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 Stewart in the Council Chamber located at 14177 Frederick Street.

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

INVOCATION - Pastor Paul Cunningham, Calvary Baptist Church

ROLL CALL

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

Staff:
- Alice Reed City Clerk
- Steve Chapman Finance Director/City Treasurer
- Robert Herrick City Attorney
- Gene Rogers City Manager
- Betsy Adams Interim Assistant City Manager
- Linda Guillis Community Development Director
- William Di Yorio Police Chief
- Abdul Ahmad Fire Marshall
- Trent Pulliam Public Works Director/City Engineer
- Cynthia Pirtle Director of Library Services
- George Price Parks and Recreation Director
- Denese Wilson Human Resources Director
- Barry Foster Economic Development Director
- Angela Rushen Interim Administrative Services Director
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 Stewart 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. REQUEST TO REMOVE THE CROSSWALK ON CACTUS AVENUE AT JOSHUA TREE AVENUE (Report of: Public Works Department)
Recommendation: Instruct Transportation Engineering Division to remove the crosswalk on Cactus Avenue at Joshua Tree Avenue on December 22, 2005.

A3. REQUEST APPROVAL TO ADD ONE NEW PART TIME CAREER CROSSING GUARD POSITION TO THE ADULT SCHOOL CROSSING GUARD PROGRAM AND REDEPLOYMENT OF TWO CROSSING GUARDS TO STAFF THE INTERSECTIONS OF OLIVER STREET AT DELPHINIUM AVENUE, BAY AVENUE AT PECAN PLACE, AND DELPHINIUM AVENUE AT WINTERGREEN STREET (Report of: Public Works Department)
Recommendation: Approve the addition of one new part time career crossing guard position to the Adult School Crossing Guard Program and redeployment of two crossing guards to staff the intersections of Oliver Street at Delphinium Avenue, Bay Avenue at Pecan Place, and Delphinium Avenue at Wintergreen Street; and approve the appropriation of $7,600 from the General Fund Account Number 010-72110-6120 to fund the additional part time career Adult School Crossing Guard position for the remainder of the 2005/2006 fiscal year (December through June).

A4. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD IV, LP (COTTONWOOD PLACE PHASE IV) OWNER PARTICIPATION AGREEMENT (Report of: Economic Development Department)
Recommendation: Adopt the resolution approving the Owner Participation Agreement (OPA) between the Community Redevelopment Agency (Agency) and Heacock Cottonwood Limited Partnership IV (Participant).
Resolution No. 2005-109

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Owner Participation Agreement with Heacock Cottonwood IV Limited Partnership for the Development of Land, Making Certain Findings, and Approving the Use of Funds

A5. APPROVAL FOR THE THIRD AMENDMENT TO POLICE CONTRACT (Report of: Police Department)
Recommendation: Approve the Third Amendment to the police contract and authorize the Mayor to sign the document.

A6. FINAL MAP 30316 - SINGLE FAMILY RESIDENTIAL PROJECT, AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION) – EAST OF LASSELLE STREET, NORTH OF IRIS AVENUE, AND NORTH OF CAMINO FLORES – SUBdivider: K. HOVNANIAN FORECAST HOMES, INC. (Report of: Public Works Department)
Recommendation: Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Final Map 30316; and instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder’s Office for recordation.

Recommendation: Approve a 90% reduction to the Faithful Performance Bond securing the traffic signal system for Tract 30317; and authorize the City Engineer to reduce the Faithful Performance Bond by 90%.

A8. REQUEST FOR 4-WAY STOP CONTROL AT THE INTERSECTION OF INDIAN STREET AND ATWOOD AVENUE (Report of: Public Works Department)
Recommendation: Adopt Resolution No. 2005-110 to establish 4-way stop control at the intersection of Indian Street and Atwood Avenue.

Resolution No. 2005-110

A Resolution of the City Council of the City of Moreno Valley Establishing Stop Controls for Northbound and Southbound Traffic on Indian Street at Atwood Avenue

A9. THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES WITH ASSOCIATED ENGINEERS, INC. FOR FISCAL YEAR 2005/2006 STREET IMPROVEMENT PROGRAM (SIP) CAPITAL IMPROVEMENT PROGRAM (CIP), PROJECT NO. 02-12185520 (Report of: Public Works Department)
Recommendation: Approve the Third Amendment to Agreement for Professional Consultant Services with Associated Engineers, Inc., 3311 East Shelby Street, Ontario, California 91764 to provide Professional Consultant Services; authorize the Mayor to execute said Third Amendment to Agreement for Professional Consultant Services with Associated Engineers, Inc.; and authorize an increase in the Purchase Order to Associated Engineers, Inc. in the amount of $30,129 (the agreement amount plus 10% contingency) for a total amount of $112,669, when the Third Amendment to Agreement for Professional Consultant Services has been signed by all parties.

Recommendation: Adopt Ordinance No. 699.

Ordinance No. 699
An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA04-0164 (Zone Change) to Change the Land Use From (O) Office and (PD) Planned Development to (R3) Residential 3 for Approximately 36.24-Net Acres of Land Assessor’s Parcel Numbers 486-260-002, 486-260-007, 486-260-010, and 486-260-011 Located at the Southeast Corner of Alessandro Boulevard and Nason Street

A11. ORDINANCE NO. 700 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA04-0184 (ZONE CHANGE) TO CHANGE THE LAND USE FROM (PD) PLANNED DEVELOPMENT TO (RA2) RESIDENTIAL AGRICULTURE 2 FOR APPROXIMATELY 18.1-NET ACRES OF LAND ASSESSOR’S PARCEL NUMBERS 486-290-001 AND 486-290-002 LOCATED AT THE SOUTHEAST CORNER OF NASON STREET AND BRODIAEA AVENUE (RECEIVED FIRST READING AND INTRODUCTION ON NOVEMBER 8,

Ordinance No. 700

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA04-0184 (Zone Change) to Change the Land Use from (PD) Planned Development to (RA2) Residential Agriculture 2 for Approximately 18.1-Net Acres of Land Assessor’s Parcel Numbers 486-290-001 and 486-290-002 Located at the Southeast Corner of Nason Street and Brodiaea Avenue

A12. AN INCREASE TO THE PURCHASE ORDER TO CBA, INC. FOR PREPARATION OF THE ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN UPDATE (Report of: Community Development Department) Recommendation: Authorize the Finance Director to increase the purchase order to CBA, Inc. for preparation of the Environmental Impact Report for the General Plan Update from $210,300 to $230,300. Funding for the contract is provided in Account No. 10-85420-7200.


A15. AGREEMENT FOR EXCHANGE OF REAL PROPERTY BETWEEN RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND THE CITY OF MORENO VALLEY (Report of: Public Works Department) Recommendation: Approve the Agreement for Exchange of Real Property between Riverside County Flood Control and Water Conservation District (District) and the City of Moreno Valley (City); and authorize the Mayor to execute the Agreement for Exchange of Real Property between the District and the City of Moreno Valley.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B1. ORDINANCES - FIRST READING BY TITLE ONLY Waived reading of all Ordinance Introductions and read by title only.
Recommendation: Accept public comments regarding the mail ballot proceeding for the proposed CSD Zone S program. Participating parcels have front footage facing Sunnymead Boulevard between Frederick Street and Perris Boulevard.

B3. MINUTES - REGULAR MEETING OF NOVEMBER 8, 2005 (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. PALM DESERT DEVELOPMENT COMPANY (PDDC) HEACOCK COTTONWOOD IV, LP (COTTONWOOD PLACE PHASE IV) OWNER PARTICIPATION AGREEMENT (Report of: Economic Development Department)
Recommendation: Adopt the resolution approving the Owner Participation Agreement (OPA) between the Community Redevelopment Agency (Agency) and Heacock Cottonwood Limited Partnership IV (Participant).

Resolution No. RDA 2005-10
A Resolution of the Redevelopment Agency of the City of Moreno Valley, California, Approving an Owner Participation Agreement with Heacock Cottonwood IV Limited Partnership for the Development of Land, Making Certain Findings, and Approving the Use of Funds

C3. APPROVING THE REIMBURSEMENT TO NEWHOPE PROPERTIES III FOR THE CONSTRUCTION OF STORM DRAIN LINES T AND T-7 (Report of: Economic Development Department)
Recommendation: Approve the reimbursement to Newhope Properties III for the construction of Storm Drain Lines T and T-7 in the amount of $438,136.58; and appropriate $438,136.58 from Fund 895 fund balance to pay the reimbursement.
C4. MINUTES - REGULAR MEETING OF NOVEMBER 8, 2005 (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 8, 2005 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

Joint Consent Calendar Items A2 – D2 approved by a 5-0 vote with the exception of A13 which was amended as follows: Bullet point no. 8 on page 2 of the staff report should read “Added provision related to cease and desist orders issued on depositories (Section VIII-G)”; and Item no. 5A on page 3 of Investment Policy should read “This procedure manual shall include, but is not limited to the following”. m/West, s/White.

RECESS;
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E. PUBLIC HEARINGS

E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR:
PROJECT - PANDA EXPRESS RESTAURANT, APN 291-110-041, EAST SIDE OF DAY STREET, NORTH OF GATEWAY DRIVE, BALLOTED ITEM - NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES); AND PROJECT - MIMI’S CAFÉ, APN 291-110-042, EAST SIDE OF DAY STREET, SOUTH OF CAMPUS PARKWAY, BALLOTED ITEM - NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). (Report of: Public Works Department)
Recommendation: That the City Council, after conducting the public hearing:

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

1. Tabulate the mail ballots for the National Pollutant Discharge Elimination System (NPDES) regulatory rate schedule, for Panda Express Restaurant – APN 291-110-041 (and any division thereof) and Mimi’s Café – APN 291-110-042 (and any division thereof);
Directed the City Clerk to tabulate the ballots. Motion carried 5-0. m/White, s/Batey.

The City Clerk announced the results as follows:

APN 291-110-041 - Panda Express – NPDES – “Yes”
APN 291-110-042 – Mimi’s Café – NPDES – “Yes”

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;

3. Receive and file with the City Clerk’s Office the accepted Official Tally Sheet and APN listing; and

4. If approved, authorize and impose the NPDES maximum regulatory rate to APNs 291-110-041 and 291-110-042.

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

E2. A PUBLIC HEARING FOR: GENERAL PLAN AMENDMENT (PA04-0070) TO AMEND THE CIRCULATION AND BIKEWAY PLANS TO ALTER THE ALIGNMENT OF NASON STREET AT IRIS AVENUE; REPLACE JFK DRIVE BETWEEN LASSELLE AND OLIVER STREETS, AND MORRISON STREET SOUTH OF CACTUS AVENUE WITH ALTERNATIVE STREET IMPROVEMENTS, AND PROVIDE A CLASS III BIKEWAY ON CACTUS AVENUE AND ON OLIVER STREET; SPECIFIC PLAN AMENDMENT (P04-082) TO AMEND SPECIFIC PLAN NO. 218, THE AQUABELLA SPECIFIC PLAN (FORMERLY KNOWN AS THE MORENO VALLEY FIELD STATION SPECIFIC PLAN), TO PROVIDE FOR A GATED ACTIVE-ADULT COMMUNITY; TENTATIVE PARCEL MAP 33532 (PA04-0069) TO SUBDIVIDE 685 ACRES GENERALLY BETWEEN BRODIAEA AND IRIS AVENUE, AND BETWEEN LASSELLE AND OLIVER STREETS, INTO 4 LOTS FOR FINANCIAL PURPOSES; DEVELOPMENT AGREEMENT (PA04-0005) AN AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND MORENO VALLEY PROPERTIES, LP REGARDING SPECIFIC PLAN NO. 218, AS AMENDED (Report of: Community Development Department) Recommendation: The Staff concurs with the Planning Commission recommendation. The Planning Commission recommends the City Council:

A presentation was made by the applicant Iddo Benzeevi of Highland Fairview Properties.
Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Steve Johnson (supports), Harold Trubo (supports), and Joe Zmudesky (supports).

1) Accept an Addendum Environmental Impact Report (EIR) for PA04-0070 (General Plan Amendment), P04-082 (Specific Plan Amendment), PA04-0069 (Tentative Parcel Map 33532), and PA04-0005 (Development Agreement). The projects, individually and cumulatively, will not result in a significant effect on the environment;

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

2) Approve Resolution No. 2005-111 approving PA04-0070, thereby modifying General Plan Circulation Plan and Bikeway Plan Maps as described in the Resolution, and the revised Circulation and Bikeway Plan Maps as attached to the Resolution as Exhibits 5A and 5B;

Resolution No. 2005-111

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA04-0070); Modifying the Circulation Plan by Removing John F. Kennedy Drive between Lasselle and Oliver Streets, Removing Morrison Street South of Cactus Avenue, and Moving Nason Street’s Intersection with Iris Avenue Approximately 800 Feet Eastward; and Modifying the Bikeway Plan to Remove a Class II Bikeway on John F. Kennedy Drive between Lasselle and Oliver Streets, and Add a Class III Bikeway on Cactus Avenue between Lasselle and Oliver Streets and a Class III Bikeway on Oliver Street between Cactus and Iris Avenues

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

3) Introduce Ordinance No. 703 approving Specific Plan Amendment (P04-082) as attached to the ordinance as Exhibit 6A;

Ordinance No. 703

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Specific Plan Amendment P04-082, an Amendment to Specific Plan No. 218 the AquaBella Specific Plan (Formerly Known as the Moreno Valley Field Station Specific Plan), for 760 Acres of Land Generally between Brodiaea and Iris Avenues, and between Lasselle and Oliver Streets
4) Approve Resolution No. 2005-112 approving Tentative Parcel Map No. 33532 (PA04-0069), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit 7A; and

Resolution No. 2005-112

A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Parcel Map 33532 (PA04-0069) Subdividing 685 Acres into 4 Parcels, Generally Located between Brodiaea and Iris Avenues, and Between Lasselle and Oliver Streets

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

5) Introduce Ordinance No. 704 approving Development Agreement (PA04-0005), based on the findings in the Ordinance.

Ordinance No. 704

An Ordinance of the City Council of the City of Moreno Valley, California, Approving the AquaBella Development Agreement (PA04-0005) for 685 Acres of Land within the AquaBella Specific Plan, Generally Located between Brodiaea and Iris Avenues, and between Lasselle and Oliver Streets

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

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

Robert Miller – Representing the Moreno Valley Cultural Arts Foundation
1) Would like to rejuvenate the Moreno Valley Cultural Arts Foundation by bringing the local musical groups to participate in community concerts – the Citrus Wind Ensemble will be performing on December 8 - would like the City to sponsor

Harold Trubo
1) City’s 21st Birthday celebration – vendor booths and continuous entertainment – contact the Chamber of Commerce if interested in participating
2) Citizen of the Year application

Recommendation:

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

1) Conduct a Public Hearing to receive public comments on the proposed Listing of City Fees, Charges and Rates for Fiscal Year 2005-2006; and

2) Adopt Resolution No. 2005-113, repealing Resolution No. 2005-54 and increasing and establishing specified fees for various services; maintaining the present level of certain fees; reducing the level of certain fees; incorporating certain prior enactments; and approving the Listing of City Fees, Charges and Rates for Fiscal Year 2005-06.

Resolution No. 2005-113

A Resolution of the City Council of the City of Moreno Valley, California, Repealing Resolution No. 2005-54 and Increasing and Establishing Specified Fees for Various Services; Maintaining the Present Level of Certain Fees; and Incorporating Certain Prior Enactments

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

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Oral Presentation)
   a) Report on March Joint Powers Authority by Mayor Stewart – No report given

G2. CSD ORDINANCE ESTABLISHING REVISED FEES (Report of: Parks and
Mayor Stewart opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council, acting in the capacity as Board of Directors of the Moreno Valley Community Services District approve the continuation of the existing fees through January 11, 2006, and introduce Ordinance No. CSD 49, establishing revised fees for recreational activities, parks, the use of the TownGate Community Center, the use of the Valley Skate Park, the use of the Moreno Valley Senior Community Center, the Moreno Valley Conference and Recreation Center, the Equestrian Park and Nature Center, the use of the Mobile Stage Unit, and rescinding certain prior enactments (Roll call required) effective January 12, 2006.

Ordinance No. CSD 49

An Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California, Establishing Revised Fees for Recreational Activities, Parks, the Use of the TownGate Community Center, the Use of the Valley Skate Park, the Use of the Moreno Valley Senior Community Center, the Moreno Valley Conference and Recreation Center, the Equestrian Park and Nature Center, the Use of the Mobile Stage Unit, and Rescinding Certain Prior Enactments

Approved by a 5-0 vote, as amended to change the deposit fee for use of the Grand Valley Ballroom to a scale from $750 - $1,500. m/White, s/West.

G3. CITY MANAGER’S REPORT (Informational Oral Presentation – not for Council action)

City Manager Rogers made comments on the upcoming retirement of Public Works Director, Trent Pulliam, and on the upcoming retirement of Parks and Recreation Director, George Price.

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES – NONE
RESOLUTIONS – NONE

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

Mayor Pro Tem Flickinger
1) Responded to speaker regarding the Citrus Wind Ensemble event upcoming on December 8 – stated there is not time to agendize on a City Council meeting before the date of the concert
2) Happy Thanksgiving
3) 21st Birthday Celebration will be held December 1-4 with the Community Fair and Carnival happening for four days with the centerpiece of the celebration being on Saturday, December 3 with live concerts in two venues, exhibition basketball games, and at sundown on Saturday there will be fireworks and then several surprises – announced there will be a street closure at Frederick and Alessandro – booths are still available – call the Chamber of Commerce for information
4) Stated the Riverside Transit Authority (RTA) will be offering a shuttle to the Festival of Lights at the Mission Inn on Saturday, November 26, from the Moreno Valley Senior Community Center for $2 round trip – call the RTA office in Riverside for more information and reservations– also on New Year’s Eve all the bus lines on RTA will be free from 6 pm to closing

Council Member Batey
1) Wished George Price & Trent Pulliam a “Happy Retirement”
2) Have a happy and safe Thanksgiving – please don’t let friends and loved ones drive intoxicated – take away the car keys

Council Member White
1) Wished all a “Happy Thanksgiving”

Mayor Stewart
1) Thanked Chief DiYorio for the good work on a recent burglary call – officers to be commended

Council Member West – no comments

CLOSED SESSION - NONE

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:05 p.m. in honor of George Price and Trent Pulliam 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:

____________________________________
Richard Stewart, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees