

**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.
OCTOBER 10, 2006**

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 Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member William H. Batey, II

INVOCATION - Pastor Barry E. Knight, Perpetual Praise & Worship Church

ROLL CALL

Council:

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

Staff:

Alice Reed	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
Abdul Ahmad	Fire Marshal
Chris Vogt	Public Works Director/City Engineer
George Guayante	Interim Parks and Recreation Director
Denese Wilson	Human Resources Director
Steve Elam	Administrative Services Director
John Terrell	Planning Official

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 Flickinger 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. MINUTES – REGULAR MEETING OF SEPTEMBER 26, 2006 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- A3. LEGISLATIVE UPDATE AND NOVEMBER STATEWIDE ELECTION: A SUMMARY OF THE BALLOT MEASURES (Report of: Assistant City Manager)
Recommendation: Receive and file the informational report on ballot measures and the 2006 Legislative Update.
- A4. WARRANT REPORT – AUGUST 31, 2006 (Report of: Finance Department)
Recommendation: Adopt Resolution No. 2006-115 approving the Warrant Report, dated August 2006, in the total amount of \$28,018,264.03.

Resolution No. 2006-115

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated August 31, 2006

- A5. TRACT MAP 29504 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING FIR AVENUE, LASSELLE STREET, MULBERRY LANE, NINEBARK STREET, ALDER LANE, ATHERTON DRIVE, AND PRIMROSE WAY INTO THE CITY’S MAINTAINED STREET SYSTEM, SUBDIVIDER – TRACT 29504, LLC, RANCHO CUCAMONGA, CALIFORNIA (Report of: Public Works Department)
Recommendation:
 - 1. Adopt Resolution No. 2006-116 authorizing the acceptance of the

public improvements for Tract Map 29504 as complete and accepting Fir Avenue, Lasselle Street, Mulberry Lane, Ninebark Street, Alder Lane, Atherton Drive and Primrose Way into the City's maintained street system.

Resolution No. 2006-116

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29504, and Accepting Fir Avenue, Lasselle Street, Mulberry Lane, Ninebark Street, Alder Lane, Atherton Drive, and Primrose Way into the City's Maintained Street System

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

- A6. TRACT MAP 22377 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING CAMINO FLORES, CALLE ALTO, BOGOSO LANE, CASA ENCANTADOR ROAD, CALLE CAMELIA, CALLE ROSA, CALLE CASTANO, CAMINO LARGO, AND ABAZO DRIVE INTO THE CITY'S MAINTAINED STREET SYSTEM, SUBDIVIDER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA 91761 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-117 authorizing the acceptance of the public improvements for Tract Map 22377 as complete and accepting Camino Flores, Calle Alto, Bogoso Lane, Casa Encantador Road, Calle Camelia, Calle Rosa, Calle Castano, Camino Largo, and Abazo Drive into the City's Maintained Street System.

Resolution No. 2006-117

A Resolution of the City Council of the City of Moreno Valley, Authorizing the Acceptance of the Public Improvements as Complete Within Tract 22377, and Accepting Camino Flores, Calle Alto, Bogoso Lane, Casa Encantador Road, Calle Camelia, Calle Rosa, Calle Castano, Camino Largo, and Abazo Drive into the City's Maintained Street System

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

A7. TRACT 30316 – TEMPORARY EMERGENCY ACCESS ROAD – REDUCE FAITHFUL PERFORMANCE BOND AND RELEASE MATERIAL AND LABOR BOND, DEVELOPER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA (Report of: Public Works Department)

Recommendation:

1. Accept the improvements for Tract Map 30316 Temporary Emergency Access Road as constructed per the Property Improvement and License Agreement.
2. Authorize the City Engineer to execute the Faithful Performance Bond reduction and exoneration of the Material and Labor Bond.
3. Authorize the City Engineer to exonerate the final portion of the Faithful Performance Bond once the temporary access road has been removed and the underlying property has been returned to its original form and all clearances are received.

A8. TRACT 30316 – SINGLE FAMILY RESIDENTIAL – 2ND 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., ONTARIO, CA (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 30316.
2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation.
3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A9. PARCEL MAP 34088 – ACCEPT MAP, AGREEMENT AND CASH DEPOSIT FOR PUBLIC IMPROVEMENTS, WEST OF INDIAN AVENUE AND NORTH OF ALESSANDRO BOULEVARD, DEVELOPER – OPT MORENO VALLEY LLC, GREENWOOD VILLAGE, CO (Report of: Public Works Department)
Recommendation:

1. Approve Parcel Map 34088, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
2. Accept the Agreement for Public Improvements and Cash Deposit for Parcel Map 34088.
3. Authorize the Mayor to execute the agreement.
4. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.
5. 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. APPROVE TRACT 31431 – SINGLE FAMILY RESIDENTIAL – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF DRACAEA AVENUE AND WEST OF INDIAN AVENUE, SUBDIVIDER – DRESCH, CHAN & ZHOU PARTNERSHIP, CHINO HILLS, CA (Report of: Public Works Department)
Recommendation:

1. Approve Tract 31431, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
2. Accept the Agreement and Bonds for Public Improvements.
3. Authorize the Mayor to execute the Agreement.
4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.
5. 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.

A11. APPROVE TRACT 31212 PRIVATE DRIVEWAY – SINGLE FAMILY RESIDENTIAL – ACCEPT AGREEMENT AND BONDS FOR PRIVATE IMPROVEMENTS, SOUTHWEST CORNER OF COTTONWOOD AVENUE AND MORRISON STREET, SUBDIVIDER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements.
2. Authorize the Mayor to execute the Agreement.
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

A12. PARCEL MAP 32961 – APPROVAL OF COOPERATIVE AGREEMENT FOR PERRIS VALLEY – GROVE VIEW ROAD STORM DRAIN, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND INDUSTRIAL DEVELOPMENTS INTERNATIONAL, INC., NORTHWEST CORNER OF PERRIS BOULEVARD AND GROVE VIEW ROAD, SUBDIVIDER – INDUSTRIAL DEVELOPMENTS INTERNATIONAL, INC., IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, City of Moreno Valley, and Industrial Developments International, Inc. for Perris Valley – Grove View Road Storm Drain.
2. Authorize the Mayor to execute the cooperative agreement.
3. Direct the City Clerk to forward the signed agreement to Riverside County Flood Control and Water Conservation District.

A13. ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR PIGEON PASS ROAD WIDENING – CLIMBING ROSE DRIVE TO NORTH CITY LIMITS, PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation: Adopt a Mitigated Negative Declaration (MND) for the widening of Pigeon Pass Road from Climbing Rose Drive to the North City Limits.

A14. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR:

ASSESSOR PARCEL NUMBER (APN) 297-130-042 (76 GAS STATION) BALLOTTED ITEM NPDES, TENTATIVE PARCEL MAPS 34604, 33826 AND 33275 AND TENTATIVE TRACT 32194 BALLOTTED ITEM NPDES (Report of: Public Works Department)

Recommendation: Accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 297-130-042 (76 Gas Station), Tentative Parcel Maps 34604, 33826 and 33275 and Tentative Tract 32194 (and all affected phases) for approval of the appropriate National Pollutant Discharge Elimination System (NPDES) regulatory rate schedule.

A15. AUTHORIZATION TO AWARD BID FOR REPLACEMENT STREET SWEEPER (Report of: Public Works Department)

Recommendation:

1. Award the bid for purchase of a Schwartz M6000 Street Sweeper to Kelly Equipment Company, Upland, California, as being the lowest responsible bidder and in the best interest of the City.
2. Authorize the issuance of a Purchase Order for Kelly Equipment Company in the amount of \$246,054.36. (Account Number: 151.52610.6642.648)
3. Authorize the Maintenance and Operations Manager to execute a contract with the Mobile Source Air Pollution Reduction Review Committee (MSRC) Local Government Match Program for reimbursement in the amount of \$25,000 toward the purchase of the replacement Street Sweeper.

A16. AB 1234 ETHICS TRAINING PARTICIPANTS (Report of: City Clerk's Department)

Recommendation: Ratify the decision to include the City Manager, City Attorney and City Clerk as those employees required to take the two (2) hours of ethics training mandated by AB 1234.

A17. ORDINANCE NO. 724 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 12, 2006 ON A 5-0 VOTE) (Report of: Human Resources Department)

Recommendation: Adopt Ordinance No. 724

Ordinance No. 724

An Ordinance of the City Council of the City of Moreno Valley, California Authorizing an Amendment to the Contract Between the City Council of the City of Moreno Valley and the Board of Administration of the California Public Employees' Retirement System

- A18. TRANSFER OF REAL PROPERTY LOCATED AT THE LASSELLE SPORTS PARK FROM THE CITY OF MORENO VALLEY, A MUNICIPAL CORPORATION, TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND EXECUTION OF AN EASEMENT DEED FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT TO THE RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT (Report of: Public Works Department)
Recommendation: Authorize the Mayor to execute two (2) quitclaim deeds to transfer real property located at the Lasselle Sports Park from the City of Moreno Valley, a Municipal Corporation, to the Moreno Valley Community Services District.
- A19. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL AT PIGEON PASS ROAD AND CLIMBING ROSE DRIVE – PROJECT NO. 06-12566726 (Report of: Public Works Department)
Recommendation:
1. Adopt the plans and specifications for the Traffic Signal at Pigeon Pass Road and Climbing Rose Drive.
 2. Award the construction contract for the Traffic Signal at Pigeon Pass Road and Climbing Rose Drive to New West Signal, 14055 Foothill Blvd., Fontana, CA 92335, the lowest responsible bidder.
 3. Authorize the Mayor to execute a contract agreement with New West Signal.
 4. Authorize the issuance of a Purchase Order for New West Signal in the amount of \$134,000.00 (the bid amount plus 15% contingency) for the traffic signal at Pigeon Pass Road and Climbing Rose Drive (Account No. 125.66726).
 5. Authorize the City Manager to execute any subsequent related minor change orders to the contract with New West Signal up to, but not exceeding, the contingency amount of \$17,719.00, subject to the approval of the City Attorney.
- A20. REVIEW AND CONTINUE THE EMERGENCY ACTION REGARDING THE

DESIGN AND CONSTRUCTION OF THE MORENO VALLEY UTILITIES (MVU) 115 KILOVOLT (KV) SUBSTATION AND SWITCHYARD FACILITY (Report of: Public Works Department)

Recommendation: Review and continue the Emergency Action taken by the Council during the September 26, 2006 Council Meeting under Resolution 2006-113 Making Findings of an Emergency and Authorizing the Execution of the Design-Build Agreement for the Moreno Valley Utilities Substation and Switchyard Project between the City of Moreno Valley, as Owner, and ABB, Inc., A Delaware Corporation, as Design-Builder, in Accordance with Public Contract Code Sections 20168, 22050, and Government Code Section 5956.

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 – REGULAR MEETING OF SEPTEMBER 26, 2006 (Report of City Clerk's Department)
Recommendation: Approve as submitted.
- B3. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR: TENTATIVE PARCEL MAP 33275 AND TENTATIVE TRACT 32194 FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) (Report of: Public Works Department)
Recommendation: Accept public comments regarding the mail ballot proceedings for Tentative Parcel Map 33275 and Tentative Tract 32194 (and all affected phases) for inclusion into and approval of the annual parcel charge for Community Services District (CSD) Zone B (Residential Street Lighting)
- B4. EXTENSION OF CONTRACT – PROJECT NO. MVCSD-TT04/05 – PARKWAY & MEDIAN TREE TRIMMING (Report of: Public Works Department)
Recommendation:
1. Approve the extension of Project No. MVCSD-TT04/05 to continue its term for an additional one-year period; and
 2. Amend Subsection 8.b. of Project No. MVCSD-TT04/05's *General Provisions* to allow the Consumer Price Index for the Los Angeles-Riverside-Orange County region to be used as the basis for negotiating any requests for contract pricing increases; and
 3. Authorize the Mayor, acting in the capacity as President of the

MVCSD Board, to sign a Purchase Requisition in favor of TruGreen-LandCare, of Upland, California, and;

4. Authorize the Purchasing Manager to issue an open purchase order to TruGreen-LandCare in the amount of \$151,780.10 to pay for annual trimming of MVCSD parkway and median trees.

- B5. TRANSFER OF REAL PROPERTY LOCATED AT THE LASSELLE SPORTS PARK FROM THE CITY OF MORENO VALLEY, A MUNICIPAL CORPORATION, TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND EXECUTION OF AN EASEMENT DEED FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT TO THE RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT (Report of: Public Works Department)

Recommendation:

1. Authorize the Chairman of the Board of Directors of the Community Services District to execute the Certificates of Acceptance, which allow the transfers of real property located at the Lasselle Sports Park from the City of Moreno Valley, a Municipal Corporation, to the Moreno Valley Community Services District.
2. Authorize the Chairman of the Board of Directors of the Community Services District to execute an Easement Deed to the Riverside County Flood Control & Water Conservation District for facility access ingress and egress purposes for the Lasselle Sports Park.

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 – REGULAR MEETING OF SEPTEMBER 26, 2006 (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 SEPTEMBER 26, 2006 (Report of City Clerk’s Department)
Recommendation: Approve as submitted.

Joint Consent Calendar Items A - D approved by a 5- 0 vote, m/Batey, s/West.

E. PUBLIC HEARINGS

- E1. PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS (REBALLOT) FOR A PROPOSED PARCEL CHARGE INCREASE FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACTS 18784/20906, 19912, AND 21616 (Report of: Public Works Department)

Recommendation: That the President and Members of the Board of Directors of the Moreno Valley Community Services District, after conducting the public hearing:

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

1. Tabulate the mail ballots for the proposed CSD Zone D parcel charges for Tracts 18784/20906, 19912, and 21616;

The City Clerk announced the results as follows:

Tentative Tract 18784/20906 – “Yes“

Tentative Tract 19912 – “Yes”

Tentative Tract 21616 – “Yes”

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

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 CSD Official Tally Sheet and APN listing; and
4. If approved, authorize and impose the proposed CSD Zone D annual parcel charge for Tracts 18784/20906, 19912, and 21616 and reinstate the Zone D landscape services to the Standard Service level.

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

- E2. A PUBLIC HEARING REGARDING A REQUEST TO CONSIDER AMENDMENT NO. 6 TO THE TOWNGATE SPECIFIC PLAN (SP NO. 200) TO MODIFY THE LAND USE DESIGNATION AND LANGUAGE WITHIN THE SPECIFIC PLAN FOR A 7.5 NET ACRE (9.3 GROSS ACRE) PARCEL OF LAND WITHIN PLANNING AREA NO. 13 FROM TC (TOWN CENTER) TO MH (MEDIUM HIGH-DENSITY RESIDENTIAL) TO SUPPORT THE DEVELOPMENT OF TENTATIVE TRACT MAP NO. 34299 AND A PLOT PLAN FOR A 67 UNIT DETACHED RESIDENTIAL CONDOMINIUM COMPLEX WITH VARIOUS RECREATIONAL AMENITIES. THE PROJECT IS LOCATED ON THE SOUTHWEST CORNER OF EUCALYPTUS AVENUE (EAST) AND EUCALYPTUS AVENUE (WEST) AND IS SUBMITTED BY K HOVNANIAN, IN CONJUNCTION WITH THE PROPERTY OWNER, FRITZ DUDA COMPANY (Report of: Community Development Department)

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

1. Recognize that the TownGate Specific Plan (SP No. 200) Amendment No. 6 (P05-128), Plot Plan (PA05-0211) and Tentative Tract Map No. 34299 (PA05-0204) are within the scope of the Program Environmental Impact Report (EIR) for the TownGate Specific Plan pursuant to the Addendum as provided within Section 15164 of the California Environmental Quality Act Guidelines, while no conditions in Section 15162 calling for a subsequent EIR have occurred.

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

2. Introduce Ordinance No. 727 thereby approving P05-128 (Specific Plan Amendment), based on the findings in the City Council Ordinance for Amendment No. 6 to the TownGate Specific Plan No. 200, including the modification of associated language and conditions of approval as well as the amendment of the Official Zoning Atlas for a 7.5 net acre parcel of land within Planning Unit 13 from TC (Town Center) to MH (Medium High Density Residential) attached as Exhibits A, B and C to the resolution.

Ordinance No. 727

An Ordinance of the City Council of the City of Moreno Valley, Approving Specific Plan Amendment No. 6 (P05-128) to the

TownGate Specific Plan No. 200 to Modify Land use Designation for a 7.5 Acre Portion of Land within Planning Area No. 13 from SP200 TC (Town Center) to SP200 MH (Medium High Density Residential) and Modify the Design Manual within Specific Plan No. 200 to Alter Various Maps and Subsequent Sections and Subsections of the Document Related to the Proposed Change in Land Use

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

3. Approve Resolution No. 2006-118 thereby approving PA05-0204 (Tentative Tract Map No. 34299) based on the findings included in the Resolution, and Conditions of Approval, attached as Exhibit A to the Resolution

Resolution No. 2006-118

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA05-0204 (Tentative Tract Map No. 34299) for a 67 Unit Detached Condominium Complex on a 7.5 Net Acre Parcel of Land

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

4. Approve Resolution No. 2006-119 thereby approving PA05-0211 (Plot Plan) based on the findings included in the Resolution, and Conditions of Approval, attached as Exhibit A to the Resolution.

Resolution No. 2006-119

A Resolution of the City Council of the City of Moreno Valley, California, Approving P05-0211 (Plot Plan), for the Development of a 67 Unit Detached Condominium Complex on a 7.5 Net Acre Parcel of Land within the TownGate Specific Plan No. 200

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

- E3. PUBLIC HEARING AND ORDINANCE APPROVING SECOND AMENDMENT TO THE ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE TOWNGATE DEVELOPMENT (Report of: Economic Development Department)

Recommendation: That the City Council, after conducting the public hearing:

Mayor Flickinger opened the public testimony portion of the public hearing;

public testimony was received from: John Loper.

1. Introduce Ordinance No. 728, approving the Second Amendment to the Annexation and Development Agreement for the TownGate Mixed Use Development.

Ordinance No. 728

An Ordinance of the City Council of the City of Moreno Valley, California, Approving the Second Amendment to the Annexation and Development Agreement Between the City of Moreno Valley, RIR Associates and Ryder Homes Relative to the Development Known as Moreno Valley Mixed Use Development (TownGate)

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

2. Authorize the Mayor to execute the Second Amendment to the Annexation and Development Agreement for the TownGate Mixed Use Development.

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

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

G. REPORTS

G1. CITY COUNCIL REPORTS ON REGIONAL AND REIMBURSABLE ACTIVITIES

- a. Report on March Joint Powers Commission by Council Member Stewart

Council Member Stewart announced that the March Joint Powers Commission authorized him to sign a letter to SCAG approving passenger service as a future option.

- b. Report on Riverside County Transportation Commission by Council Member West

Council Member West announced he and the Mayor had attended a ribbon cutting ceremony for the Transportation Program kick off. The program offers free public transportation to college students to and

from school.

Mayor Flickinger, Mayor Pro Tem White and Council Member Stewart each gave a summary of their reimbursable activities.

- G2. 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 - NONE

ORDINANCES - URGENCY ORDINANCES – NONE

RESOLUTIONS – NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL ARE AS FOLLOWS: None were given.

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

Council Member Stewart

- 1) Inquired if Public Works Director would be providing status information regarding Pigeon Pass widening; Public Works Director will provide public information
- 2) Chain link fencing at Poorman's Reservoir
- 3) Asked Police Chief Rick Hall how high visibility is tracked; Chief Hall to provide data

Council Member Batey

- 1) Thanked colleagues for their support regarding new project at Eucalyptus and Eucalyptus

Mayor Pro Tem White

- 1) No Comments

Mayor Flickinger

- 1) Inquired how high visibility police activity response time is being tracked; Chief Hall will track response time

- 2) Announced Election Day is November 7, 2006. The Registrar of Voters Office will be available for early voters
- 3) Closed Session is cancelled for November 7, 2006

CLOSED SESSION – NONE

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

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:50 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:

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

jh