

**MINUTES\***  
**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**  
**BOARD OF LIBRARY TRUSTEES**  
**AND SPECIAL MEETING OF THE MORENO VALLEY COMMUNITY FOUNDATION**

**REGULAR MEETING – 6:30 P.M.**  
**DECEMBER 11, 2007**

**CALL TO ORDER** - The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:53 p.m. by Mayor White in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was led by Mayor White

**INVOCATION** - Bishop Randy Triplett – Victory Temple of Deliverance Ministries

**ROLL CALL**

Council:

Charles R. White	Mayor
William H. Batey, II	Mayor Pro Tem
Bonnie Flickinger	Council Member
Richard A. Stewart	Council Member
Frank West	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Robert Gutierrez	City Manager
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
Rick Hall	Police Chief
John Clark	Fire Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Community Development Director
Barry Foster	Economic Development Director
Steve Elam	Administrative Services Director
Denese Wilson-Beilke	Human Resources Director

Cynthia Pirtle  
Mike McCarty  
Angela Rushen

Director of Library Services  
Parks & Community Services Director  
Assistant to the City Manager

**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**

Mayor White opened the agenda items for the Consent Calendars for public comments, there being none, public comments were closed.

**A. CONSENT CALENDAR - CITY COUNCIL**

**A1. ORDINANCES - FIRST READING BY TITLE ONLY**

Waived reading of all Ordinance Introductions and read by title only.

**A2. 2007 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)**

**Recommendation:** Receive and file the informational report.

**A3. APPROVE THE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR SUNNYMEAD BOULEVARD REVITALIZATION FROM FREDERICK STREET TO PERRIS BOULEVARD - PROJECT NO. 04-89280221 (Report of: Public Works Department)**

**Recommendation:**

1. Approve the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide construction management services for the Sunnymead Boulevard Revitalization Project;
2. Authorize the City Manager to execute the "Agreement for Professional Consultant Services" with Harris & Associates, Inc.;
3. Authorize the issuance of a purchase order to Harris & Associates, Inc., for Stage 1 in the amount of \$330,000 (\$300,000 proposal amount plus 10% contingency) from Account No. 501.82125 when the agreement has been signed by all parties;
4. Authorize the issuance of a purchase order to Harris & Associates, Inc. for Stage 2 in the amount of \$330,000 (\$300,000 proposal amount plus 10% contingency) from Account No. 501.82515 when the agreement is signed by all parties; and
5. Authorize the City Engineer to execute any subsequent related minor

amendments to the “Agreement for Professional Consultant Services” with Harris & Associates, Inc., up to but not to exceed the purchase order contingency authorization subject to approval by the City Attorney.

- A4. AGREEMENT FOR PROFESSIONAL DESIGN AND PROJECT MANAGEMENT CONSULTANT SERVICES AND CONSTRUCTION MANAGEMENT CONSULTANT SERVICES FOR THE PUBLIC SAFETY FACILITY PARKING LOT EXPANSION, NORTHEASTERLY CORNER OF VETERANS WAY AND CALLE SAN JUAN DE LOS LAGOS - PROJECT NO. 07-50182427 (Report of: Public Works Department)

**Recommendation:**

1. Approve the “Agreement for Professional Design and Project Management Consultant Services and Construction Management Consultant Services” with RKA Consulting Group, 3877 Twelfth Street, Suite 320, Riverside, California 92501;
2. Authorize the City Manager to execute said “Agreement for Professional Design and Project Management Consultant Services and Construction Management Consultant Services” with RKA Consulting Group;
3. Authorize the Finance Director to issue a Purchase Order to RKA Consulting Group, in the amount of \$279,649.70 (\$254,227.00 proposal amount plus 10% contingency when the Agreement has been signed by all parties (Account No. 501-82427); and
4. Authorize the City Engineer to execute any subsequent minor change orders to the Agreement with RKA Consulting Group, up to but not to exceed the Purchase Order contingency amount of \$25,422.70 authorized and subject to approval of the City Attorney.

- A5. APPROVE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINE, SERVICE LINES AND THE ABANDONMENT OF AN EXISTING WATER MAINLINE LOCATED WITHIN GRAHAM STREET FROM HEMLOCK AVENUE TO IRONWOOD AVENUE BY THE CITY OF MORENO VALLEY - PROJECT NO. 06-28068425 (Report of: Public Works Department)

**Recommendation:**

1. Approve the Reimbursement Agreement for the installation of the Eastern Municipal Water District (EMWD) water mainline, service lines and the abandonment of an existing water mainline located within Graham Street from Hemlock Avenue to Ironwood Avenue by the City of Moreno Valley;
2. Authorize the City Manager to execute the Reimbursement Agreement for

the installation of the Eastern Municipal Water District (EMWD) water mainline, service lines and the abandonment of an existing water mainline located within Graham Street from Hemlock Avenue to Ironwood Avenue by the City of Moreno Valley; and

3. Authorize the City Manager to execute any subsequent related minor amendments to the Reimbursement Agreement for the installation of the Eastern Municipal Water District (EMWD) water mainline, service lines and the abandonment of an existing water mainline located within Graham Street from Hemlock Avenue to Ironwood Avenue by the City of Moreno Valley.

A6. LOAN AGREEMENT WITH THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY (Report of: Economic Development Department)

**Recommendation:** Approve the Loan Agreement between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley.

A7. PA05-0074 – APARTMENT COMPLEX – REDUCE FAITHFUL PERFORMANCE LETTER OF CREDIT AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING TRAIL RIDGE WAY INTO THE CITY’S MAINTAINED STREET SYSTEM, DEVELOPER: ALLIANCE RESIDENTIAL BUILDERS, LP, PHOENIX, AZ (Report of: Public Works Department)

**Recommendation:**

1. Adopt Resolution No. 2007-138 authorizing the acceptance of the public improvements for PA05-0074 as complete and accepting Trail Ridge Way into the City’s maintained street system; and  
Resolution No. 2007-138

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA05-0074, and Accepting Trail Ridge Way 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.

A8. TRACT 30318 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT

THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING GALT WAY, WITHER'S WAY, SHETLAND LANE, FOX TROT LANE, LIPIZZANER LANE, CORONET CIRCLE, FILLY LANE, CLEVELAND BAY WAY, PERCHERON CIRCLE, CALICO LANE, ANDALUSIAN COURT, AND THE PORTIONS OF COLT WAY, VIA XAVIER, AND CREMELLO WAY ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM, DEVELOPER: BEAZER HOMES HOLDINGS CORP., BREA, CA (Report of: Public Works Department)

**Recommendation:**

1. Adopt Resolution No. 2007-139 authorizing the acceptance of the public improvements for Tract 30318 as complete and accepting Galt Way, Wither's Way, Shetland Lane, Fox Trot Lane, Lipizzaner Lane, Coronet Circle, Filly Lane, Cleveland Bay Way, Percheron Circle, Calico Lane, Andalusian Court, and the portions of Colt Way, Via Xavier, and Cremello Way associated with the project into the City's maintained street system; and

Resolution No. 2007-139

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tract Map 30318 and Accepting Galt Way, Wither's Way, Shetland Lane, Fox Trot Lane, Lipizzaner Lane, Coronet Circle, Filly Lane, Cleveland Bay Way, Percheron Circle, Calico Lane, Andalusian Court, and the Portions of Colt Way, Via Xavier, and Cremello Way Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the amount of the Faithful Performance Bond identified by the City Engineer as complete, reduce 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 associated with the partial reduction in one year when all clearances are received.
- A9. TRACT MAP 31255 – SINGLE FAMILY RESIDENTIAL PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTH OF COTTONWOOD AVENUE AND WEST OF LASSELLE STREET, DEVELOPER: MORENO VALLEY ALPINE HOMES, LLC, WESTMINSTER, CA (Report of: Public Works Department)

**Recommendation:**

1. Authorize the Mayor to execute the Amendment to Agreement for Public

Improvements for Tract Map 31255;

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.

- A10. RESOLUTION APPROVING THE SUBMITTAL OF A REPORT IN COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 53410 AND 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 5 (Report of: Public Works Department)

**Recommendation:** That the City Council, acting in its capacity as the legislative body of City of Moreno Valley Community Facilities District No. 5 (the "CFD No. 5") approve and adopt Resolution No. 2007-140, A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of a Report in Compliance with California Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

Resolution No. 2007-140

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of a Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

- A11. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF APN 264-040-007 FOR THE PIGEON PASS ROAD WIDENING PROJECT FROM CLIMBING ROSE DRIVE TO THE NORTHERN CITY LIMITS (Report of: Public Works Department)

**Recommendation:** Approve and execute the Agreement for Conveyance of Property for the partial acquisition of APN 264-040-007.

- A12. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE PARTIAL ACQUISITION OF APN 264-040-022 FOR THE PIGEON PASS ROAD WIDENING PROJECT FROM CLIMBING ROSE DRIVE TO THE NORTHERN CITY LIMITS AND AUTHORIZE THE FINANCE DIRECTOR TO WIRE TRANSFER FUNDS INTO ESCROW

(Report of: Public Works Department)

**Recommendation:**

1. Approve and execute the Agreement for Conveyance of Property for the partial acquisition of APN 264-040-022; and
2. Authorize the Finance Director to wire transfer funds into escrow in the amount of \$23,200 for the partial acquisition and an additional amount of \$4,500 for escrow fees for the partial acquisition of APN 264-040-022.

A13. AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES TO PROVIDE ARCHITECTURAL AND ENGINEERING (A&E) AND CONSTRUCTION MANAGEMENT (CM) SERVICES FOR THE NEW MAIN LIBRARY PROJECT NO. 07-41276320 (Report of: Public Works Department)

**Recommendation:**

1. Approve the "Agreement for Design Professional Consultant Services" with Heery International Inc. (Heery), 6420 Wilshire Blvd., 18<sup>th</sup> Floor, Los Angeles, CA 90048-5502 for professional consultant services to provide Project and Construction Management Services for the New Main Library Facility;
2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with Heery;
3. Authorize the issuance of two Purchase Orders to Heery International, Inc. for a total of \$5,301,573 (\$3,862,929 plus 10% contingency for Phase I and II design work and \$956,683 plus 10% contingency for Phase I construction management services subject to funding availability and successful completion of Phase I design services when the Agreement has been signed by all parties (Account No. 412.76320); and
4. Authorize the Director of Public Works/City Engineer to execute any subsequent related minor change orders to the contract with Heery, up to, but not exceeding, the 10% contingency amount of \$481,961, subject to the approval of the City Attorney.

A14. MINUTES - REGULAR MEETING OF NOVEMBER 27, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

A15. AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES

FOR PROFESSIONAL DESIGN AND PROJECT MANAGEMENT CONSULTANT SERVICES, CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE EMERGENCY OPERATIONS CENTER (EOC) - PROJECT NO. 06-50182527 (Report of: Public Works Department)

**Recommendation:**

1. Approve the “Agreement for Design Professional Consultant Services” with Critical Solutions, Inc., 1801 Oakland Boulevard, Suite 300, Walnut Creek, California 94596, for Professional Design and Project Management Consultant Services and Construction Management and Inspection Services for the Emergency Operations Center (EOC);
2. Authorize the City Manager to execute the “Agreement for Design Professional Consultant Services” with Critical Solutions, Inc.;
3. Authorize the issuance of a new Purchase Order to Critical Solutions, Inc. in the amount of \$1,241,246 (proposal amount of \$1,128,405 plus 10% contingency) when the agreement has been signed by all parties (Account No. 501.82527); and
4. Authorize the Director of Public Works/City Engineer to execute any subsequent related minor change orders to the agreement with Critical Solutions, Inc. up to, but not exceeding, the 10% contingency amount of \$112,841 subject to the approval of the City Attorney.

A16. CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS), GRANT FUNDING OPPORTUNITY (Report of: Police Department)

**Recommendation:** Approve the grant application and authorize acceptance (if granted) of the California Office of Traffic Safety 2008 “Click It or Ticket” seatbelt enforcement mini-grant program in the amount of \$29,776. Staff anticipates OTS will award the grant as it has for the last several years. OTS grant funding will allow the MVPD to provide directed enforcement during the statewide campaign beginning on May 12, 2008, through June 1, 2008. This campaign will coincide with the Memorial Day Holiday period next year and will be related to the seatbelt and child safety seat usage.

A17. ESTABLISH SOLAR INITIATIVE PROGRAM FOR MORENO VALLEY ELECTRIC UTILITY (Report of: Public Works Department)

**Recommendation:** Establish a Solar Initiative Program as required by Senate Bill 1, by approving Resolution No. 2007-146.

Resolution No. 2007-146



A Resolution of the City Council of the City Of Moreno Valley, California, to Establish a Solar Initiative Program as Required by Senate Bill 1 for Moreno Valley Electric Utility (MVU)

- A18. CONSIDERATION OF A RESOLUTION FOR THE ABATEMENT OF PUBLIC NUISANCES (CONTINUED FROM THE CITY COUNCIL MEETING OF NOVEMBER 13, 2007) (Report of: Community Development Department)

**Recommendation:** Continue the discussion on the abatement of a public nuisance regarding APN 473-150-052 until the February 12, 2008 City Council meeting.

- A19. CONSIDERATION OF THE 2ND AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE WESTERN RIVERSIDE REGIONAL CONSERVATION AUTHORITY (Report of: Deputy City Manager)

**Recommendation:** Approve the 2<sup>nd</sup> Amendment to the Joint Exercise of Powers Agreement and authorize the Mayor to execute the proposed document.

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

- B1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.

- B2. APPROPRIATION OF FUNDS TO ADD ADDITIONAL POSITIONS FOR THE ASES GRANT (Report of: Parks & Community Services)

**Recommendation:** Authorize the appropriation of funding to include the addition of the following listed positions: One Senior Administrative Assistant, one additional After School Program Coordinator, and one Senior Human Resources Analyst to the city employee roster for the After School Education and Safety Grant (ASES) Program.

- B3. RECOMMENDATION TO ENTER INTO AGREEMENTS WITH VOYAGER EXPANDED LEARNING AND ETA CUISENAIRE, AND AUTHORIZE EXPENDITURES WITH MS THE MOBILE STORAGE GROUP, CM SCHOOL SUPPLY AND OFFICE DEPOT (Report of: Parks & Community Services)

**Recommendation:**

1. Authorize the City Manager to enter into an agreement with Voyager

Expanded Learning to provide an educational and literacy element covering the next three years for the After School Education and Safety Program Grant (ASES) and direct the Finance Director to issue a purchase order in the amount of \$977,981;

2. Authorize the City Manager to enter into an agreement with ETA Cuisenaire to provide an educational and literacy element for ASES that will be utilized by the paraprofessionals and direct the Finance Director to issue a purchase order in the amount of \$498,523;
3. Authorize the City Manager to approve the purchase of storage units to be located on the ASES elementary and middle school sites to the lowest responsible bidder and direct the Finance Director to issue a purchase order not to exceed the amount of \$150,000;
4. Authorize the City Manager to approve the expenditures for CM School Supply for the purpose of stocking up on school supplies that will be distributed to each ASES site and direct the Finance Director to issue a purchase order not to exceed the amount of \$325,000; and
5. Authorize the City Manager to approve the expenditures for Office Depot for the purpose of stocking up on office supplies and direct the Finance Director to issue a purchase order not to exceed the amount of \$225,000.

B4. MINUTES - REGULAR MEETING OF NOVEMBER 27, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

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

C1. ORDINANCES - FIRST READING BY TITLE ONLY  
Waived reading of all Ordinance Introductions and read by title only.

C2. LOAN AGREEMENT WITH THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY (Report of: Economic Development Department)

**Recommendation:** Approve the Loan Agreement between the City of Moreno Valley and the Community Redevelopment Agency.

C3. MINUTES - REGULAR MEETING OF NOVEMBER 27, 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  
Waived reading of all Ordinance Introductions and read by title only.
- D2. MINUTES - REGULAR MEETING OF NOVEMBER 27, 2007 (Report of: City Clerk's Department)

**Recommendation:** Approve as submitted.

**Council Member Stewart made a motion, seconded by Council Member West to continue Item A18 to February 12, 2008. Approved by a 5-0 vote.**

**Joint Consent Calendar Items A1-D2 approved by a 5-0 vote except for Item A18 which was pulled for separate action. m/Batey, s/West.**

**E. PUBLIC HEARINGS**

- E1. A PUBLIC HEARING ON THE FOLLOWING LAND USE PROPOSALS:  
(Report of the Community Development Director)

Project 1: General Plan Amendment (PA06-0112) from Commercial to Residential 15, Zone Change (PA06-0113) from Community Commercial (CC) to R15, Tentative Tract Map No. 34988 (PA06-0111), and a Conditional Use Permit for a Planned Unit Development (PA06-0114), to build 271 units on 19.47 net acres located near the southeast corner of Alessandro and Perris Boulevards.

Applicant: Stratus Commercial Properties; and

Project 2: General Plan Amendment (PA04-0206) and Zone Change (PA04-0205) from RA-2 to R5 for a portion (60 acres) of the project site and Tentative Tract Map No. 33222 (PA04-0204) to develop 253 single-family residential lots on 80 acres located on the south side of Alessandro Boulevard and east of Merwin Street.

Applicant: Winchester Associates, Inc.; and

Project 3: General Plan Amendment (PA07-0019) from Commercial to Residential 20 and Zone Change (PA07-0018) from Community Commercial to Residential 20, to develop a 240-unit multiple-family residential project (PA07-0017) with associated Tentative Tract Map 35414 (PA07-0016) for condominium purposes, involving approximately 12 acres located on the south side of Box Springs Road, east of Clark Street (extended).

Applicant: Lincoln Property Company Southwest, Inc.

**Recommendation:** That the City Council:

1. Conduct a public hearing for review of Project 1 and defer taking action on Project 1 until after the public hearing for Project 3;

David Wood, applicant, made the presentation.

Mayor White opened the public testimony portion of the public hearing; there being none, public testimony was closed.

2. Conduct a public hearing for review of Project 2, and defer taking action on Project 2 until after the public hearing for Project 3;

David Slawson, applicant, made the presentation.

Mayor White opened the public testimony portion of the public hearing, which was received from Cathy Godfrey (opposes), Margie Breitreuz (opposes), Marcia Narog (opposes), Charles Hale (opposes), Nancy Alquire (opposes), Jan Beyers (opposes), James Devlin (opposes the location of a storm drain), Mark Rogers (opposes), Tom Jerele Jr. (supports) and Laura Merrill (opposes).

**Motion to return Project 2 to the Planning Commission with revisions to the application to be made by the applicant. Approved by a 5-0 vote. m/Stewart, s/West.**

3. Conduct a public hearing for review of Project 3;

Wes Alston, applicant, made the presentation.

Mayor White opened the public testimony portion of the public hearing; there being none, public testimony was closed.

4. Adopt a Negative Declaration for Project 1 applications PA06-0112 (General Plan Amendment), PA06-0113 (Zone Change), PA06-0111 (Tentative Tract Map No. 34988) and PA06-0114 (Conditional Use Permit for a Planned Unit Development). The applications, individually and cumulatively, will not result in a significant effect on the environment;

**Approved by a 5-0 vote. m/Stewart, s/West.**

5. Adopt a Negative Declaration for Project 2 applications PA04-0206 (General Plan Amendment), PA04-0205 (Zone Change) and PA04-0204 (Tentative Tract Map No. 33222). The applications, individually and cumulatively, will not result in a significant effect on the environment;

**Not adopted.** Returning to the Planning Commission with revisions to the application.

6. Adopt a Mitigated Negative Declaration and Mitigation Monitoring Program for Project 3 applications PA07-0016 (Tentative Tract Map No. 35414), PA07-0017 (Plot Plan), PA07-0018 (Zone Change) and PA07-0019 (General plan Amendment) As designed and conditioned, the applications, individually and cumulatively, will not result in a significant effect on the environment;

**Approved by a 5-0 vote. m/Stewart, s/West.**

7. Approve Resolution No. 2007-142 approving PA06-0112, PA04-0206, and PA07-0019, thereby establishing General Plan Land Use Map designations for Projects 1, 2, and 3 as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibits A, B, and C;

Resolution No. 2007-142

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA06-0112) to Change the Land Use from Commercial to Residential 15 for the 19.47 Net Acres Located Within Assessor's Parcel Numbers 484-020-006, 018 and 020 Located Near the Southeast Corner of Perris and Alessandro Boulevards; a General Plan Amendment (PA04-0206) to Change the Land Use for the 60 Acres of Assessor's Parcel Numbers 478-240-002, 003, 021 to 023, and 031 to 034 from Residential 2 to Residential 5 for Property Located Near the Southeast Corner of Alessandro Boulevard and Merwin Street; and a General Plan Amendment (PA07-0019) from Commercial to Residential 20 for the 12.11 Net Acres of Assessor's Parcel Numbers 291-050-003, 004, 012 and 013 Located on the South Side of Box Springs Road East of Clark Street (Extended), Thereby Establishing General Plan Land Use Map Designations for Certain Properties as Described in the Resolution, and the Revised General Plan Maps Attached to the Resolution as Exhibits A, B, and C

**Resolution No. 2007-142 adopted as amended, approving Projects 1 & 3 and excluding Project 2. Approved by a 5-0 vote. m/Stewart, s/West.**

8. Introduce Ordinance No. 762 approving Project 1 Zone Change (PA06-0113) from Community Commercial (CC) to R15 for 19.47 net acres located near the southeast corner of Alessandro and Perris Boulevards, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

Ordinance No. 762

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA06-0113 (Zone Change) to Change the Land Use from Community Commercial to R15 for the 19.47-Net Acres Located within Assessor's Parcel Numbers 484-020-006, 018 & 020

**Approved by a 5-0 vote. m/Stewart, s/Batey.**

9. Introduce Ordinance No. 763 approving Project 2 Zone Change (PA04-0205) to change the land use designation for a portion (60 acres) of the 80-acre project site from RA-2 to R5, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

Ordinance No. 763

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA04-0205 (Zone Change) to Change the Land Use for the 60-Acres of Assessor's Parcel Numbers 478-240-002, 003, 021 to 023, and 031 to 034 from RA-2 to R5.

**Not adopted**

10. Introduce Ordinance No. 764 approving Project 3 Zone Change (PA07-0018) from Community Commercial to Residential 20 for 12.11 net acres located on the south side of Box Springs Road, east of Clark Street (extended), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit

Ordinance No. 764

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA07-0018 (Zone Change) to Change the Land Use District for Approximately 12 Acres Consisting of Assessor Parcel Numbers 291-050-003, 004, 012, and 013 from the Community Commercial Use Land Use District to the Residential 20 Land Use District

**Approved by a 5-0 vote. m/Stewart, s/Batey.**

11. Approve Resolution No. 2007-143 approving Project 1 Tentative Tract Map No. 34988 (PA06-0111) and Conditional Use Permit for a Planned Unit Development (PA06-0114) to build 271 units on the 19.47 net acres of Assessor's Parcel Numbers 484-020-006, 018, and 020, subject to a

General Plan Amendment and Zone Change and based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibits A and B; and

Resolution No. 2007-143

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map No. 34988 (PA06-0111) to Subdivide the 19.47-Net Acres of Assessor's Parcel Numbers 484-020-006, 018 and 020 for Condominium Purposes and Conditional Use Permit PA06-0114 for a 271-Unit Planned Unit Development

**Approved by a 5-0 vote. m/Stewart, s/Batey.**

12. Approve Resolution No. 2007-144 approving Project 2 Tentative Tract Map No. 33222 (PA04-0204) to develop 253 single-family residential lots on the 80-acres of Assessor's Parcel Numbers 478-240-002, 003, 013-015, 021-023 and 031-034, subject to a General Plan Amendment and Zone Change and based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A; and

Resolution No. 2007-144

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map No. 33222 (PA04-0204) to Subdivide the 80-Acres of Assessor's Parcel Numbers 478-240-002, 003, 013-015, 021-023 and 031-034 Into 253 Single-Family Residential Lots

**Not approved**

13. Approve Resolution No. 2007-145 approving Project 3 Tentative Tract Map No. 35414 (PA07-0016) and Plot Plan (PA07-0017) to develop 240 multiple-family residential units on the approximately 12 acres of Assessor Parcel Numbers 291-050-003, 004, 012 and 013, subject to a General Plan Amendment and Zone Change and based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A;

Resolution No. 2007-145

A Resolution of the City Council of the City Of Moreno Valley Approving Application Numbers PA07-0016 (Tentative Tract Map Number 35414) And PA07-0017 (Plot Plan) to Allow Development of a 240-Unit Multiple-Family Residential Development with Associated Subdivision Map for Condominium Purposes Involving Approximately 12 Acres on the South

Side of Box Springs Road, East of Clark Street Extended (Assessor's Parcel Numbers 291-050-003, 004, 012 and 013)

**Approved by a 5-0 vote. m/Stewart, s/West.**

## **AGENDA ORDER**

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL ARE AS FOLLOWS:

### Harold Trubo and Richard Dozier

- 1) Harold Trubo, a board member of the Moreno Valley Historical Society, said that the proceeds from the sale of a picture book about Moreno Valley history will be set aside for a Moreno Valley History Museum; anyone interested in this book can obtain a copy from his office at Tucker's Tax Service on Sunnymead Blvd. near Heacock or from Bradley's Florist on the corner of Indian and Sunnymead. This Saturday, a book signing will be held at Bradley's Florist from 11-3; presented the first signed copy of the book to each Council member.

### Jan Beyers

- 1) No left turn on Redlands Blvd. – it is difficult to get in and out of equestrian center; questioned why it was done this way; need to put signs; asked to fix this problem so people can turn in safety – Public Works Director Chris Vogt will look at it.

### Daryl Terrel

- 1) There is a significant increase of residential properties for foreclosure. These vacant properties pose problems because of lack of maintenance and/or security and cause devaluation of other properties. Presented a draft of ordinances re maintenance and rehabilitation of vacant and neglected residential properties and inspection of properties.

## **AGENDA ORDER**

- E2. PUBLIC HEARING TO ADOPT A RESOLUTION TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT – ALESSANDRO BOULEVARD – CHAGALL COURT TO GRAHAM STREET (Report of: Public Works Department)

Mayor White opened the public testimony portion of the public hearing; there being none, public testimony was closed.

### **Recommendation:**

1. Conduct the public hearing and accept public comment, for consideration to approve establishment of an underground utilities district on



Alessandro Boulevard along the north side of Alessandro Boulevard from 1,000 feet (ft.) east of Chagall Court to 800 ft. past the center line of Graham Street, and from 900 ft. south of Alessandro Boulevard along the east side of Graham Street;

2. If approved, adopt a resolution to establish the underground utility district located along Alessandro Boulevard east of Chagall Court to Graham Street and along the east side of Graham Street, Resolution No. 2007-141; and

Resolution No. 2007-141

A Resolution of the City Council of the City of Moreno Valley, California, Establishing an Underground Utility District on Alessandro Boulevard: Chagall to Graham

**Approved by a 5-0 vote. m/Stewart, s/Batey.**

3. Direct staff to notify affected property owners as shown on the last equalized assessment roll and all utilities concerned by mail of this action by sending a copy of the adopted Resolution along with a copy of Moreno Valley Ordinance No. 10, which adopted County of Riverside Ordinance No. 517.

**Approved by a 5-0 vote. m/Stewart, s/West.**

**ADJOURNED REGULAR CITY COUNCIL MEETING TO SPECIAL MEETING OF THE MORENO VALLEY COMMUNITY FOUNDATION**

**ROLL CALL**

Council:

Charles R. White	Mayor
William H. Batey, II	Mayor Pro Tem
Bonnie Flickinger	Council Member
Richard A. Stewart	Council Member
Frank West	Council Member

**REPORTS**

1. APPROVAL OF CHANGES TO ARTICLES OF INCORPORATION (Report of: City Attorney's Department)

**Recommendation:** Approve Proposed Changes to Articles of Incorporation

Mayor White opened the agenda item for public comments; there being none, public comments were closed.

**Approved proposed changes to Articles of Incorporation as requested by the Internal Revenue Service by a 5-0 vote. m/Stewart, s/Batey.**

## ADJOURNMENT TO THE REGULAR CITY COUNCIL MEETING

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

None

### G. REPORTS

#### G1. CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR AND MAYOR PRO TEM (Report of: City Clerk's Department)

**Recommendation:** That the City Council conduct the reorganization of the City Council by selecting two Council members to serve one-year terms respectively as Mayor and Mayor Pro Tem.

Mayor White opened the agenda item for public comments; there being none, public comments were closed.

**Approved by a 5-0 vote to hold a voice vote. m/Stewart, s/West.**

**Mayor White made a motion, seconded by Council Member West to nominate Mayor Pro Tem Batey as Mayor. There were no other motions. Approved by a 5-0 vote.**

**Mayor White made a motion, seconded by Council Member Flickinger to nominate Council Member West as Mayor Pro Tem. There were no other motions. Approved by a 5-0 vote.**

#### G2. CONSIDERATION OF A REQUEST FROM THE MORENO VALLEY BLACK CHAMBER OF COMMERCE COMMUNITY FOUNDATION TO SPONSOR ITS 6<sup>TH</sup> ANNUAL MARTIN LUTHER KING JR. CELEBRATION (Report of: Deputy City Manager) (Material not available at time of printing; to be provided under separate cover)

Oral report given by Deputy City Manager Rick Hartmann.

Mayor White opened the agenda item for public comments; there being none, public comments were closed.

**Mayor Pro Tem Batey made a motion, seconded by Council Member Stewart to waive the fee (\$5,500 maximum) and in addition the cost of powering the generator as part of sponsorship for the 6<sup>th</sup> annual Martin Luther King Jr. celebration; side to be decided. Approved by a 5-0 vote.**

**Council Member Stewart made a motion, seconded by Mayor Pro Tem Batey to extend the time of the meeting past 11:00 p.m. Approved by a 5-0 vote.**

- G3. A PUBLIC MEETING REGARDING PA07-0006, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE, FOR FURTHER DISCUSSION AND CONSIDERATION AMENDING MUNICIPAL CODE PROVISIONS REGARDING CHURCHES AND SIMILAR ASSEMBLY USES, RETAIL USE, TOWING, ADMINISTRATIVE REVOCATION OF ADMINISTRATIVE APPROVALS, APPEAL PERIOD OF GENERAL PLAN AMENDMENTS, LANDSCAPING SETBACKS, NEW APPLICATIONS FOLLOWING DENIAL, AND MULTIPLE FAMILY DEVELOPMENT STANDARDS (Received First Reading and Introduction on October 9, 2007 by a 4-0-1 Vote, Flickinger Absent; and Continued From October 23, 2007 by a 5-0 Vote) (Continued from November 13, 2007 by a 5-0 Vote) (Report of: Community Development Department)

**Recommendation:**

1. Affirm the previous Council action to Adopt Ordinance No. 757, previously introduced at the October 9, 2007 City Council meeting; or

Ordinance No. 757

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 9 of the City of Moreno Valley Municipal Code Regarding Churches and Similar Assembly Uses, Retail Use, Towing, Administrative Revocation of Administrative Approvals, Landscaping Setbacks, New Applications Following Denial and Multiple-Family Development Standards;

2. Recognize that PA07-006 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and
3. Introduce revised Ordinance No. 757, thereby approving PA07-0006, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Mayor White opened the agenda item for public comments, which were received from William Kennedy (opposes), Teresa Young (opposes), Elder JD White (opposes), Benji Banks (opposes), Walter Rogers (opposes), Marvel Thomas (opposes) and Edith Rogers (opposes).

**Council Member Flickinger made a motion, seconded by Mayor Pro Tem Batey to bring back this ordinance without any changes to regulations regarding churches. Approved by a 5-0 vote.**

- G4. AMENDED ORDINANCE NO. 761, AMENDING TITLE 5 OF THE MORENO VALLEY MUNICIPAL CODE, ADDING THERETO A NEW CHAPTER 5.24 ESTABLISHING REGULATION FOR FILMING PERMITS (Report of: Assistant to the City Manager) (Received First Reading and Introduction on November 27, 2007 by a 5-0 Vote, as Amended)

**Recommendation:**

1. Adopt Ordinance No. 761, As Amended, Establishing Regulations for Filming Permits; and

Ordinance No. 761

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 5 of the City of Moreno Valley Municipal Code, by Adding Thereto a New Chapter 5.24 Establishing Regulations for Filming Permits

**Approved by a 5-0 vote. m/Stewart, s/West.**

2. Clarify that the City of Moreno Valley's current film permit application fee is \$393.00.

**Approved by a 5-0 vote. m/Stewart, s/West.**

- G5. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

None given.

**H. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION

- H1. ORDINANCE NO. 760 AMENDING SECTION 12.36.010 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF TRUCK ROUTES (RECEIVED FIRST READING AND INTRODUCTION ON NOVEMBER 27, 2007 BY A 5-0 VOTE, AS AMENDED)

**Recommendation:** Adopt Ordinance No. 760.

Ordinance No. 760

An Ordinance of the City Council of the City of Moreno Valley Amending Section 12.36.010 of Chapter 12.36 of Title 12 of the City of Moreno Valley Municipal Code, Revising the Designation of Truck Routes

**Approved by a 5-0 vote. m/Stewart, s/West.**

ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS – NONE

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY**

Council Member Flickinger

- 1) Recommended a pictorial history book about Moreno Valley as a Christmas present
- 2) Wished everyone Merry Christmas and a happy prosperous New Year

Mayor Pro Tem Batey

- 1) Asked for the status of redevelopment improvements in Farragut and Edgemont area; asked staff to update residents affected by the improvements
- 2) Has two requests for street lights; one of them is on Hemlock by Graham; will provide info on the other
- 3) Wished happy holidays to everyone

Council Member Stewart

- 1) Last Thursday, attended Christmas concert performed by Rancho Belago Wind Symphony - it was a great concert

Council Member West

- 1) Was on televised panel in San Bernardino - one of the callers from Moreno Valley said that Moreno Valley is the greatest city in the world and has the greatest Council

Mayor White

- 1) Council accomplished many things during the past year, made many decisions, served on many local and regional committees and represented the City of Moreno Valley professionally and to the very best of its ability
- 2) Due to events beyond the control of the City Council, the downturn in the economy is taking place and is affecting Riverside County. The situation will necessitate making adjustments to the FY 08/09 budget. Asked to remember that our city is in a strong financial position; will experience a few bumps but will survive
- 3) Thanked staff for the excellent year; thanked those who participated in the first annual Mayor's Golf Tournament; \$112,000 was collected for the new library
- 4) Tonight was his last meeting this year as a mayor; the regular Council meeting falls on 12/25 which is a Christmas Day which means that the Council will not be in session
- 5) Wished everyone Merry Christmas and a happy and healthy New Year
- 6) Thanked everyone for the excellent year. As mayor he felt everyone was behind him and he appreciates it

**CLOSED SESSION - none**

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 11:53 p.m. by unanimous informal consent.

Submitted by:

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Jane Halstead, City Clerk  
Secretary, Moreno Valley Community Services District  
Secretary, Community Redevelopment Agency of the City of Moreno Valley  
Secretary, Board of Library Trustees

Approved by:

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William H. Batey II, Mayor  
President, Moreno Valley Community Services District  
Chairperson, Community Redevelopment Agency of the City of Moreno Valley  
Chairperson, Board of Library Trustees

\* amended on 6/24/08  
enl