

**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.  
DECEMBER 14, 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 Flickinger

**INVOCATION** - Imam Ron El-Amin, Islamic Development Center

**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	Director of Library Services

Karen Reams  
Betsy Adams  
Denese Wilson

Recreation Operations Manager  
Administrative Services Director  
Human Resources 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 West opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

Council Member Batey made a motion, seconded by Council Member Flickinger to approve the Consent Calendars in their entirety, except for Item A10. which was pulled for separate discussion/action. 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 NOVEMBER 16, 2004  
Approved as submitted.
- A3. MINUTES – REGULAR MEETING OF NOVEMBER 23, 2004  
Approved as submitted.
- A4. MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE). TENTATIVE PARCEL MAP 31034, APN 312-270-011 – NORTH OF GLOBE STREET BETWEEN OLEANDER AVENUE AND PERRIS BOULEVARD; AND MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31284 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING), 2) INCLUSION INTO CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AND 3) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – WEST SIDE OF QUINCY STREET BETWEEN BAY STREET AND COTTONWOOD AVENUE; AND MAIL BALLOT PROCEEDING FOR TENTATIVE PARCEL MAP 32469 (AND ALL

AFFECTED PHASES) FOR: APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – SOUTH OF IRIS AVENUE AND WEST OF LASSELLE STREET

Accepted public comments regarding the following: Mail Ballot Proceeding for Tentative Parcel Map 32469 (and all affected phases) for approval of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate Schedule; and Mail Ballot Proceeding for Tentative Tract 31284 (and all affected phases) for approval of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate Schedule

- A5. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNALS AT PERRIS BOULEVARD AND MANZANITA AVENUE AND AT LASSELLE STREET AND GENTIAN AVENUE, PROJECT NOS. 03-12566823 AND 04-12583023

Awarded the construction contract for the Traffic Signals at Perris Boulevard and Manzanita Avenue and at Lasselle Street and Gentian Avenue to New West Signal, 14055 Foothill Boulevard, Fontana, California 92335, the lowest responsible bidder; authorized the Mayor to execute a contract with New West Signal; and authorized the issuance of two (2) Purchase Orders for New West Signal in the amounts of \$162,075.00 (the bid amount plus 10% contingency) for the Traffic Signal at Perris Boulevard and Manzanita Avenue (Account No. 417.79124), and \$168,310.00 (the bid amount plus 10% contingency) for the Traffic Signal at Lasselle Street and Gentian Avenue (Account No. 417.79024) when the contract has been signed by all parties.

- A6. APPROVE FUNDING FOR UPDATED DEVELOPMENT IMPACT FEE STUDY

Approved \$49,980 in additional appropriations for an updated development impact fee study, to be funded by available development impact fees.

- A7. APPROVAL OF A STANDARD MORENO VALLEY UTILITIES REIMBURSEMENT AGREEMENT FOR ELECTRICAL FACILITY CONSTRUCTION

Approved Resolution No. 2004-85 establishing a Standard Moreno Valley Utilities Reimbursement Agreement for Electrical Facility Construction to facilitate installation of electrical distribution infrastructure; and

Resolution No. 2004-85

A Resolution of the City Council of the City of Moreno Valley, California, Approving the "Moreno Valley Utilities Reimbursement Agreement for Electrical Facility Construction" as a Standard Reimbursement Agreement

Approved Resolution No. 2004-86 authorizing the City Manager to execute the Moreno Valley Utilities Reimbursement Agreements for Electrical Facility Construction.

Resolution No. 2004-86

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Manager to Execute on Behalf of the City Council, "Moreno Valley Utilities Reimbursement Agreement for Electrical Facility Construction"

- A8. AMEND THE FISCAL YEAR 2004/2005 BUDGET TO INCLUDE THE AQUEDUCT BIKEWAY IMPROVEMENTS FROM INDIAN STREET TO FAY AVENUE

Amended the Fiscal Year 2004/2005 Budget to include the Aqueduct Bikeway Improvements from Indian Street to Fay Avenue and authorized the Finance Director to establish an account and transfer an appropriation of \$72,000 from Account No. 125.89720 (State Route 60/Nason Interchange) to the new Aqueduct Bikeway account for preliminary design.

- A9. ACCEPTANCE OF THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) GRANT FUNDING ENTITLED, "CALIFORNIA TRAFFIC SAFETY SOBRIETY CHECKPOINT PROGRAM FOR LOCAL LAW ENFORCEMENT AGENCIES"

Accepted the OTS Grant entitled "California Traffic Safety Sobriety Checkpoint Program for Local Law Enforcement Agencies." The amount has yet to be determined by OTS but will be up to \$63,000. The exact amount of the grant will be determined upon completion of the grant agreement. This will allow the Moreno Valley Police Department (MVPD) to provide DUI-Traffic Safety Checkpoints during a statewide campaign. The MVPD checkpoint operations will coincide with the statewide campaign. The OTS campaign will determine the time frame these checkpoint operations are conducted throughout the calendar year 2005.

**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 NOVEMBER 23, 2004  
Approved as submitted.
- B3. MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE M (COMMERCIAL/INDUSTRIAL IMPROVED MEDIAN MAINTENANCE) TENTATIVE PARCEL MAP 31034, APN 312-270-011 – NORTH OF GLOBE STREET BETWEEN OLEANDER AVENUE AND PERRIS BOULEVARD; AND MAIL BALLOT PROCEEDING FOR TENTATIVE TRACT 31284 (AND ALL AFFECTED PHASES) FOR: 1) INCLUSION INTO COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING), 2) INCLUSION INTO CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) AND 3) APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – WEST SIDE OF QUINCY STREET BETWEEN BAY STREET AND COTTONWOOD AVENUE; AND MAIL BALLOT PROCEEDING FOR TENTATIVE PARCEL MAP 32469 (AND ALL AFFECTED PHASES) FOR: APPROVAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE – SOUTH OF IRIS AVENUE AND WEST OF LASSELLE STREET  
Accepted public comments regarding the following: Mail Ballot Proceeding for Tentative Tract 31284 (and all affected phases) for: 1) Inclusion into Community Services District (CSD) Zone B (Residential Street Lighting) and 2) Inclusion into CSD Zone D (Parkway Landscape Maintenance); and Mail Ballot Proceeding for Tentative Parcel Map 31034, APN 312-270-011 for inclusion into Community Services District Zone M (Commercial/Industrial Improved Median Maintenance)
- B4. COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) - ANNEXATION 2004-5  
Adopted Resolution No. CSD 2004-26; 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. CSD 2004-26

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

**B5. PARKS AND RECREATION STAFFING AND APPROPRIATIONS REQUESTS**

Approved the reclassification of a Maintenance Worker III position to a Parks Maintenance Supervisor position, and appropriated \$12,000 in the Zone A 161.76210 salary and benefits accounts to fund the Parks Maintenance Supervisor position; approved the addition of a full-time Banquet and Facility Coordinator to staff the new Recreation and Conference Center, and appropriated \$35,000 in the Zone A 161.76510 salary and benefits accounts to fund the full-time Banquet and Facility Coordinator position for the remainder of FY 2004/2005, January through June 2005; and approved the addition of a full-time Facilities Clerk to maintain the new Recreation and Conference Center, and appropriated \$22,000 in the Facilities Fund (754.75410) salary and benefits accounts to fund the full-time Facilities Clerk position for the remainder of FY 2004/2005, January through June 2005.

**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 NOVEMBER 23, 2004**

Approved 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 on

**D2. MINUTES – REGULAR MEETING OF NOVEMBER 23, 2004**

Approved as submitted.

**E. PUBLIC HEARINGS**

- E1. RESOLUTION AMENDING RESOLUTION NO. 2004-55, INCREASING DEVELOPMENT IMPACT FEES RELATED TO THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM; AND ORDINANCE AMENDING CHAPTER 3.44 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATED TO FEES ESTABLISHED BY THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM

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

Council Member White made a motion, seconded by Council Member Flickinger to adopt Resolution No. 2004-84, amending Resolution No. 2004-55, increasing development impact fees related to the Transportation Uniform Mitigation Fee (TUMF) Program. Motion carried 5-0. Roll call vote.

Resolution No. 2004-84

A Resolution of the City Council of the City of Moreno Valley, California, Amending Resolution No. 2004-55 by Increasing the Development Impact Fees Related to the Transportation Uniform Mitigation Fee Program

Council Member Flickinger made a motion, seconded by Mayor Pro Tem Stewart to introduce Ordinance No. 678, amending Chapter 3.44 of the City of Moreno Valley Municipal Code related to fees established by the Transportation Uniform Mitigation Fee (TUMF) Program. Motion carried 5-0. Roll call vote.

Ordinance No. 678

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Subsections 3.44.040A and 3.44.060B of Chapter 3.44 of Title 3 of the City of Moreno Valley Municipal Code Related to Fees Established by the Transportation Uniform Mitigation Fee (TUMF) Program

- E2. PUBLIC HEARING FOR THE REVIEW OF THE 2005-2010 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

Chairman West opened the public testimony portion of the public hearing; there being none, public testimony was closed.  
Agency Member Flickinger made a motion, seconded by Agency Member

White to approve the proposed 2005-2010 Implementation Plan. Motion carried 5-0. Roll call vote.

- E3. A PUBLIC HEARING REGARDING THE APPLICANT'S REQUEST TO CONSIDER SPECIFIC PLAN AMENDMENT NO. 5 TO THE TOWNGATE SPECIFIC PLAN NO. 200 INCLUDING A PROPOSED CHANGE IN ZONING ON THE SITE FROM HOSPITAL MEDICAL OFFICE (HMO) TO CC (COMMUNITY COMMERCIAL) AND OC (OFFICE-COMMERCIAL), AS WELL AS A MASTER PLOT PLAN AND TENTATIVE PARCEL MAP TO DEVELOP AND SUBDIVIDE A 28.56 ACRE PARCEL OF LAND INTO TWELVE (12) LOTS FOR A 305,600 SQUARE FOOT MIXED USE COMPLEX, INCLUDING A 100,000 SQUARE FOOT ANCHOR RETAIL TENANT, RESTAURANTS (ONE POTENTIAL DRIVE-THRU RESTAURANT), GENERAL OFFICE AND VARIOUS RETAIL USES WITHIN PLANNING UNIT 7 OF THE TOWNGATE SPECIFIC PLAN. THE PROJECT IS BOUNDED BY DAY STREET, GATEWAY DRIVE, MEMORIAL WAY AND EUCALYPTUS AVENUE AND IS SUBMITTED BY FRITZ DUDA COMPANY

John Loper of the Fritz Duda Company spoke on behalf of the project.

Council Member Batey made a motion, seconded by Council Member White to recognize that the Towngate Specific Plan (SP No. 200) Amendment No. 5 (P03-136), Master Plot Plan (PA03-0142) and Tentative Tract Map No. 32189 (PA04-0037) 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. Motion carried 5-0. Roll call vote.

Council Member Batey made a motion, seconded by Council Member White to introduce Ordinance No. 679 thereby approving P03-136 (Specific Plan Amendment), based on the findings in the City Council Ordinance for Amendment No. 5 to the Towngate Specific Plan No. 200, including the associated amendment of the Official Zoning Atlas for a 28.56 acre parcel of land within Planning Unit 7 from HMO (Hospital Medical Office) to CC (Community Commercial) on 17.3 acres and OC (Office Commercial) on 11.3 acres and the modification of the Design Manual for Specific Plan No. 200. Motion carried 5-0. Roll call vote.

Ordinance No. 679

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P03-136 for a Specific Plan Amendment (No. 5) to the Towngate Specific Plan (No. 200), to Modify Land Use Designation for a 28.56-Acre Portion of Land Within Planning Unit No. 7 from HMO (Hospital Medical Office) to CC (Community Commercial) and OC (Office Commercial)

Council Member Batey made a motion, seconded by Council Member White to approve Resolution No. 2004-87, as amended, with an amendment to the Land Use Map, thereby approving PA03-0142 (Master Plot Plan), based on the findings included in the Resolution, and Conditions of Approval, attached as Exhibit A to the resolution. Motion carried 5-0. Roll call vote.

Resolution No. 2004-87

A Resolution of the City Council of the City of Moreno Valley Approving PA03-0142 (Master Plot Plan) for a 305,600 Square Foot Mixed Use Complex, Including 100,000 Square Foot Anchor Retail Tenant, Restaurants (One Potential Drive-Thru Restaurant), General Office and Retail Uses, on a 28.56-Acre Site Within the Towngate Specific Plan No. 200

Council Member Batey made a motion, seconded by Council Member White to approve Resolution No. 2004-88 thereby approving PA04-0037 (Tentative Parcel Map No. 32189), based on the findings included in the Resolution, and Conditions of Approval, attached as Exhibit A to the resolution. Motion carried 5-0. Roll call vote.

Resolution No. 2004-88

A Resolution of the City Council of the City of Moreno Valley Approving PA04-0037 (Tentative Parcel Map No. 32189) for a 12 Lot Subdivision of Land for the Purposes of Developing a 305,600 Square Foot Mixed Use Complex, Including a 100,000 Square Foot Anchor Retail Tenant, Restaurants (One Potential Drive-Thru Restaurant), General Office and Retail Uses, on a 28.56-Acre Site Within the Towngate Specific Plan No. 200

E4. A PUBLIC HEARING ON THE FOLLOWING LAND USE PROPOSALS:

PROJECT 1: GENERAL PLAN AMENDMENT (PA04-0027) AND ZONE CHANGE (PA04-0026) FROM THE CURRENT OFFICE (O) DESIGNATION TO THE RESIDENTIAL 20 (R20) ZONE, AND A PLOT PLAN (PA04-0028) TO CONSTRUCT A 64-UNIT APARTMENT COMPLEX ON AN APPROXIMATELY 5-ACRE PARCEL LOCATED AT THE SOUTHEAST

CORNER OF PERRIS BOULEVARD AND DELPHINIUM AVENUE

Elias Alfata spoke on behalf of the applicant, Imad T. Michael.

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

PROJECT 2: GENERAL PLAN AMENDMENT (PA04-0040) AND ZONE CHANGE (PA04-0039) FROM PLANNED RESIDENTIAL (PD) TO RESIDENTIAL 5 (R5) FOR 8.77-NET ACRES LOCATED ON THE EAST SIDE OF OLIVER STREET AND APPROXIMATELY 600-FEET SOUTH OF ALESSANDRO BOULEVARD AND 17.25-NET ACRES LOCATED AT THE SOUTHWEST CORNER OF ALESSANDRO BOULEVARD AND OLIVER STREET. THE PROPOSAL ALSO INCLUDES TENTATIVE TRACT MAP NO. 32284 (PA04-0041) TO SUBDIVIDE THE 8.77-NET ACRE PARCEL INTO 32 SINGLE-FAMILY RESIDENTIAL LOTS

David Slawson spoke on behalf of the applicant, Winchester Associates.

Mayor West opened the public testimony portion of the public hearing. Public testimony was received from Cindy Brooks (opposes).

David Slawson presented a rebuttal argument on behalf of the applicant, Winchester Associates.

Council Member Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adopt a Negative Declaration for applications PA04-0027 (General Plan Amendment), PA04-0026 (Change of Zone), and PA04-0028 (Plot Plan). The projects, individually and cumulatively, will not result in a significant effect on the environment. Motion carried 5-0. Roll call vote.

Council Member Flickinger made a motion, seconded by Council Member Batey to adopt a Negative Declaration for applications PA04-0040 (General Plan Amendment), PA04-0039 (Change of Zone), and PA04-0041 (Tentative Tract Map No. 32284). The projects, individually and cumulatively, will not result in a significant effect on the environment. Motion carried 5-0. Roll call vote.

Council Member Flickinger made a motion, seconded by Council Member Batey to approve City Council Resolution No. 2004-89 approving PA04-0027 and PA04-0040, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the

revised General Plan Maps as attached to the Resolution as Exhibits A and B. Motion carried 5-0. Roll call vote.

Resolution No. 2004-89

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA04-0027) Changing the Designation for Assessor's Parcel Number 484-242-016 from Office (O) to R20 (Residential; up to 20 Dwelling Units Per Net Acre) for Approximately 5-Acres Parcel Located at the Southeast Corner of Perris Boulevard and Delphinium Avenue; and a General Plan Amendment (PA04-0040) Changing the Land Use Designation for Assessor's Parcel Numbers 486-240-010 and 486-260-005 and 009 from PD (Planned Residential) to R5 (Residential 5) for 8.77-Net Acres Located on the East Side of Oliver Street, Approximately 600 Feet South of Alessandro Boulevard and 17.25-Net Acres Located at the Southwest Corner of Alessandro Boulevard and Oliver Street, thereby Establishing General Plan Land Use Map Designations for Certain Properties as Described in the Resolution, and the Revised General Plan Maps as Attached to the Resolution as Exhibits A and B

Council Member Flickinger made a motion, seconded by Council Member Batey to introduce City Council Ordinance No. 680 approving a Change of Zone (PA04-0026) from Office to R20, based on the findings in the Ordinance, and the revised Zoning Map as attached to the ordinance as Exhibit A. Motion carried 5-0. Roll call vote.

Ordinance No. 680

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA04-0026 (Zone Change) to Change the Land Use from Office to R20 for Approximately 5 Acres on Assessor's Parcel Number 484-242-016 Located at the Southeast Corner of Perris Boulevard and Delphinium Avenue

Council Member Flickinger made a motion, seconded by Council Member Batey to introduce City Council Ordinance No. 681 approving a Change of Zone (PA04-0039) from Planned Residential to R5, based on the findings in the Ordinance, and the revised Zoning Map as attached to the ordinance as Exhibit A. Motion carried 5-0. Roll call vote.

Ordinance No. 681

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA04-0039 (Zone Change) to Change the Land Use from Planned Residential to R5 for 8.77-Net Acres on Assessor's Parcel Number 486-240-010 Located on the East Side of Oliver Street and Approximately 600-Feet South of Alessandro Boulevard and 17.25-Net Acres on Assessor's Parcel Numbers 486-260-005 and -009 Located at the Southwest Corner Of Alessandro Boulevard and Oliver Street

Council Member Flickinger made a motion, seconded by Council Member Batey to approve City Council Resolution No. 2004-90 approving Plot Plan PA04-0028, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A. Motion carried 5-0. Roll call vote.

Resolution No. 2004-90

A Resolution of the City Council of the City of Moreno Valley Approving PA04-0028, a Plot Plan to Construct a 64-Unit Apartment Complex on Approximately 5-Acre Parcel Located at the Southeast Corner of Perris Boulevard and Delphinium Avenue

Council Member Flickinger made a motion, seconded by Council Member Batey to approve City Council Resolution No. 2004-91, as amended, with the amendment to the Conditions of Approval for the Transportation Engineering Division condition TE4. to read, "The improvements shall consist of full street width per the City's Standard Plan No. 107," approving Tentative Tract Map No. 32284, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A. Motion carried 5-0. Roll call vote.

Resolution No. 2004-91

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA04-0041 (Tentative Tract Map No. 32284), to Subdivide the 8.77-Net Acres of Assessor's Parcel Number 486-240-010 into 32 Single-Family Residential Lots Located on the East Side of Oliver Street Approximately 600-Feet South of Alessandro Boulevard

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

A10. RESOLUTION AMENDING THE ELECTRIC RATES FOR MORENO VALLEY UTILITIES TO INCLUDE THE TIME OF USE – LARGE GENERAL SERVICE CLASSIFICATION AND RESPECTIVE ELECTRICAL RATES

Council Member Batey made a motion, seconded by Mayor Pro Tem Stewart to approve Resolution No. 2004-92, as amended, amending the Electric Rates for Moreno Valley Utilities to include the Time of Use – Large General Service (TOU – LGS) Classification and respective electrical rates. Motion carried 5-0. Roll call vote.

Resolution No. 2004-92

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates for Moreno Valley Utilities to Include the Time of Use – Large General Service Classification and Respective Electrical Rates

**G. REPORTS**

G1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report on March Joint Powers Authority by Mayor Pro Tem Stewart

Mayor Pro Tem Stewart announced that DHL has selected March Air Reserve Base to locate their new facility. They will be bringing eight of their airplanes and approximately 300 jobs to the area. He also stated the Marines will continue their training exercises in Arnold Heights through March of 2005. The MJPA will possibly be making a decision on their choice of a provider for an electrical utility at tomorrow's meeting.

G2 PURCHASE AND PERFORMANCE AGREEMENT BETWEEN CITY OF MORENO VALLEY AND RAEL DEVELOPMENT CORPORATION

Mayor West stated the applicant requested the item be withdrawn.

Mayor Pro Tem Stewart made a motion, seconded by Council Member Batey to withdraw the item. Motion carried unanimously.

G3. 2005 STATE/FEDERAL LEGISLATIVE ADVOCACY PRIORITIES

Mayor West opened the agenda item for public comments. Public comments

were received from Daryl Terrell.

Council Member Flickinger made a motion, seconded by Council Member Batey to adopt the updated 2005 State/Federal Legislative Advocacy Priorities, as amended. Motion carried 5-0. Roll call vote.

G4. CITY MANAGER'S REPORT – None given

G5. CITY COUNCIL REORGANIZATION – SELECTION OF MAYOR AND MAYOR PRO TEM

Mayor West opened the agenda item for public comments. Public comments were received from Daryl Terrell.

Mayor West made a motion, seconded by Council Member Batey to make the voting process public. Motion carried unanimously.

Mayor West nominated Mayor Pro Tem Stewart to serve as Mayor for a one-year term. Council Member Flickinger made a motion, seconded by Mayor West to close the nominations. Motion carried unanimously.

Council Member White nominated Council Member Flickinger to serve as Mayor Pro Tem for a one-year term. Mayor West made a motion, seconded by Council Member Batey to close the nominations. Motion carried unanimously.

## H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION – NONE

ORDINANCES - 2ND READING AND ADOPTION

H1. ORDINANCE NO. 675, AMENDING TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGULATING THE DISCHARGE OF FIREARMS (RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 23, 2004 ON A 5-0 VOTE)

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

Council Member Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 675. Motion carried 5-0. Roll call vote.

Ordinance No. 675

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 11 of the Moreno Valley Municipal Code by Adding a New Chapter 11.16, Regulating the Discharge of Firearms within the City

- H2. ORDINANCE NO. 677, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 12.16 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE TRAFFIC CONTROL DEVICES (RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 23, 2004 ON A 5-0 VOTE)

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

Council Member Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 677. Motion carried 5-0. Roll call vote.

Ordinance No. 677

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 12.16 of the City of Moreno Valley Municipal Code Relating to Traffic-Control Devices

- H3. ORDINANCE NO. CSD 47 REVISING AND ESTABLISHING FEES (RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 23, 2004 ON A 5-0 VOTE, AS AMENDED)

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

Council Member Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. CSD 47. Motion carried 5-0. Roll call vote.

Ordinance No. CSD 47

An Ordinance of the Moreno Valley Community Services District of the City of

Moreno Valley, California, Increasing and Establishing Specified 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, and Rescinding Certain Prior Enactments

- H4. ORDINANCE NO. 676, AMENDING TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGULATING PROJECTILE INSTRUMENTS (RECEIVED FIRST READING AND INTRODUCTION NOVEMBER 23, 2004 ON A 5-0 VOTE, AS AMENDED)

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

Council Member Flickinger made a motion, seconded by Mayor Pro Tem Stewart to adopt Ordinance No. 676. Motion carried 5-0. Roll call vote.

Ordinance No. 676

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 11 of the Moreno Valley Municipal Code by Adding a New Chapter 11.18 Regulating Projectile Instruments within the City

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:

Daryl Terrell – Address matter of record

- 1) City is coming together
- 2) Workforce needs to be linked together with neighboring cities
- 3) Facing City's destiny

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

Council Member White

- 1) Wished the public a "Merry Christmas"

Council Member Batey

- 1) Congratulated Mayor Pro Tem Stewart and Council Member Flickinger on their upcoming roles as Mayor and Mayor Pro Tem respectively
- 2) Commended Mayor West on his leadership this past year
- 3) Stated the directly elected Mayor issue will be addressed
- 4) Thanked the voters of District 5 for his successful reelection
- 5) Happy Holidays

Mayor Pro Tem Stewart

- 1) Questioned the Public Works Director of the status of the Day Street improvements
- 2) Proposed golf course at Poorman's Reservoir – talks still ongoing
- 3) Commended the Police Chief and Fire Chief on show on MVTV-3

Council Member Flickinger

- 1) Congratulated Mayor Pro Tem Stewart and Council Member White on their successful efforts in bringing DHL to the March JPA
- 2) Congratulated RCC Moreno Valley Campus – the Physician's Assistant Program students won the 2004 California Academy of Physician's Assistants Student Challenge Bowl for the third time in the last five years
- 3) Growth in the city includes new restaurants and City's Conference and Recreation Center being built next to city hall
- 4) Wished all a "Merry Christmas"
- 5) Free bus rides being offered by Riverside Transit Agency on New Year's Eve
- 6) Commented on the passing of Robert Anderson – he was quite a gentleman and he will be missed

**CLOSED SESSION**

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

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 8:51 p.m. by unanimous informal consent.

Submitted by:

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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:

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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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