

# City Council Memorandum

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**TO:** HONORABLE MAYOR AND CITY COUNCIL      **DATE:** April 11, 2006

**FROM:** PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT      **ITEM NO:** 30

WARD: 4

**SUBJECT:** 'GOLDEN STAR' GENERAL PLAN PARK SITE; AUTHORIZATION TO BORROW REGIONAL/RESERVE PARK FEES, AND APPROPRIATION OF SUPPLEMENTAL FUNDS FOR COMMUNITY PARK LAND ACQUISITION PURPOSES

**ISSUE:**

An opportunity currently exists to acquire vacant land for community park purposes through a combination of friendly sale and/or donation. Council is being asked to authorize a "loan" of funds from the unappropriated balance of Regional/Reserve park fees, to allow immediate acquisition of the needed land for a community park with repayment of these funds to be made via future Local Park Fees revenue.

**RECOMMENDATIONS:** That the City Council:

- 1) Authorize a loan in the amount of \$1,200,000 from the unappropriated balance of Regional/Reserve park fees to facilitate the immediate acquisition of the proposed park lands with funds to be repaid in annual installments, or on an accelerated basis as available funds may permit, over a maximum 10 year time period at an interest rate equal to the "pool rate" of return received on the City's investments as determined by the Finance Department;
- 2) Appropriate supplemental funds in the amount of \$1,200,000 to the Park Land Acquisition account (9720052-440301) for the purpose of acquiring park land as designated within the General Plan for the "Golden Star" community park site;
- 3) Authorize and direct the City Manager, or his designee, to pursue and negotiate acquisition of lands, both currently on the market and as may be available through a "friendly sale", as suitable for the "Golden Star" General Plan park site; and,
- 4) Authorize and direct the City Manager, or his designee, to execute the necessary documents to complete the proposed acquisition within the limits of funds made available by the above Council action.

## **BACKGROUND:**

As part of the recent update of the City's General Plan, the designation for a community park site was shifted from the vicinity of Bradley Street at Harbart Street to the vicinity of Bradley Street at Washington Street. Staff is requesting City Council authorization to pursue the acquisition of lands deemed suitable for community park use and which are either currently on the market and/or as may be available for friendly sale and/or donation in this vicinity. At this time, funds are needed immediately to pursue the proposed acquisitions in a timely manner.

The Parks, Recreation & Community Services Department has an established Park Land Acquisition account consisting of funds that have been set aside for such acquisitions. However, funds currently available in the account are insufficient to meet the anticipated costs of the current proposed park land acquisitions. A loan in the amount of \$1,200,000, to be repaid over a maximum 10 year period with interest accruing at the "pool rate" of return on the City's investments, is therefore proposed. Contingent upon funds from appropriate sources becoming available, accelerated annual installments could also be made on the loan.

## **FISCAL IMPACT:**

Funds available in the Park Land Acquisition account (9720052-440301) are insufficient to cover all costs of the anticipated acquisitions. Supplemental funds in the amount of \$1,200,000 are needed to cover the costs of acquisition, escrow fees, administrative costs and other incidentals associated with the proposed acquisitions. Sufficient funds to cover this shortfall are available in the unappropriated balance of Regional/Reserve Park Fees. Moreover, the unappropriated balance is sufficient to fully fund all previous commitments for the regional/reserve park fee line item projects proposed within the Department's FY 2006-2007 budget.

Approval of a loan of funds from this source will have no direct impact on the General Fund.

## **ALTERNATIVE:**

Council could elect to defer acquisition at this time and allow future annual park land appropriations to accumulate until a sufficient balance is available to cover the full purchase price of any contemplated acquisition. Although additional park land acquisition funding is proposed within the FY 2006-2007 budget, the aggregate amount that will then be available would ultimately be insufficient to fully fund the anticipated shortfall for this acquisition. Thus, a fully funded acquisition process may not be possible for an extended period.

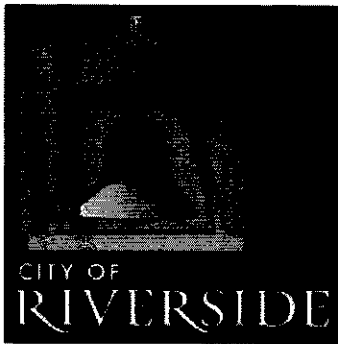
Moreover, deferral of acquisition could lead to either another relocation of this general plan park designation to yet another site, assuming a suitable site remains available in the future, or miss an opportunity to acquire this needed park site while avoiding possible eminent domain action. In either case, it is expected that land costs in the future will be higher than today's costs.

Prepared by: Ralph J. Nuñez, Parks, Recreation & Community  
Services Director

Approved by: Michael J. Beck, Assistant City Manager  
For Bradley J. Hudson, City Manager

Approved as to form: Gregory P. Priamos, City Attorney




c: Finance, Real Property Services, City Clerk, Principal Park Planner



***CITY COUNCIL  
AND  
REDEVELOPMENT AGENCY  
MINUTES***

**TUESDAY, APRIL 11, 2006, 1 P.M.**  
**ART PICK COUNCIL CHAMBER**  
**CITY HALL**  
**3900 MAIN STREET**

## COUNCIL/AGENCY MEMBERS

	B E T R O	M E L E N D R E Z	G A G E	S C H I A V O N E	A D K I S O N	H A R T	A D A M S
WARDS	1	2	3	4	5	6	7
Present	A  X	X	X	A 	A 	X	X
				X	X		

**CITY COUNCIL/REDEVELOPMENT AGENCY**

## ORAL COMMUNICATIONS FROM THE AUDIENCE

There were no comments presented at this time.

Councilmembers Betro, Schiavone, and Adkison entered the meeting at this time.

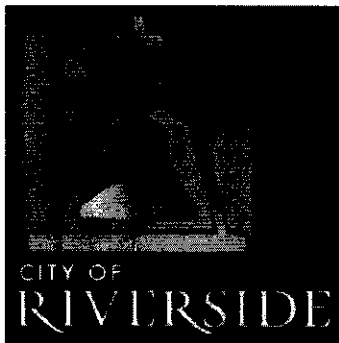
## CLOSED SESSIONS

The City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code §54956.9(a) to confer with and/or receive advice from legal counsel concerning (1) Roger Sutton v. City of Riverside - Riverside Superior Court Case No. RIC 346348; and (2) Angela R. Lawyer v. City of Riverside, et al. - Riverside Superior Court Case No. RIC 435976.

The Agency recessed to the City Council Board Room for closed sessions pursuant to Government Code §54956.8 to instruct the Agency's Negotiator, Bradley J. Hudson, regarding price and terms of payment for the purchase, sale, exchange, or lease of (1) 4565 Mulberry Street, APN 219-043-019 by Edward A.G. Rowland and Pauline E. Rowland, Negotiators; and (2) 4575 Mulberry Street, APN 219-043-020 by Frank Garcia, Negotiator.

The City Council reconvened for a closed session pursuant to Government Code §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of all Executive Management employees, all Management and Confidential employees as defined by PERS, Fire Management Unit, Riverside City Firefighters Association, Riverside Police Officers Association (Police and Police Supervisory Units), Service Employees International Union #1997 (General Unit), Service Employees International Union #2028 (Refuse), International Brotherhood of Electrical Workers #47, and Riverside Police Administrators Association. The closed session pursuant to Government Code §54956.9(b)(1) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation was not held.

The City Council/Agency returned to the Art Pick Council Chamber with the Mayor and all Council/Agency Members present except Council/Agency Member Adams.



# **CITY COUNCIL AND REDEVELOPMENT AGENCY MINUTES**

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## **COUNCIL/AGENCY MEMBERS**

B E T R O	M E L E N D R E Z	G A G E	S C H I A V O N E	A D K I S O N	H A R T	A D A M S
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### **WARDS**

#### **CONSENT CALENDAR**

The following items were approved by one motion affirming the actions appropriate to the items.

#### **STALDER BUILDING - 3757-3789 MISSION INN - SUPPL. APPROP.**

The Agency authorized the (1) appropriation of \$742,542 from Downtown/Airport Capital Projects Available Fund Balance Account 0000478-298000 to Fox Plaza Relocation Account 9787500-440443; and (2) transfer of \$79,505 from Stalder Building Professional Services Account 9761100-440440 and \$41,953 from Stalder Building Acquisition Account 9761100-440441 to Fox Plaza Relocation Account 9787500-440443 for costs associated with the payment of relocation, fixtures and equipment, and any future loss of goodwill for the tenants of the Stalder Building located 3757-3789 Mission Inn Avenue.

#### **JOINT ITEM WITH CITY COUNCIL - GRANT ACCEPTANCE - STREET IMPROVEMENTS - COLUMBIA AND IOWA - SUPPL. APPROPRIATION**

The City Council (1) accepted the Economic Development Administration (EDA) grant in the amount of \$2,000,000 for street improvements on Columbia and Iowa Avenues in the Hunter Park/Northside Redevelopment Project Area; and (2) authorized the Agency to administer the EDA grant on behalf of the City.

The Agency authorized (1) \$2,000,000 in revenue to be budgeted in EDA Grant-Hunter Park/Northside Expenditure Account 9225900-331300 and appropriated \$2,000,000 to EDA Grant - Hunter Park/Northside Expenditure Account 9225900-440210; (2) the additional appropriation of \$2,000,000 in required matching funds from Hunter Park Available Fund Balance Account 0000475-298000 to EDA Grant Matching Account 9225910-440446; and (3) staff to issue Request for Proposals (RFPs) for engineering environmental, property appraisal, and construction management consulting services estimated at \$900,000 for street improvements on Columbia and Iowa Avenues.

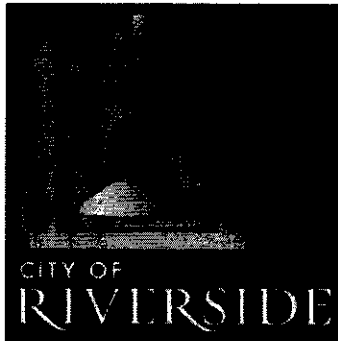
#### **CLOSED SESSION ANNOUNCEMENT**

City Attorney Priamos announced there were no reportable actions taken on the City Council closed sessions. General Counsel Priamos announced that in closed session the Agency unanimously authorized the Redevelopment Agency to acquire two properties in fee at 4575 and 4565 Mulberry Street for the appraisal value of \$370,000 each.

Motion  
Second  
All Ayes

X

X



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### **WARDS**

#### **RECESS**

The Agency/City Council recessed at 2:50 p.m. and reconvened at 3 p.m. with Mayor Loveridge presiding and all Councilmembers present.

#### **CITY COUNCIL**

#### **PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS**

#### **CASE P04-0346 - APPEAL - LOT LINE ADJUSTMENTS - HIGHRIDGE (EXTENDED) AND GOPHER GULCH - CONTINUED**

Further discussion was held relative to the appeal by Len Nunney on behalf of Friends of Riverside's Hills of the Zoning Administrator's approval of a lot line adjustment/consolidation to adjust the common lot lines between 24 existing approximately .16-acre lots and .23-acre offer of dedication to create three parcels containing approximately 1, 1.02, and 1.13 acres with graded pads where a minimum of two acres is required in Zone RC. Following discussion, the City Council continued the matter to 3 p.m. on May 10, 2006.

Motion  
Second  
All Ayes

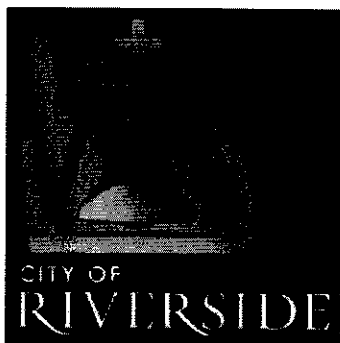
#### **TRANSPORTATION UNIFORM MITIGATION FEE - ORDINANCE INTRODUCED - RESOLUTION**

Hearing was called to consider the proposal of the City of Riverside to amend Chapter 16.68 of the Riverside Municipal Code (RMC) related to the Transportation Uniform Mitigation Fee (TUMF) to conform to the 2005 TUMF Nexus Study Update adopted by the Western Riverside Council of Governments (WRCOG) and adopt a resolution establishing a fee schedule for the TUMF Program. No one was present wishing to speak on the matter. No written protests were presented. Following discussion, the public hearing was officially closed. The City Council (1) introduced an ordinance amending Chapter 16.68 of the RMC related to the TUMF; and (2) adopted a resolution establishing a fee schedule for the TUMF Program; whereupon, an ordinance entitled, "An Ordinance of the City of Riverside, California, Amending Title 16 of the Riverside Municipal Code by Amending Chapter 16.68 in Its Entirety Authorizing Continued Participation in the Western Riverside County Transportation Uniform Mitigation Fee Program," was presented and introduced. Further, the title having been read and further reading waived, Resolution No. 21152 of the City Council of the City of Riverside, California, Adopting the Transportation Uniform Mitigation Fee (TUMF) Applicable to All Developments in the City of Riverside, was presented and adopted.

Motion  
Second  
Ayes  
Noes

#### **RECESS**

The City Council recessed at 3:10 p.m. and reconvened at 6:30 p.m. with



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### WARDS

Mayor Loveridge presiding and all Councilmembers present except Councilmember Adkison.

The Invocation was given by Councilmember Schiavone.

The Pledge of Allegiance was given to the Flag.

#### PRESENTATIONS

Mayor Loveridge called on Riverside Unified School District Superintendent Dr. Susan Rainey who introduced Teacher of the Year Finalist Dan Fountain, Teacher of the Year Shelbi Wilson, and California Principal of the Year Dale Kinnear.

Mayor Loveridge recognized Parks, Recreation and Community Services Director Ralph Nunez for receiving the 2005 Award of Excellence, Park Planning-Neighborhood Parks from California Park and Recreation Society.

#### ORAL COMMUNICATIONS FROM THE AUDIENCE

Marjorie von Pohle spoke regarding the City Council, boards and commissions, developers, traffic, housing, annexations, and City Council meetings. Letitia Pepper spoke regarding the Consent Calendar, removal of the statue moratorium item from the agenda, and the proposed rental inspection program. Mary Shelton spoke regarding the Discussion Calendar, statues on the Downtown Mall, and a meeting that was held regarding a shooting in the Eastside. Yolanda Garland spoke regarding the proposed rental housing licensing and inspection program. Jorge Flores spoke regarding Section 8 housing. Rose Mayes spoke regarding tax incentive programs for low income housing and the proposed rental housing licensing program. Brenda Eppers spoke regarding wheelchair accessibility for bus stops and immigration. James Martin spoke regarding rules of order and decorum. Daniel Dotson spoke regarding the quality of life in Riverside. Christina Duran spoke regarding a shooting on the Eastside and the homeless.

#### CONSENT CALENDAR

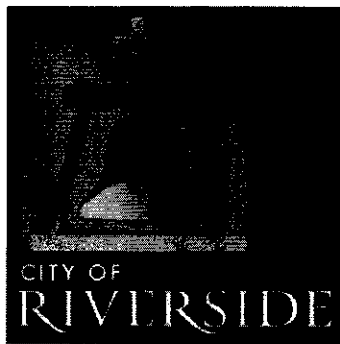
The following items were approved by one motion affirming the actions appropriate to each item and continuing adoption of the ordinance to amend the contract between the Board of Administration, California Public Employees' Retirement System and City of Riverside (Local Fire Members) to April 25, 2006.

Motion  
Second  
All Ayes

A

X

X



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1	2	3	4	5	6	7

### **WARDS**

#### **CHANGE ORDER - RIVERSIDE AIRPORT WESTSIDE TAXIWAY PROJECT**

The City Council approved a change order with Vance Corporation in the amount of \$91,635 bringing the total contract amount to \$1,896,030 for estimated quantity over-runs and various other changes for the Riverside Airport Westside Taxiway Project.

#### **MESSAGE BUSINESSES - ORDINANCE ADOPTED**

The City Council adopted an ordinance amending Sections 5.52.080 and 5.52.100 of the Riverside Municipal Code regarding massage businesses to conform to recent amendments to the California Government Code regarding the issuance of licenses or certificates of registration to persons convicted of certain criminal offences and to streamline the appeal process; whereupon, the title having been read and further reading waived, Ordinance No. 6863 entitled, "An Ordinance of the City of Riverside, California, Amending Sections 5.52.080 and 5.52.100 of the Riverside Municipal Code Regarding Massage Businesses", was presented and adopted.

#### **ASSEMBLY BILL 2184 - CONDITIONAL USE PERMIT, VARIANCE, OR ZONING CLEARANCE FOR RESIDENTIAL FACILITIES PROVIDING CARE OR SUPERVISION**

The City Council supported Assembly Bill 2184 authored by Assemblyman Russ Bogh allowing local governments to require conditional use permit, variance, or zoning clearance for residential facilities providing care or supervision and requiring a license serving six or fewer residents.

#### **JOINT ITEM WITH REDEVELOPMENT AGENCY - MINUTES**

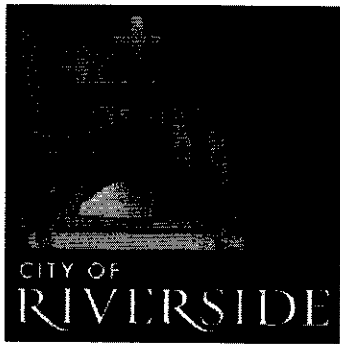
The Minutes of the City Council/Redevelopment Agency Meeting of April 4, 2006, were approved as presented.

#### **ANNOUNCEMENT OF COMMITTEE MEETINGS**

The Land Use Committee will meet on Thursday, April 13, 2006, at 8:30 a.m. in the City Council Board Room. The Transportation Committee will meet on Thursday, April 13, at 1 p.m. in the Seventh Floor Conference Room. The Public Safety Committee will meet on Monday, April 17, 2006, at 10 a.m. in the Seventh Floor Conference Room.

#### **AGREEMENT AMENDMENT - LEGISLATIVE ADVOCACY SERVICES**

The City Council approved the First Amendment to Agreement for Professional Consultant Services with Copeland, Lowery & Jacquez to provide legislative advocacy services in Washington, D.C.



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**COUNCIL/AGENCY  
MEMBERS**

BETRO  
MEL  
ENDREZ  
GAGE  
SCHIAVONE  
ADKISON  
HART  
ADAMS

**WARDS**

1 2 3 4 5 6 7

**CASE P05-1184 - CONDOMINIUM CONVERSION PERMIT - 375 CENTRAL**  
The City Council upheld the decision of the Planning Commission in approving Case P05-1184 subject to the Planning Commission's recommended conditions for the proposal of Pacifica Companies for a condominium conversion permit to allow the conversion of an existing apartment complex into 208 condominium units located at 375 Central Avenue. Further, the City Council adopted the staff report as findings; and found there is no evidence before the City that the proposed project will have any potential for adverse effect on wildlife resources and the impacts of the project are found to be de minimis pursuant to Section 711.4 of the Fish and Game Code.

**CASE P03-1178 - REZONING - 9831 CYPRESS, 6055 CREST, 6056 CHAPEL, VACANT PARCELS BETWEEN CREST AND CHAPEL - ORDINANCE ADOPTED**

The City Council adopted an ordinance enacting Case P03-1178 to rezone five contiguous parcels, totaling approximately 1.34 acres, from Zone R-3 to Zone R-1-65 located at 9831 Cypress Avenue, 6055 Crest Avenue, 6056 Chapel Street, and two vacant parcels situated southerly of Beau Avenue between Crest Avenue and Chapel Street (APN's 151-032-001 and 002); whereupon, the title having been read and further reading waived, Ordinance No. 6864 entitled, "An Ordinance of the City of Riverside, California, Amending Chapter 19.06 of the Riverside Municipal Code by Rezoning Land From Zone R-3 to Zone R-1-65", was presented and adopted.

**ISSUANCE OF WARNING NOTICE TO ILLEGAL VENDORS - ORDINANCE ADOPTED**

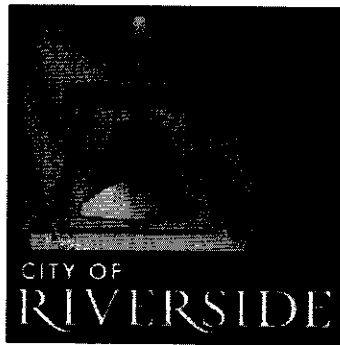
The City Council adopted an ordinance eliminating the warning notice requirement to illegal vendors prior to enforcement of the Riverside Municipal Code (RMC) and to provide for administrative enforcement as an alternative to criminal prosecution; whereupon, the title having been read and further reading waived, Ordinance No. 6865 entitled, "An Ordinance of the City of Riverside, California, Amending Chapter 9.52 of the Riverside Municipal Code Regarding Transient Merchants", was presented and adopted.

**EVIDENCE SHELVING - MAGNOLIA NEIGHBORHOOD POLICING CENTER - 10540 MAGNOLIA**

The City Council (1) made a finding that the formal bidding requirements of Purchasing Resolution No. 20942 pursuant to the exception set forth in Article Two, Section 201(c) do not apply to the purchase of the property and evidence shelving due to the short time frame involved and satisfaction with the price, terms, and conditions for the shelving that has been negotiated;







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## **COUNCIL/AGENCY MEMBERS**

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### **WARDS**

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services for parks and recreation community centers and released all bid guarantees; and (2) authorized the issuance of Request for Proposals (RFPs) for security services at parks and recreation community centers.

#### **GOLDEN STAR COMMUNITY PARK SITE - BRADLEY/WASHINGTON - SUPPLEMENTAL APPROPRIATION**

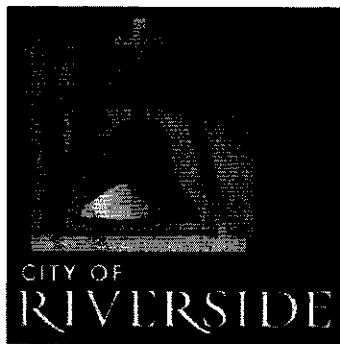
The City Council (1) authorized a loan in the amount of \$1,200,000 from the unappropriated balance of Regional/Reserve Park Fees to facilitate the immediate acquisition of the proposed park lands with funds to be repaid in annual installments or on an accelerated basis as available funds may permit over a maximum ten-year time period at an interest rate equal to the "pool rate" of return received on the City's investments as determined by the Finance Department; (2) appropriated supplemental funds in the amount of \$1,200,000 to Park Land Acquisition Account 9720052-440301 for the purpose of acquiring park land as designated within the General Plan for the Golden Star community park site; (3) authorized and directed the City Manager or his designee to pursue and negotiate acquisition of lands, both currently on the market and as may be available through a "friendly sale," as suitable for the Golden Star General Plan park site; and (4) authorized the City Manager or his designee to execute the necessary documents to complete the proposed acquisition within the limits of funds made available by this action.

#### **REBATE FOR ENERGY EFFICIENCY AND DESIGN IMPROVEMENTS TO DISTRIBUTION CENTER - 6125 SYCAMORE CANYON**

The City Council approved (1) the incentive payment of \$197,574 for the Energy-Efficiency Program for Big5 Corporation for energy efficiency and design improvements to the distribution center located at 6125 Sycamore Canyon Boulevard; and (2) the incentives in accordance with the City's standard three-year payment schedule.

#### **LICENSE AGREEMENT - GRAVEL AND ROADBED MATERIALS STORAGE - ELY. OF MOUNT VERNON, SLY. OF INTERSTATE 10, CITY OF COLTON**

The City Council (1) approved a License Agreement with Alpha Materials, Inc., for the storage of gravel and roadbed materials on Public Utilities property located easterly of Mount Vernon Avenue and southerly of Interstate 10, in the City of Colton; and (2) authorized the Public Utilities General Manager or his designee to execute any necessary documents for the subject License Agreement.



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### **WARDS**

#### **TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM FUNDS - VAN BUREN AT 91 FREEWAY INTERCHANGE PROJECT - SUPPLEMENTAL APPROPRIATION**

The City Council authorized the (1) City Manager or his designee to execute the agreement with Riverside County Transportation Commission (RCTC) for Transportation Uniform Mitigation Fee (TUMF) program funds for the Van Buren Boulevard at the 91 Freeway Interchange project; and (2) Assistant City Manager/Chief Financial Officer to increase estimated revenue in Account 9535529-339100 by \$2,000,000 and appropriated \$2,000,000 to Account 9535529-440315 once RCTC has executed the agreement.

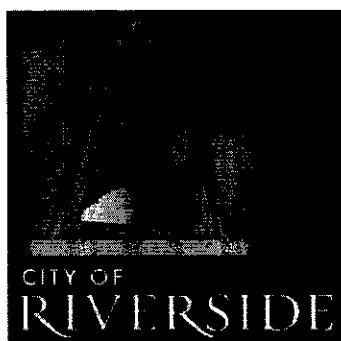
#### **CHANGE ORDER - CENTRAL/ALESSANDRO AND VAN BUREN TRAFFIC SIGNAL SYNCHRONIZATION PROJECT**

The City Council authorized an increase to the change order authority on the Central Avenue/Alessandro Boulevard and Van Buren Boulevard traffic signal synchronization project (Bid 6279) from \$27,073.20 to \$87,000 for current and forecasted traffic loads on Canyon Crest Drive and to address impacts associated with the CalTrans closure of the Martin Luther King Boulevard ramps to and from the SR 60/215 Freeway.

#### **PUBLIC HEARINGS**

#### **CASES P03-1485 AND P03-1465 - APPEAL - TRACT MAP 31542 AND GENERAL PLAN AMENDMENT - JURUPA WLY. OF VAN BUREN - RESOLUTION**

Hearing was called to consider the proposal by the Friends of Riverside Airport, LLC, to subdivide approximately 77 acres into 22 lots (Tract Map 31542) and amend the General Plan to change the land use designation of approximately 4.2 acres from PKO and NOS to RMD. The applicant is appealing the Airport Land Use Commission's (ALUC) decision that the proposed map is inconsistent with the Riverside Airport Land Use Compatibility Plan. Further, the City Council considered an appeal by Len Nunney on behalf of Friends of Riverside's Hills of the Planning Commission's approval of Cases P03-1485 and P03-1465. Six people spoke regarding the matter. Three letters were presented and considered. Following discussion, the public hearing was officially closed. The City Council (1) approved Case P03-1485 (Tract Map 31542) subject to the Planning Commission's recommended conditions with additional conditions recommended by staff and outlined in Attachment 1 of the written staff report; (2) denied Case P03-1465 (General Plan Amendment); (3) adopted the staff report and environmental assessment as findings; (4) determined the proposed project will not have a significant effect on the environment based



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WARDS

upon the findings and mitigation measures set forth in the case record and adopted a Mitigated Negative Declaration; (5) found the proposed project could have the potential for adverse effects on wildlife resources and the applicant is responsible for payment of Fish and Game fees at the time the Notice of Determination is filed with the County; (6) adopted a resolution overriding the decision of the ALUC subject to the recommendations attached to the staff report; and (7) denied the appeal of the Friends of Riverside's Hills; whereupon, the title having been read and further reading waived, Resolution No. 21153 of the City Council of the City of Riverside, California, Making Specific Findings to Override the Airport Land Use Commission's Findings in Regard to Planning Case Number P03-1485 (Tract Map 31542), was presented and adopted.

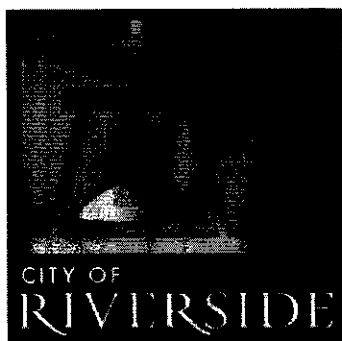
Motion  
Second  
All Ayes

X

X

CASES P04-0851/P05-1474/P03-0840/P05-0474 - APPEAL - TRACT MAP 31541 - REZONING - GENERAL PLAN AMENDMENT - TIME EXTENSION REQUEST - NORTH AND SOUTH SIDE OF FUTURE EXTENSION OF JURUPA BETWEEN CREST AND RUTLAND - RESOL.

Hearing was called to consider the proposal of Friends of Riverside Airport, LLC, to subdivide approximately 16 acres into 58 residential lots (Tract Map 31541), rezone approximately 16 acres from Zone RA to Zone R-1-65, amend the General Plan to change the land use designation of approximately 16 acres from PKP to RMD, and time extension request for Tract Map 28987 for the proposed subdivision of approximately 33 acres into 109 lots. The applicant is appealing the Airport Land Use Commission's (ALUC) decision that the proposed map is inconsistent with the Riverside Airport Land Use Compatibility Plan. Further, the City Council considered an appeal by Len Nunney on behalf of Friends of Riverside's Hills of the Planning Commission's approval of Cases P04-0851, P05-1474, P03-0840, and P05-0474. Eight people spoke regarding the matter. Four letters were presented and considered. Following discussion, the public hearing was officially closed. The City Council (1) approved Cases P04-0851 (Tract Map 31541), P05-1474 (Rezoning), P03-0840 (General Plan Amendment), and P05-0474 (time extension for Tract Map 28987) subject to the Planning Commission's recommended conditions with additional conditions as recommended by staff; (2) amended Condition No. 2 to read "The proposed project shall comply with all requirements of the Multiple Species Habitat Conservation Plan (MSHCP), including as it applies to Public/Quasi Public (PQP) properties, subject to approval by the appropriate agency (Regional Conservation Authority [RCA] or the Wildlife Agencies) and including, but not limited to, any conditions imposed by the RCA and Joint Project Review (JPR) reports. Compliance with PQP requirements shall generally occur prior to grading permit for residential lots or recordation of final map, whichever occurs first."; (3) added

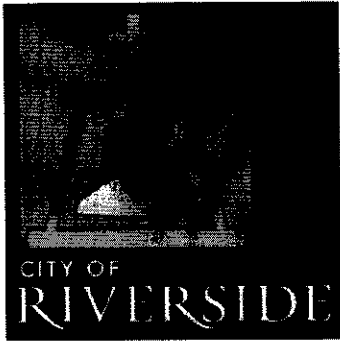


# **CITY COUNCIL AND REDEVELOPMENT AGENCY MINUTES**

TUESDAY, APRIL 11, 2006, 1 P.M.  
ART PICK COUNCIL CHAMBER  
CITY HALL  
3900 MAIN STREET

## **COUNCIL/AGENCY MEMBERS**

	B E T T R O	M E L E N D R E Z	G A G E	S C H I A V O N E	A D K I S O N	H A R T	A D A M S
WARDS	1	2	3	4	5	6	7
condition 8.f. to read, "Applicant shall record a covenant, subject to the satisfaction and approval of the City Attorney's Office and Planning Division, for each lot of the tract, which covenant shall contain as an attachment the entire text of the ALUC standard 'Notice of Airport in Vicinity.' "; (4) adopted the staff report and environmental assessment as findings; (5) determined the proposed project will not have a significant effect on the environment based upon the findings and analysis, materials and case record, and mitigation measures attached to the written staff report, and adopted a Mitigated Negative Declaration; (6) found the proposed project could have the potential for adverse effects on wildlife resources and the applicant is responsible for payment of Fish and Game fees at the time the Notice of Determination is filed with the County. (Note: The Initial Study for the project is hereby corrected as necessary to reflect this finding); (7) adopted a resolution overriding the decision of the ALUC regarding Tract Map 31541; and (8) denied the appeal of the Friends of Riverside's Hills; whereupon, the title having been read and further reading waived, Resolution No. 21154 of the City Council of City of Riverside, California, Making Specific Findings to Override the Airport Land Use Commission's Findings in Regard to Planning Case Number P04-0851 (Tract Map 31541), was presented and adopted.							
Motion Second All Ayes						X	X
FIRST AMENDMENT TO EXCHANGE, DISPOSITION AND DEVELOPMENT AGREEMENT - CREST AND RUTLAND Hearing was called to consider the proposal by Friends of Riverside Airport, LLC, of the First Amendment to the Exchange, Disposition and Development Agreement entered into on May 28, 2003, by the City of Riverside, Friends of Riverside Airport, LLC (FRA), Van Buren Golf Center, LLC, and Riverside Gateway Plaza, LLC, for the exchange of the 59.53-acre Agricultural Park (AG Parcel) owned by the City with a 61.80-acre site (FRA Parcel) owned by FRA. Twelve people spoke regarding the matter. No written protests were presented and considered. Following discussion, the public hearing was officially closed. The City Council (1) approved the First Amendment to the Exchange, Disposition and Development Agreement; and (2) authorized the City Manager or his designee to execute the agreement and any other documents necessary to comply with the terms of the agreement.							
Motion Second Ayes Noes	X	X	X	X		X	X
SETTLEMENT, RELEASE AND INDEMNIFICATION AGREEMENT - AGRICULTURAL PARK Hearing was called to discuss the proposed Settlement, Release and Indemnification Agreement with Rohr, Inc., to address environmental conditions of the Agricultural Park located on the north and south sides of the future extension of Jurupa Avenue between Crest and Rutland Avenues. Three people spoke regarding the matter. No written protests were							



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	B E T R O	M E L E N D R E Z	G A G E	S C H I A V O N E	A D K I S O N	H A R T	A D A M S
WARDS	1	2	3	4	5	6	7
Motion							X
Second				X			
Ayes	X		X	X		X	X
Noes		X					

presented. Following discussion, the public hearing was officially closed. The City Council (1) approved the Settlement, Release, and Indemnification Agreement with Rohr, Inc.; and (2) authorized the City Manager or his designee to execute the agreement upon receipt and approval by the City Attorney's Office of the On-Site and Off-Site Escrow Agreements and any other documents necessary to comply with the terms of the agreement.

### **DISCUSSION CALENDAR**

#### **DOWNTOWN MALL STATUES**

This item was removed from the agenda.

#### **LEGISLATIVE REPORT**

Mayor Loveridge stated there was nothing new to report on the activities of the League of California Cities Priority Focus dated March 31, 2006.

#### **STATUS REPORT ON REGIONAL ORGANIZATION - CONTINUED**

The report on the activities of the Southern California Association of Governments (SCAG) was continued.

#### **BRIEF REPORTS ON CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL**

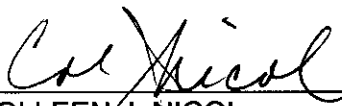
There was nothing new to report.

#### **ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION**

There were no requests for future City Council consideration.

The City Council adjourned at 10:25 p.m.

Respectfully submitted,

  
COLLEEN J. NICOL  
City Clerk