

**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**

**REGULAR MEETING – 6:30 P.M.
JULY 13, 2004**

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 6:30 p.m. by Mayor West in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION - Ministry Assistant Don Maresh, Discovery Christian Church

ROLL CALL

Council:

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

Staff:

Alice Reed	City Clerk
Steve Chapman	Finance Director/City Treasurer
Robert Herrick	City Attorney
Gene Rogers	City Manager
Barry McClellan	Assistant City Manager
Linda Guillis	Community and Economic Development Director
William Di Yorio	Police Chief
Stan Lake	Fire Chief
Trent Pulliam	Public Works Director/City Engineer

Cynthia Pirtle
Steve Kupsak
Denese Wilson
Betsy Adams

Director of Library Services
Parks and Facilities Manager
Human Resources Director
Administrative Services Director

Mayor West opened the agenda items for the Consent Calendars for public comments.

Issac Cramer – 2526 Angelo Drive, Los Angeles (Voetsak-Albers Group) (Item A9)

1) Clarified right-of-way on Resolution No. 2004-54

Council Member Flickinger made a motion, seconded by Council Member White to approve the Consent Calendars in their entirety. Motion carried 5-0. Roll call vote.

A. CONSENT CALENDAR - CITY COUNCIL

- A1. ORDINANCES - FIRST READING BY TITLE ONLY
Waived reading of all Ordinance Introductions and read by title only.
- A2. MINUTES – SPECIAL MEETING OF JUNE 15, 2004
Approved as submitted.
- A3. MINUTES – REGULAR MEETING OF JUNE 22, 2004
Approved as submitted.
- A4. REQUEST FOR A 4-WAY STOP AT THE INTERSECTION OF INDIAN STREET AND BRODIAEA AVENUE
Adopted Resolution No. 2004-53 to establish 4-way stop controls at the intersection of Indian Street and Brodiaea Avenue and directed Transportation Engineering Division to prioritize Indian Street and Brodiaea Avenue on the 2005/2006 signal priority list.

Resolution No. 2004-53

A Resolution of the City Council of the City of Moreno Valley Establishing Stop Controls for North and South Bound Traffic on Indian Street and Brodiaea Avenue

- A5. PA02-0120 – IDI WAREHOUSE - ACCEPT BONDS AND AGREEMENT

FOR PUBLIC RIGHT-OF WAY IMPROVEMENTS - EAST OF PERRIS BOULEVARD, SOUTH OF GLOBE STREET, NORTH OF THE PERRIS VALLEY STORM DRAIN - SUBDIVIDER - INDUSTRIAL DEVELOPMENT INTERNATIONAL, INC.

Accepted the bonds and Agreement for Public Improvements for PA02-0120; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the County Recorder's office for recordation.

- A6. PA03-0066 – SERTA MATTRESS - ACCEPT AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - NORTHEASTERLY OF GRAHAM STREET AND BRODIAEA AVENUE - SUBDIVIDER - NATIONAL BEDDING LLC

Accepted the Agreement for Public Improvements for PA03-0066; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the County Recorder's office for recordation.

- A7. APPROVAL OF FINAL MAP 31128 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT BONDS & AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - SOUTHWEST CORNER OF CACTUS AVENUE AND OLIVER STREET - SUBDIVIDER - WESTERN PACIFIC HOUSING

Approved Final Map 31128, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accepted the bonds and Agreement for Public Improvements; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

- A8 APPROVAL OF FINAL MAP 31149 – SINGLE FAMILY RESIDENTIAL PROJECT, AND ACCEPT BONDS & AGREEMENT FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS - WEST SIDE OF KITCHING STREET AND NORTH OF FRAN LOU DRIVE - SUBDIVIDER - J. W. S. ASSOCIATES, LLC

Approved Final Map 31149, authorized the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation; accepted the bonds and Agreement for Public Improvements; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

- A9. APPROVAL OF RESOLUTION NO. 2004-54, SUMMARY VACATION OF UNNAMED PUBLIC RIGHT-OF-WAY - WEST SIDE OF INDIAN STREET, NORTH OF OLEANDER AVENUE SUBDIVIDER - VOETSAK-ALBERS GROUP ET AL

Approved and adopted Resolution No. 2004-54, summarily vacating unnamed public right-of-way located on the west side of Indian Street, north of Oleander Avenue; and directed the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

Resolution No. 2004-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Unnamed Public Right-of-Way

- A10. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE SB 821 SIDEWALK PROJECT AT PERRIS BOULEVARD BETWEEN DRACAEA AVENUE AND EUCALYPTUS AVENUE, AND ALESSANDRO BOULEVARD SIDEWALK IMPROVEMENTS BETWEEN ELSWORTH STREET AND GRANT STREET, PROJECT NOS. 04-12272220 AND 03-89280023

Adopted the plans and specifications that are on file in the office of the City Engineer and authorized the City Clerk to advertise the project for construction bids.

- A11. AWARD OF ANNUAL COPIER AGREEMENT TO XEROX CORPORATION
Awarded the annual copier agreement to Xerox Corporation as being in the best interest of the City.

- A12. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) RESOLUTION FOR TAX CREDIT APPLICATION

Adopted Resolution No. 2004-56, a resolution of the City of Moreno Valley regarding assistance to the Cottonwood Place Phase III housing development proposed by Palm Desert Development Company.

Resolution No. 2004-56

A Resolution of the City Council of the City of Moreno Valley, California, Supporting the Cottonwood Place Phase III Housing Development and Affirming its Intention to Provide Assistance to Heacock Cottonwood III, LP, A Subsidiary of the Palm Desert Development Company

- A13. WARRANT REPORT – JUNE, 2004
Adopted Resolution No. 2004-57, approving the Warrant Report, dated June 30, 2004 in the total amount of \$17,813,420.63.

Resolution No. 2004-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated June 30, 2004

- A14. REQUEST CLOSURE OF PROFESSIONAL CONSULTANT SERVICES AGREEMENT (PLANNING AND ENVIRONMENTAL PHASE) AND AUTHORIZATION TO SOLICIT PROPOSALS FOR PROFESSIONAL CONSULTANT SERVICES (DESIGN PHASE) FOR THE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENTS, PROJECT NO. 98-25897
Approved the Fifth Amendment to Agreement for Professional Consultant Services with Parsons Brinckerhoff Quade and Douglas, Inc., 685 East Carnegie Drive, Suite 210, San Bernardino, California 92408-3507 for additional environmental services in the not-to-exceed amount of \$93,092.50 for Account No. 125.89720; authorized the Mayor to execute Fifth Amendment to Agreement for Professional Consultant Services with Parsons Brinckerhoff Quade & Douglas, Inc.; authorized an increase in the Purchase Order to Parsons Brinckerhoff Quade & Douglas, Inc. in the not-to-exceed amount of \$93,092.50 for Account No. 125.89720; and approved Closure of the Professional Consultant Services Agreement (Planning and Environmental Phase) and authorize staff to solicit proposals for Professional Consultant Services (Design Phase).
- A15. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE FISCAL YEAR 2003-2004 ANNUAL SLURRY SEAL PROGRAM, PROJECT NO. 03-12584830
Awarded the construction contract for Fiscal Year 2003-2004 Annual Slurry Seal Program to Pavement Coatings Co., 5312 Cypress Street, Cypress, CA 90630 the lowest responsible bidder; authorized the Mayor to execute a contract with Pavement Coatings Co.; and authorized the issuance of a

Purchase Order for Pavement Coatings Co. in the amount of \$1,848,218.00 (the bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 125.84830)

- A16. TRACTS 27523-1 AND 27523-2 - ACCEPT BONDS AND AGREEMENT FOR PUBLIC RIGHT-OF WAY IMPROVEMENTS FOR UTILITY ELECTRICAL INFRASTRUCTURE SOUTH SIDE OF BRODIAEA AVENUE BETWEEN MORENO BEACH DRIVE AND WILMOT STREET - SUBDIVIDER – MORENO VALLEY CACTUS RANCH, LLC
Accepted the bonds and Agreement for Public Improvements for Utility Electrical Infrastructure for Tracts 27523-1 and 27523-2; authorized the Mayor to execute the agreement; and directed the City Clerk to forward the signed agreement to the County Recorder's office for recordation.
- A17. NOTICE OF COMPLETION AND ACCEPTANCE OF THE STREET IMPROVEMENTS AT ELSWORTH STREET FROM SHERMAN AVENUE TO BAY AVENUE, AND SHERMAN AVENUE FROM FARRAGUT AVENUE TO ELSWORTH STREET, PROJECT NO. 02-14568622
Authorized an increase in the Purchase Order for Laird Construction Co., Inc. in the amount of \$3,427.91 from the unencumbered budgeted project balance (Fund 145.68622) for the street improvements on Elsworth Street and Sherman Avenue; ratified Contract Change Order Nos. 1 and 2 (Final); accepted the work as complete for the street improvements on Elsworth Street and Sherman Avenue, constructed by Laird Construction Co., Inc., 9460 Lucas Ranch Road, Rancho Cucamonga, CA 91730-5743; and directed the City Clerk to record the Notice of Completion within ten (10) days, at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.
- A18. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE TRAFFIC SIGNALS AT LASSELLE STREET AND JOHN F. KENNEDY DRIVE, AND AT INDIAN STREET AND BAY AVENUE, PROJECT NOS. 03-13768123 AND 03-13766123
Adopted the plans and specifications that are on file in the office of the City Engineer and authorized the City Clerk to advertise the project for construction bids.

- A19. REQUEST ADOPTION OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE TRAFFIC SIGNALS AT PERRIS BOULEVARD AND MANZANITA AVENUE, AND AT LASSELLE STREET AND GENTIAN AVENUE, PROJECT NOS. 03-12566823 AND 04-12583023
Adopted the plans and specifications that are on file in the office of the City Engineer and authorized the City Clerk to advertise the project for construction bids.
- A20. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR PIGEON PASS ROAD WIDENING FROM CLIMBING ROSE DRIVE TO NORTH CITY LIMITS
Awarded the Agreement for Professional Consultant Services to HDR Engineering, Inc., 1936 East Deere Avenue, Suite 220, Santa Ana, CA 92705, to provide planning services for the Pigeon Pass Road Widening and authorized the Mayor to execute the Agreement for Professional Consultant Services with HDR Engineering, Inc.; and authorized the issuance of a Purchase Order to HDR Engineering, Inc., in the amount of \$322,700 (the proposal plus 10% contingency) for Fund 415, when the agreement has been signed by all parties.
- A21. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR SUNNYMEAD BOULEVARD REVITALIZATION FROM FREDERICK STREET TO PERRIS BOULEVARD, PROJECT NO. 04-89280221
Awarded the Agreement for Professional Consultant Services to David Evans and Associates Inc., 800 North Haven Avenue, Suite 300, Ontario, CA 91764, to provide planning services for the Sunnymead Boulevard Revitalization; authorized the Mayor to execute the Agreement for Professional Consultant Services with David Evans and Associates Inc.; and authorized the issuance of a Purchase Order to David Evans and Associates Inc., in the amount of \$561,600 (Phase I of the proposal amount plus 10% contingency) for Account No. 892.80221, when the agreement has been signed by all parties.

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. MINUTES – SPECIAL MEETING OF JUNE 15, 2004
Approved as submitted.
- B3. MINUTES – REGULAR MEETING OF JUNE 22, 2004
Approved as submitted.
- B4. RESERVE PORTION OF FUND BALANCES FOR COMMUNITY SERVICES DISTRICTS - ZONE B (RESIDENTIAL STREET LIGHTING), ZONE C (ARTERIAL STREET LIGHTING AND INTERSECTIONS LIGHTING), ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AND ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE MAINTENANCE)
Reserved 75% of CSD fund balances, with or without an agreement, for anticipated or unanticipated capital projects and future operating expenses.
- B5. EXTENSION OF CONTRACT - PROJECT NO. D-SG1/01 - MAINTENANCE OF STANDARD LANDSCAPING AND IRRIGATION
Approved the Amendment to the Contract Agreement for MVCSD Project D-SG1/01 to extend the term of the contract for an additional one-year period; authorized the President of the MVCSD Board to execute said Amendment with Excel Landscape, Inc. of Corona, California; and authorized the Purchasing Manager to issue open purchase orders to Excel Landscape, Inc. in the amounts of:
- a.) Two Hundred Thirty Thousand Three Hundred Seventy-Six Dollars and 48/100 (\$230,376.48) for twelve months of base maintenance service, and
 - b.) Twenty-Five Thousand Nine Hundred Sixty-One Dollars and 25/100 (\$25,961.25) for anticipated Additional Work per Section 3., paragraph d. of the amended Agreement
- B6. ADOPT THE PUBLIC FACILITIES FEE CREDIT AGREEMENT FOR TRACT 31128
Adopted the proposed Public Facilities Fee Credit Agreement for Tract 31128 for land and park improvements in Eastgate Ranch.
- B7. RELOCATION OF CHILD CARE PROGRAM PORTABLE CLASSROOM TO

RED MAPLE ELEMENTARY

Authorized the use of child care grant reserve funds to relocate one portable classroom to Red Maple Elementary; delegate the Executive Director to enter into contracts, award bids, and issue change orders within the not-to-exceed budgeted amount of \$108,000, for the construction and relocation of a child care portable classroom; and direct that any action taken by the Executive Director be taken back to the Moreno Valley Community Service District Board of Directors for ratification at a future date.

B8. COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) – ANNEXATION 2004-3

Adopted Resolution No. 2004-18; a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, certifying the results of an election and adding property to Community Facilities District No.1 (“CFD No. 1”).

Resolution No. 2004-18

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

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. MINUTES – SPECIAL MEETING OF JUNE 15, 2004

Approved as submitted.

C3. MINUTES – REGULAR MEETING OF JUNE 22, 2004

Approved as submitted.

C4. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD III, LP (COTTONWOOD PLACE PHASE III) RESOLUTION FOR TAX CREDIT APPLICATION

Adopted Resolution No. 2004-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Cottonwood Place Phase III housing development proposed by Palm

Desert Development Company.

Resolution No. 2004-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Cottonwood Place Phase III Housing Development and Affirming Its Intention to Provide Assistance to Heacock Cottonwood III, LP, A Subsidiary of the Palm Desert Development Company

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 JUNE 22, 2004
Approved as submitted.

E. PUBLIC HEARINGS

- E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31128 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING), CSD ZONE E-15 (HIGH-SERVICE-LEVEL PARKWAY AND LIMITED FLOOD CONTROL CHANNEL LANDSCAPE MAINTENANCE), AND APPROVAL OF THE CSD PARCEL CHARGES; 2) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE

President West opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Vice-President Stewart made a motion, seconded by Board Member Batey directing the Secretary to begin tabulation of the ballots. Motion carried 5-0. Roll call vote.

The Secretary announced the results as follows:

Tentative Tract 31128 – “Yes”

NPDES Regulatory Rate for Tentative Tract 31128 – “Yes”

Vice-President Stewart made a motion, seconded by Board Member Batey to verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached Assessor Parcel Number (APN) listing; receive and file with the City Clerk’s Office the accepted Official Tally Sheet and attached APN listing; and authorize and impose the applicable CSD charges and the NPDES regulatory rate for Tentative Tract 31128 (and all affected phases).

E2. ADOPTION OF FY 2004-05 FEE RESOLUTION AND FEE SCHEDULE

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

Council Member Flickinger made a motion, seconded by Council Member White to adopt Resolution 2004-55, as amended subject to reflect only the increases for the Consumer Price Index and the reductions be included. Motion carried 5-0. Roll call vote.

Resolution No. 2004-55

A Resolution of the City Council of the City of Moreno Valley, California, Increasing and Establishing Specified Fees for Various Services; Maintaining the Present Level of Certain Fees; Reducing the Level of Certain Fees; Reducing the Level of Certain Fees; and Incorporating Certain Prior Enactments

E3. CONSIDERATION OF AGREEMENTS RELATING TO THE MORENO VALLEY YOUTHBUILD PROGRAM

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

Council Member Flickinger made a motion, seconded by Mayor Pro Tem Stewart to Approve the Affordable Housing Agreement between the City of Moreno Valley, the Redevelopment Agency of the City of Moreno Valley, and Moreno Valley YouthBuild, Inc. to implement the City’s YouthBuild Program and authorize the City Manager and the Agency’s Executive Director to

execute the appropriate documents and take the necessary actions to implement the Agreement.

Council Member Flickinger made a motion, seconded by Council Member Batey to adopt Resolution 2004-58, a resolution of the City Council of the City of Moreno Valley approving an Affordable Housing Agreement with the Redevelopment Agency of the City of Moreno Valley and Moreno Valley YouthBuild, Inc. and making findings in connection therewith. Motion carried 5-0. Roll call vote.

Resolution No. 2004-58

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Affordable Housing Agreement with the Redevelopment Agency of the City of Moreno Valley and Moreno Valley YouthBuild, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds

Council Member Flickinger made a motion, seconded by Council Member Batey to authorize the transfer of title of Assessor's Parcel 292-202-010 from the City of Moreno Valley to the Community Redevelopment Agency. Motion carried 5-0. Roll call vote.

Agency Member Flickinger made a motion, seconded by Agency Member Batey to adopt Resolution No. RDA 2004-04, a resolution of the Community Redevelopment Agency of the City of Moreno Valley approving an Affordable Housing Agreement with the City of Moreno Valley and Moreno Valley YouthBuild, Inc. and making findings in connection therewith. Motion carried 5-0. Roll call vote.

Resolution No. RDA 2004-04

A Resolution of the Redevelopment Agency of the City of Moreno Valley, California, Approving an Affordable Housing Agreement with the City of Moreno Valley and Moreno Valley YouthBuild, Inc. for the Conveyance and Development of Land, Making Certain Findings, and Approving the Use of Funds

Council Member Flickinger made a motion, seconded by Council Member

Batey to appropriate \$166,000 from fund number 894.91310 (RDA Housing Set aside funds) for the payment to the City of fair market value of the property. Motion carried 5-0. Roll call vote.

Council Member Flickinger made a motion, seconded by Council Member Batey to authorize the transfer of title of Assessor's Parcel 292-202-010 from the Community Redevelopment Agency to Moreno Valley YouthBuild, Inc. in accordance with the Affordable Housing Agreement. Motion carried 5-0. Roll call vote.

- E4. A PUBLIC HEARING REGARDING AN ASSUMPTION OF JURISDICTION BY CITY COUNCIL FOR A PLOT PLAN APPLICATION (PA04-0004) CONSISTING OF 61 AFFORDABLE APARTMENT UNITS ON A 4.4-ACRE PARCEL OF LAND (3.6 NET ACRES) WITHIN THE R-20 (RESIDENTIAL-20) LAND USE DISTRICT. THE PROPOSED PROJECT, SUBMITTED BY THE APPLICANT, GLOBAL PREMIER INC., IS LOCATED ON THE SOUTHEAST CORNER OF BAY AVENUE AND PAN AM BLVD.

Mayor West opened the agenda item for public comments. Public comments were received from James Buchwald (opposes).

A presentation was made by Magdy Hanna and Wayne Dietz on behalf of the applicant for the project, Global Premier Inc.

Mayor Pro Tem Stewart made a motion, seconded by Council Member White to recognize that the proposed plot plan (PA04-0004) for a 61 unit apartment complex within the R-20 (Residential 20) land use district, is exempt from the California Environmental Quality Act pursuant to Section 15332 "In-Fill Development Projects" of the CEQA Guidelines; and approve City Council Resolution No. 2004-59, thereby approving PA04-0004 (Plot Plan), based on the findings included in the Resolution, as changed with the conditions as amended tonight. Motion failed 2-3, Mayor West, Council Members Batey and Flickinger dissenting. Roll call vote.

Mayor Pro Tem Stewart made a motion, seconded by Council Member White to continue the item to the regular City Council meeting of September 14, 2004 for the purposes of further discussions with the developer/applicant for the purposes of findings one way or the other to further change, modify, discuss, present findings one way or the other and to further digest and

discuss this project to present a more detailed presentation at that time for another action. Motion carried 4-1, Council Member Batey dissenting. Roll call vote.

**RECESS;
RECONVENE**

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

Daryl Terrell – Address matter of record

- 1) New beginnings; new vision for City

Tom Jerele, Sr. – Address matter of record

- 1) Helped in building of the image of the City of Moreno Valley in the early '80's –
- 2) Press not giving the City good exposure

Pete Bleckert – Address matter of record

- 1) Always lived in Edgemont – comes from poor background
- 2) RDA funds

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

Mayor West

- 1) Commented on the outstanding turnout at the Fourth of July parade – concert and fireworks show were outstanding – commended all those who helped the event come together

Council Member Batey

- 1) Riverside Conservation Agency held meeting yesterday and permit was signed by all of the agencies and will be implemented to comply with the MSHCP (Multi-Species Habitat Conservation Plan)
- 2) Advised the public to be fire safe and stay cool and hydrated during the summer months

Mayor Pro Tem Stewart

- 1) Parade was outstanding and the old fire truck looked great – proud to see the Marines and their tank participating in the parade – families included the Marines in their picnics
- 2) Thanked City staff for their outstanding efforts with the event
- 3) Has had many complaints regarding the use of illegal fireworks throughout the City – these are the “industrial” type of fireworks – very dangerous
- 4) Hearing a lot about the “pocket bikes” and small scooters – these are dangerous and there has been a serious accident recently involving one of the scooters – driver must have a motorcycle endorsement on their drivers license to operate one of these vehicles
- 5) Inquired as to status of new golf course
- 6) Inquired as to status of the Day Street traffic signal and when will Day Street be widened
- 7) In August 12 C-17’s will be operating out of March Air Reserve Base while runway repairs are being done at McCord Air Base in Washington

Council Member White

- 1) Advised the residents that the Municipal Utility will be very beneficial to the City in the future – don’t be misled by those who oppose it

Council Member Flickinger

- 1) Attended the Walgreen’s Distribution Center grand opening – facility is set back far enough from Perris Boulevard that it is not imposing – state of the art building – proud to have it in her district
- 2) City Code Compliance Department has implemented the “Clean Sweep” program to help interested residents clean up their neighborhoods – interested residents can contact the City for information
- 3) City has lost businesses to Riverside due to the fact that they have their own Municipal Utility and can offer incentives to businesses to locate in their City – Moreno Valley needs to be able to offer those same incentives

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - NONE

G. REPORTS

G1. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR

TENTATIVE TRACTS 30708 AND 30924 (AND ALL AFFECTED PHASES):
1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B
(RESIDENTIAL STREET LIGHTING) AND 2) APPROVAL OF THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
REGULATORY RATE SCHEDULE. SOUTHWEST CORNER OF IRIS
AVENUE AND LASSELLE STREET

President West opened the agenda item for public comments; there being none, public comments were closed.

Vice-President Stewart made a motion, seconded by Board Member Batey to receive and file. Motion carried unanimously.

- G2. ORDINANCE NO. 664 AMENDING SECTIONS 9.02.150 AND 9.08.120 WITH RESPECT TO TEMPORARY USES AND OUTDOOR SALES OF MERCHANDISE (CONTINUED FROM JUNE 22, 2004)

President West opened the agenda item for public comments. Public comments from Charlie Hale, representing the March Community Credit Union, were read into the record by the City Clerk.

Council Member Batey made a motion, seconded by Council Member White to introduce Ordinance No. 664, as amended. Motion carried 5-0. Roll call vote.

Ordinance No. 664

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sections 9.02.150 and 9.08.120 with Respect to Temporary Uses and Outdoor Sales of Merchandise

- G3. MARCH JOINT POWERS AGREEMENT AMENDMENT #8 (CONTINUED FROM JUNE 22, 2004)

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

Mayor Pro Tem Stewart made a motion, seconded by Council Member White to continue the item to the City Council meeting of August 24, 2004. Motion

carried unanimously.

G4. CONCEPTUAL MASTER PLAN UPDATE – AQUEDUCT BIKEWAY

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

Mayor Pro Tem Stewart made a motion, seconded by Council Member White to continue the item to the Study Session meeting of August 17, 2004.

G5. LEGISLATIVE UPDATE

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

Mayor Pro Tem Stewart made a motion, seconded by Mayor West to receive and file. Motion carried unanimously.

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. 668, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY: (1) AMENDING THE OFFICIAL ZONING ATLAS BY CHANGING THE ZONING CLASSIFICATION FROM RESIDENTIAL 2 AND HILLSIDE RESIDENTIAL TO RESIDENTIAL 3 AND OPEN SPACE FOR ABOUT 60 ACRES OF LAND GENERALLY LOCATED BETWEEN CASEY ROAD AND MANZANITA AVENUE AT THE EAST END OF COVEY ROAD: AND (2) PREZONING APPROXIMATELY 138 ACRES OF LAND GENERALLY LOCATED AT THE NORTH END OF OLD PERRIS BOULEVARD, OUTSIDE OF THE CITY LIMITS AS RESIDENTIAL 3 AND

OPEN SPACE (RECEIVED FIRST READING AND INTRODUCTION JUNE 22, 2004 ON A 5-0 VOTE)

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

Mayor Pro Tem Stewart made a motion, seconded by Council Member Flickinger to adopt Ordinance 668. Motion carried 5-0. Roll call vote.

Ordinance No. 668

An Ordinance of the City Council of the City of Moreno Valley: (1) Amending the Official Zoning Atlas by Changing the Zoning Classification from Residential 2 and Hillside Residential to Residential 3 and Open Space for About 60 Acres of Land Generally Located Between Casey Road and Manzanita Avenue at the East End of Covey Road: and (2) Rezoning Approximately 138 Acres of Land Generally Located at the North End of Old Perris Boulevard, Outside of the City Limits as Residential 3 and Open Space

- H2. ORDINANCE NO. 669, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 2.04.050 OF CHAPTER 2.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO COMPENSATION AND REIMBURSEMENT FOR CITY COUNCIL MEMBERS (RECEIVED FIRST READING AND INTRODUCTION JULY 6, 2004 ON A 5-0 VOTE)

Mayor Pro Tem Stewart made a motion, seconded by Council Member Flickinger to adopt Ordinance No. 669. Motion carried 5-0. Roll call vote.

Ordinance No. 669

An Ordinance of the City Council of the City of Moreno Valley, California, Amending section 2.04.050 of Chapter 2.04 of Title 2 of the City of Moreno Valley Municipal Code, Relating to Compensation and Reimbursement for Council Members

ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS – NONE

Public Works Director Trent Pulliam announced there was a typographical error in the parcel number listed on the Closed Session agenda. Item number 3b. - **486**-672-022 – should read **482**-672-022 and parcel number 296-212-062, Regional Properties Incorporated to be included as it was inadvertently omitted

CLOSED SESSION

REPORT OF ACTION FROM CLOSED SESSION BY CITY ATTORNEY, IF ANY - NONE

ADJOURNMENT TO CLOSED SESSION

There being no further business to conduct, the meeting was adjourned to Closed Session at 10:14 p.m. by unanimous informal consent.

Submitted by:

Alice Reed, 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:

Frank West, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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