment to the Independent Contractor Agreement (“Agreement”) for Maintenance of Parkway Landscaping and Irrigation Project No. E-2/09, (“First Amendment to the Agreement for E-2/09”) with Tropical Plaza Nursery, Inc., 9642 Santiago Boulevard, Villa Park, CA 92861 for the E-2 (Hidden Springs) area.
2. Authorize the City Manager to execute the First Amendment to the Agreement for E-2/09 with Tropical Plaza Nursery, Inc.
3. Authorize an adjustment in the purchase order (PO) to Tropical Plaza Nursery, Inc., for an increase of \$18,000.00 when the First Amendment to the Agreement for E-2/09 has been signed by all parties.

B.7 [FIRST AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT FOR MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION IN PROJECT NO. E-3/11-12](#)

(Report of: Financial & Management Services Department)

Recommendations

1. Acting in its capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD Board): Approve the First Amendment to the Independent Contractor Agreement (“Agreement”) for Maintenance of Parkway Landscaping and Irrigation Project No. E-3/11-12, (“First Amendment to Agreement

for E-3/11-12”) with Merchants Landscape Services, Inc., 8847 W. 9th Street, Rancho Cucamonga, CA 91730 for E-3 (Moreno Valley Ranch-West) and E-3A (Lasselle Powerline Parkway) areas.

2. Authorize the City Manager to execute the First Amendment to the Agreement for E-3/11-12 with Merchants Landscape Services, Inc.
3. Authorize adjustments in the purchase orders (POs) to Merchants Landscape Services, Inc., for a decrease in the PO for base maintenance services of \$2,799.72 and an increase of \$8,650.00 for additional work, for a net change to the Agreement of \$5,850.28 when the First Amendment to the Agreement for E-3/11-12 has been signed by all parties.

B.8 [FIRST AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT FOR MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION IN PROJECT NO. E-4/11](#)

(Report of: Financial & Management Services Department)

Recommendations

1. Acting in its capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD Board): Approve the First Amendment to the Independent Contractor Agreement (“Agreement”) for Maintenance of Parkway Landscaping and Irrigation Project No. E-4/11, (“First Amendment to Agreement for E-4/11”) with TruGreen Landcare, 1616 Marlborough Avenue, Suite S, Riverside, CA 92507 for E-4 (Moreno Valley Ranch-East) and E-4A (Daybreak) areas.
2. Authorize the City Manager to execute the First Amendment to the Agreement for E-4/11 with TruGreen Landcare.
3. Authorize an adjustment in the purchase order (PO) to TruGreen Landcare, for an increase of \$10,100.00 when the First Amendment to the Agreement for E-4/11 has been signed by all parties.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 [MINUTES - REGULAR MEETING OF APRIL 23, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D.2 [MINUTES - REGULAR MEETING OF APRIL 23, 2013 \(Report of: City Clerk's Department\)](#)

Recommendation:

1. 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.

E.1 [A PUBLIC HEARING FOR A GENERAL PLAN AMENDMENT \(PA12-0030\) FROM RESIDENTIAL 10 \(R10\), RESIDENTIAL SINGLE FAMILY 10 \(RS10\) AND RESIDENTIAL 15 \(R15\) TO RESIDENTIAL 5 \(R5\), AND TO MODIFY THE CIRCULATION ELEMENT; A CHANGE OF ZONE \(PA12-0029\) FROM R10, RS10 AND R15 TO R5; A TENTATIVE TRACT MAP 36436 \(PA12-0005\) TO SUBDIVIDE 43.52 ACRES INTO 159 SINGLE FAMILY RESIDENTIAL LOTS; A CONDITIONAL USE PERMIT \(PA12-0004\) FOR A PLANNED UNIT DEVELOPMENT; AND A VARIANCE \(P12-129\) FOR AN INCREASE IN RETAINING WALL HEIGHT ON THE PROPERTY LINES. THE APPLICANT IS CV –COMMUNITIES](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. ADOPT a Mitigated Negative Declaration for application PA12-0030 (General Plan Amendment), PA12-0029 Change of Zone, PA12-0005 Tentative Tract Map and PA12-0004 Conditional Use Permit.
2. INTRODUCE Ordinance No. 2013-867 approving PA12-0029 Change of Zone from Residential 10 (R10), Residential Single Family 10 (RS10), Residential 15 (R15) to Residential 5 (R5).

Ordinance No. 867

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA12-0029 (Zone Change) to Change the Land Use District for Approximately 43.52 Acres from Residential 10 (R10), Residential Single Family (RS10), And Residential 15 (R15) to

Residential 5 (R5) for Assessors Parcel Numbers 478-100-034, 478-090-007, 478-090-036, 478-100-010, 478-100-009

3. ADOPT Resolution No. 2013-29 approving General Plan Amendment PA12-0030 from Residential 10 (R10), Residential Single Family 10 (RS10), Residential 15 (R15) to Residential 5 (R5) and modifying the circulation element thereby establishing General Plan Land Use Map designations for the properties as described in the Resolution, and the revised General Plan Map.

Resolution No. 2013-29

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA12-0030, A General Plan Amendment to Change the Land Use of 43.52 Acres from Residential 10 (R10), Residential Single Family 10 (RS10) and Residential 15 (R15) to Residential 5 (R5) and Modify the Circulation Element to Eliminate the Connection of Quincy Street from Brodiaea Avenue to Cactus Avenue Located South of Brodiaea to Cactus & East and West of the Quincy Channel Assessor Parcel Numbers 478-100-034, 478-090-007, 478-090-036, 478-100-010, 478-100-009

4. ADOPT Resolution No. 2013-30 approving PA12-0005 Tentative Tract Map 36436 to subdivide 43.52 acres into 159 single family residential lots, PA12-0004 a Conditional Use Permit for the Planned Unit Development and P12-129 a Variance subject to the attached Conditions of Approval.

Resolution No. 2013-30

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA12-0005 Tentative Tract Map 36436, PA12-0004 A Conditional Use Permit and P12-129 A Variance Located South Of Brodiaea to Cactus & East and West of the Quincy Channel Assessor Parcel Numbers 478-100-034, 478-090-007, 478-090-036, 478-100-010, 478-100-009

E.2 [A JOINT PUBLIC HEARING TO APPROVE AN AFFORDABLE HOUSING AGREEMENT WITH HABITAT FOR HUMANITY](#)

(Report of: Community & Economic Development Department)

Recommendations That the City Council and Housing Authority

1. Conduct a Joint Public Hearing pursuant to the California Community Redevelopment Law (California Health and Safety Code, Section 33000 et seq.) at which it will hear and consider information concerning the transfer of title of Assessor's Parcels 481-250-002 and

481-250-003 and the Affordable Housing Agreement by and between the City of Moreno Valley, the Moreno Valley Housing Authority, and Habitat for Humanity Riverside.

2. Adopt Resolution 2013-31, and Resolution HA 2013-02 approving an Affordable Housing Agreement between the City of Moreno Valley, the Moreno Valley Housing Authority, and Habitat for Humanity Riverside, Inc. for the conveyance and development of land, making certain findings, and approving the use of funds.

Resolution No. 2013-31

A Resolution of the City Council of the City of Moreno Valley Approving an Affordable Housing Agreement by and Among the Housing Authority of the City of Moreno Valley, the City of Moreno Valley and Habitat for Humanity, Riverside, Inc.

Resolution No. HA 2013-02

A Resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California Approving an Affordable Housing Agreement by and Among the Housing Authority of the City of Moreno Valley, the City of Moreno Valley and Habitat for Humanity, Riverside, Inc.

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

G. REPORTS

- G.1 [APPOINTMENT TO THE LIBRARY COMMISSION](#)
(Report of: City Clerk Department)

Recommendations That the City Council:

1. Appoint Laura D'Arciprete to the Library Commission with a term expiring June 30, 2015; or
 2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.
- G.2 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)
- G.3 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION

- H.1.1 [AMENDMENT TO CHAPTER 6.02 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE AND ADOPTION OF THE PROPOSED ORDINANCE RELATED TO ILLEGAL HAULING AND COMMERCIAL RECYCLING BIN SCREENING, AND ADOPTION OF A RESOLUTION RELATING TO CITATION AUTHORIZATION](#)
(Report of: Public Works Department)

Recommendations That the City Council:

1. Introduce the proposed Ordinance No. 866 amending Municipal Code Section 6.02.

Ordinance No. 866

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 6.02 of Chapter 6 of the City of Moreno Valley Municipal Code Relating to Refuse Collection, Transfer and Disposal

2. Adopt proposed Resolution No. 2013-28 repealing Resolution No. 93-79 to include additional classifications with citation authorization.

Resolution No. 2013-28

A Resolution of the City Council of the City of Moreno Valley, California, Repealing, Revising and Reenacting the Provisions of Resolution 93-79, Authorizing Specified Classes of Officers and Employees of the City to Make Arrests Without Warrants and to Exercise Citation Authority

H.2 ORDINANCES - 2ND READING AND ADOPTION

- H.2.1 [ORDINANCE 864 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A MUNICIPAL CODE AMENDMENT \(PA11-0030\) AMENDING TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING THE CREATION OF THE MIXED USE OVERLAY DISTRICT \(APPROXIMATELY 147.69 ACRES\) AND AMENDING THE MUNICIPAL CODE TO INCLUDE STANDARDS RELATED TO THE MIXED USE OVERLAY DISTRICT \(RECEIVED FIRST READING AND INTRODUCTION ON APRIL 23, 2013, BY A 5-0 VOTE\) \(Report of: Community & Economic Development Department\)](#)

Recommendations That the City Council:

1. Adopt Ordinance No. 864.

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Municipal Code Amendment (PA11-0030) Amending Title 9 of the City of Moreno Valley Municipal Code Regarding the Creation of the Mixed Use Overlay District (Approximately 147.69 Acres) and Amending the Municipal Code to Include Standards Related to the Mixed Use Overlay District

- H.2.2 [ORDINANCE 865 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA11-0029 \(CHANGE OF ZONE\) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 146.19 ACRES TO RESIDENTIAL 30 \(R30\) AND APPROXIMATELY 10.46 ACRES TO OPEN SPACE \(OS\) AND PA12-0047 \(CHANGE OF ZONE\) TO CHANGE THE LAND USE DISTRICT OF APPROXIMATELY 21.47 ACRES TO COMMUNITY COMMERCIAL \(CC\) \(RECEIVED FIRST READING AND INTRODUCTION ON APRIL 23, 2013, BY A 5-0 VOTE\) \(Report of: Community & Economic Development Department\)](#)

Recommendations That the City Council:

1. Adopt Ordinance No. 865.

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA11-0029 (Change Of Zone) to Change the Land Use District for Approximately 146.19 Acres to Residential 30 (R30) and Approximately 10.46 Acres to Open Space (OS) and PA12-0047 (Change Of Zone) to Change the Land Use District of Approximately 21.47 Acres to Community Commercial (CC)

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency/Housing Authority or Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

AGENDA
May 14, 2013

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in Conference Room C, First 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(d)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- a) Case: *City of Moreno Valley v. Chen*
Court: Riverside Superior Court
Case No: RIC 1213875
- b) Case: *City of Moreno Valley V. Chado & Chado*
Court: Riverside Superior Court
Case No: RIC 1213878
- c) Case: *City of Moreno Valley v. Equitable Properties*
Court: Riverside Superior Court
Case No: RIC 1213880
- d) Case: *City of Moreno Valley V. McGinness*
Court: Riverside Superior Court
Case No: RIC 1213882

2 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9

Number of Cases: 5

3 SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

- 4 SECTION 54957 - PERSONNEL MATTERS
 - a) Public Employee Performance Evaluation: City Manager
- 5 SECTION 54957 - PERSONNEL MATTER - PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
 - a) City Manager
- 6 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT
 - a) City Manager

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

ADJOURNMENT

CERTIFICATION

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, certify that the City Council Agenda was posted in the following places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Jane Halstead, CMC,
City Clerk

Date Posted: May 8, 2013