

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING RESOLUTION NO. 2021-07 ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR THE MORENO VALLEY BUSINESS PARK PROJECT PURSUANT TO PEREMPTORY WRIT OF MANDATE REGARDING CASE NO. CVRI210122 AND RELATED CASE NO. CVRI2101518

WHEREAS, the Sierra Club filed a Petition for Writ of Mandate challenging the City's approval of the Moreno Valley Business Park Project which the City approved in February 2021; and

WHEREAS, the Moreno Valley Business Park Project involved the proposed development of a single industrial building consisting of 220,390 square-foot industrial building situated on 9.98 vacant and unimproved acres located at the southeast corner of Heacock Street and Ironwood Avenue; and

WHEREAS, on October 14, 2024, Hon. Judge Firetag of the Riverside County Superior Court, issued a Peremptory Writ of Mandate mandating that the City set aside and vacate the following approvals for the Moreno Valley Business Park Project: (1) Resolution 2021-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) Resolution No. 2021-08 approving General Plan Amendment PEN20-0066; 3) Resolution No. 2021-11 approving Plot Plan PEN20-0137; and 4) Ordinance No. 978 adopting Specific Plan Amendment PEN20-0138; and

WHEREAS, the City was ordered to file and serve a return to the Peremptory Writ of Mandate no later than one-hundred eighty (180) days after service of the Writ and any subsequent returns to the Writ every 90 days thereafter, as necessary, subject to the requirement that the return(s) (response(s)) to the Writ specify the actions taken to comply with the terms of the Writ.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals

That the recitals set forth above are true and correct.

Section 2. Repeal of Resolution No. 2021-07

That pursuant to the Peremptory Writ of Mandate Regarding Case No. CVRI210122 and related Case No. CVRI2101518, Resolution 2021- 07 adopting a

Mitigated Negative Declaration and Mitigation Monitoring Plan for the Moreno Valley Business Park Project is hereby repealed in its entirety.

Section 3. Return to the Peremptory Writ of Mandate

That the City Attorney shall file and serve a return to the Peremptory Writ of Mandate no later than one-hundred eighty (180) days after service of the Writ as mandated by the Court.

Section 4. Severability

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 5. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

Section 6. Certification

That the City Clerk shall certify to the passage of this Resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this _____ day of _____, 2025.

Ulises Cabrera
Mayor
City of Moreno Valley

ATTEST:

M. Patricia Rodriguez, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, M. Patricia Rodriguez, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2025-YY was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the ____ day of _____, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

M. PATRICIA RODRIGUEZ, CITY CLERK

(SEAL)